

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



June 20, 2022

Ronald K. Moore
Senior Regulatory Analyst
Golden State Water Company
630 East Foothill Blvd.
San Dimas, CA 91773

Dear Mr. Moore,

The Water Division of the California Public Utilities Commission has approved Golden State Water Company's Advice Letter No. 1883, filed on May 27, 2022, regarding Schedule 14.1 Stage 2 Activation for Arden Cordova, Bay Point, Clearlake, Los Osos system, Santa Maria, R2 & R3 - Company Wide (except Claremont/Simi).

Enclosed are copies of the following revised tariff sheets, effective June 26, 2022, for the utility's files:

P.U.C.	
Sheet No.	Title of Sheet
9074-W	Schedule 14.1, Page 1
9075-W	Schedule 14.1, Page 2
9076-W	Schedule 14.1, Page 3
9077-W	Schedule 14.1, Page 4
9078-W	Schedule 14.1, Page 5
9079-W	Schedule 14.1, Page 6
9080-W	Schedule 14.1, Page 7
9081-W	Table of Contents, Page 4
9082-W	Table of Contents, Page 1

Please contact Jeremy Ho at JRY@cpuc.ca.gov or 415-703-1905, if you have any questions.

Thank you.

Enclosures



May 27, 2022

Advice Letter No. 1883-W

(U-133-W)

TO THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Golden State Water Company (GSWC) hereby transmits for filing the following tariff sheets applicable to its Water Operations:

<u>CPUC Sheet No</u>	<u>Title of Sheet</u>	<u>Canceling CPUC Sheet No.</u>
Revised No. 9074-W	Schedule 14.1 Page 1	Original No. 8977-W
Revised No. 9075-W	Schedule 14.1 Page 2	Original No. 8978-W
Revised No. 9076-W	Schedule 14.1 Page 3	Original No. 8979-W
Revised No. 9077-W	Schedule 14.1 Page 4	Original No. 8980-W
Revised No. 9078-W	Schedule 14.1 Page 5	Original No. 8981-W
Revised No. 9079-W	Schedule 14.1 Page 6	Original No. 8982-W
Original No. 9080-W	Schedule 14.1 Page 7	
Revised No. 9081-W	Table of Contents Page 4	Revised No. 9065-W
Revised No. 9082-W	Table of Contents Page 1	Revised No. 9073-W

Purpose

GSWC requests to modify its Schedule No. 14.1, to reflect updates in its Water Shortage Contingency Plan to incorporate language for local and state agencies' restrictions

regarding current drought conditions and conservation mandates in several areas served by GSWC.

Additionally, GSWC requests authority to activate Stage 2 of GSWC's Schedule No. 14.1 in all of its Customer Service Areas (CSAs) that are currently not on Stage 2, effective June 26, 2022.

Background

The California Public Utilities Commission (Commission) established Drought Procedures in Resolution No. W-4976 (February 27, 2014), prescribing the process by which to establish Rule No. 14.1 for voluntary conservation measures, and Schedule No. 14.1 for mandatory rationing measures.

On August 20, 2021, GSWC filed Advice Letter 1862-W with the Commission to establish a company-wide, Schedule No. 14.1 Water Shortage Contingency Plan. GSWC's request was to close the individual Schedule No. 14.1s and create a company-wide Schedule No. 14.1, as well as make minor updates to its Rule No. 14.1. Advice Letter 1862-W was approved with an effective date of September 19, 2021.

On March 28, 2022, Governor Newsom issued Executive Order (EO) N-7-22 calling on each urban water supplier to implement actions to reduce water usage by 20-30 percent, depending on local conditions. EO N-7-22 also directed the State Water Resources Control Board (State Water Board) to consider adopting emergency regulations to prohibit watering "non-functional turf", or turf that serves only ornamental purposes, in the commercial, industrial, and institutional sectors during the ongoing drought emergency to conserve water supplies.

On April 26, 2022, the Metropolitan Water District of Southern California (MWD) declared a Water Shortage Emergency Condition and adopted an Emergency Water Conservation Program to reduce non-essential uses of water and preserve available water supplies. The program limits outdoor water to one-day-per week in the areas that depend on State Water Project (SWP) supply with a provision to move to zero outdoor watering on September 1, 2022 based on water supply conditions.

On May 24, 2022, the State Water Board adopted Emergency Regulations that require urban water suppliers to implement Level 2 demand reduction actions by June 10, 2022; and that prohibit the irrigation of non-functional turf in commercial, industrial and institutional as well as Home-Owner Association sectors. The State Water Board defines non-functional turf as grass that is solely ornamental and is not regularly used for recreational purposes or community events. The state-wide emergency regulations

adopted may remain in effect for up to one year, unless rescinded earlier, or extended by the State Water Board.

Request

GSWC requests to make minor modifications to its Schedule No. 14.1 to include language that aligns with the requirements of wholesalers, state and local agencies’ mandates regarding conservation and watering requirements.

The proposed updates to the Water Shortage Contingency Plan take into account the current water supply conditions, MWD’s call for conservation, and local and state conservation mandates. The proposed updates also include flexibility as to when drought surcharges would apply and new language to include a 50% reduction in drought surcharges for low-income customers. The context of Schedule No. 14.1 remains intact.

Additionally, in response to EO N-7-22 to reduce water usage by 20-30% and the State Water Board’s Emergency Regulation to implement Level 2 demand reduction actions, GSWC is seeking to activate Schedule No. 14.1, Stage 2 for its Arden-Cordova, Bay Point, Clearlake, Los Osos (Los Osos system¹), Santa Maria (Sisquoc, Tanglewood, Orcutt, and Lake Marie systems²), Region 2 and Region 3 CSAs³.

Activation of Stage 2 will require achieving 20% mandatory water reduction, using the 2020 baseline usage for each of the CSAs and will activate GSWC’s authority to impose drought surcharges, when applicable.

All outdoor irrigation is limited to (2) two-days-per week and is, banned between the hours of 9 am – 5 pm, according to the following watering schedule:

Addresses Ending In:	Watering Days:
Even Numbers (0, 2, 4, 6, 8):	Sunday, Wednesday
Odd Numbers (1, 3, 5, 7, 9):	Tuesday, Saturday

In order to achieve the water conservation goal, GSWC customers who do not meet the Stage 2 mandatory 20% reduction in water use may be charged a drought surcharge of up to \$2.50 per Ccf for all usage in excess of the customer’s usage allocation, as deemed necessary.

¹ The Edna Road system is already on Stage 2, as approved via Advice Letter 1669-W, effective 11/1/2016.

² The Cypress Ridge and Nipomo systems are already on Stage 2, as approved via Advice Letter 1673-W, effective 12/1/2016.

³ The Claremont CSA in Region 3 is already approved to move to Stage 2, as approved via Advice Letter 1880-W, effective 6/1/2022

GSWC is not requesting to implement surcharges for the districts mentioned above that will be moving to Stage 2 mandatory conservation with this advice letter filing. All systems on Stage 2 prior to the filing of this advice letter will continue to be assessed surcharges in accordance with Schedule 14.1.

All monies collected, will be tracked in the Water Revenue Adjustment Mechanism (WRAM).

Customer Outreach and Noticing

GSWC will follow all guidelines including customer outreach and noticing guidelines specified in the Commission's Water Division Standard Practice U-40-W on Instructions for Water Conservation Rationing and Service Connection Moratoria, which include customer outreach and noticing before the implementation of each rationing stage.

GSWC will notify its customers of the activation of Schedule No. 14.1, Stage 2 through bill insert, direct mailing or electronic notification. Additionally, GSWC will also provide periodic bill messages regarding updates on the status of water supply conditions and the results of customers' conservation efforts.

Public Meeting

As required by Section 351 of the California Water Code, GSWC held public meetings September 7 - September 10, 2021 for its customers to provide public comments on the proposed Schedule 14.1 and help customers understand the associated enforcement measures related to the Water Shortage Contingency and Staged Mandatory Water Conservation and Rationing plan. As it has been less than 12 months since these public meetings occurred, the activation of Stage 2 mandatory conservation will not require another public meeting.

Tier Designation

This advice letter has a Tier 2 designation. GSWC is requesting that this filing become effective on June 26, 2022.

Response or Protest

Anyone may submit a response or protest for this Advice Letter ("AL"). When submitting a response or protest, **please include the utility name and advice letter number in the subject line.**

A **response** supports the filing and may contain information that proves useful to the Commission in evaluating the AL. A **protest** objects to the AL in whole or in part and must set forth the specific grounds on which it is based. These grounds are:

1. The utility did not properly serve or give notice of the AL;
2. The relief requested in the AL would violate statute or Commission order, or is not authorized by statute or Commission order on which the utility relies;
3. The analysis, calculations, or data in the AL contain material error or omissions;
4. The relief requested in the AL is pending before the Commission in a formal proceeding; or
5. The relief requested in the AL requires consideration in a formal hearing, or is otherwise inappropriate for the AL process; or
6. The relief requested in the AL is unjust, unreasonable, or discriminatory, provided that such a protest may not be made where it would require re-litigating a prior order of the Commission.

A protest may not rely on policy objections to an AL where the relief requested in the AL follows rules or directions established by statute or Commission order applicable to the utility. A protest shall provide citations or proofs where available to allow staff to properly consider the protest.

WD must receive a response or protest via email (**or** postal mail) within 20 days of the date the AL is filed. When submitting a response or protest, **please include the utility name and advice letter number in the subject line.**

The addresses for submitting a response or protest are:

Email Address:

Water.Division@cpuc.ca.gov

Mailing Address:

CA Public Utilities Commission
Division of Water and Audits
505 Van Ness Avenue
San Francisco, CA 94102

On the same day the response or protest is submitted to WD, the respondent or protestant shall send a copy of the protest to Golden State Water Company at:

Email Address:

regulatoryaffairs@gswater.com

Mailing Address:

Golden State Water Company
Attn: Gladys Estrada
630 East Foothill Blvd.
San Dimas, CA 91773

Cities and counties that need Board of Supervisors or Board of Commissioners approval to protest should inform DWA, within the 20 day protest period, so that a late filed protest can be entertained. The informing document should include an estimate of the date the proposed protest might be voted on.

Replies

The utility shall reply to each protest and may reply to any response. Any reply must be received by WD within five business days after the end of the protest period, and shall be served on the same day on each person who filed the protest or response to the AL.

The actions requested in this advice letter are not now the subject of any formal filings with the California Public Utilities Commission, including a formal complaint, nor action in any court of law.

Sincerely,

/s/ Gladys Estrada
Gladys Estrada
Regulatory Analyst

cc: Jim Boothe, CPUC - Water Division
Victor Chan, CPUC- CalPA
Richard Rauschmeier, CPUC- CalPA
Jeremy Ho, CPUC- Water Division

Schedule No. 14.1
Water Shortage Contingency Plan
With Staged Mandatory Restrictions, Reductions And Drought Surcharges

(T)
(T)

A. APPLICABILITY

This Schedule applies to all Golden State Water Company (GSWC) water customers in all Customer Service Areas. This Schedule is effective in times of voluntary conservation or mandatory rationing, as required by Rule No. 14.1. To the extent any provision in this Schedule is inconsistent with Rule No. 14.1, the provisions of this Schedule apply. The drought emergency surcharges listed in this Schedule are in addition to the regular water-use charges under the applicable Schedules as authorized by the California Public Utilities Commission (CPUC) for the respective ratemaking area.

B. TERRITORY

This Schedule is applicable to all GSWC water customers in California.

C. MANDATORY RESTRICTIONS

(T)
(L)
(L)
(N)
(N)

The State Water Resources Control Board has established the following mandatory restrictions for all water users.

No Customer shall use utility-supplied water for non-essential or unauthorized uses as defined below; customers shall take actions to reduce non-essential and unauthorized water use accordingly as identified below:

(L)

- a. The application of potable water to outdoor landscapes in a manner that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
- b. The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.
- c. The use of potable water for washing buildings, structures, sidewalks, walkways, patios, tennis courts, or other hard-surfaced, non-porous areas.
- d. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
- e. The use of potable water for watering outside plants, lawn, landscape, and turf area during certain hours prohibited by applicable laws or rules, during and up to 48 hours after measurable rainfall (0.1" or more).
- f. GSWC will promptly notify customers when aware of leaks within the customer's control; the failure to repair any leaks, breaks, or other malfunction resulting in water waste in a customer's domestic or outdoor water system within forty-eight (48) hours of notification by the utility, unless other, specific arrangements are made with and agreed to by the utility.
- g. The serving of water, other than upon request, in eating and drinking establishments, including but not limited to restaurants, hotels, cafes, bars, or other public places where food or drink are served and/or purchased.

(L)

(Continued)

(To be inserted by utility)

Advice Letter No. 1883-W
Decision No. _____

Issued By
R. J. Sprowls
President

(To be inserted by P.U.C.)

Date Filed May 27, 2022
Effective June 26, 2022
Resolution No. _____

Schedule No. 14.1
Water Shortage Contingency Plan
With Staged Mandatory Restrictions, Reductions And Drought Surcharges

(T)
(T)

C. MANDATORY RESTRICTIONS (Continued)

- h. Hotels/motels must provide guests with the option of choosing not to have towels and linens laundered daily and prominently display notice of this option.
- i. The use of potable water for irrigation of ornamental turf on public street medians.
- j. The use of potable water for irrigation outside of newly constructed homes and buildings that is not delivered by drip or micro spray systems.
- k. Commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, shall immediately implement water efficiency measures to reduce potable water use in an amount consistent with the mandated reduction.
- l. Further reduction in or the complete prohibition of any other use of water declared non-essential, unauthorized, prohibited, or unlawful by an authorized government or regulatory agency or official.
- m. Use of potable water for watering streets with trucks, or other vehicles, except for initial wash-down for construction purposes (if street sweeping is not feasible), or to protect the health and safety of the public.
- n. The outdoor irrigation restriction does not apply to trees or edible vegetation watered solely by drip or micro spray systems.
- o. The use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial and institutional sites.

(L)

(N)
(N)

D. WATER USE REDUCTIONS AND DROUGHT SURCHARGES

(T)

A resolution was adopted on August 2, 2021, by the Board of Directors (Board) of American States Water Company, the parent company of GSWC, in response to drought or water supply shortage conditions. As such, GSWC will implement the appropriate Stage of its Water-Use Reduction Plan to either mitigate the water supply shortage in accordance with the Water Shortage Contingency Plan (WSCP) or to achieve identified water usage goals established by an authorized government agency or official, or as directed under court jurisdiction. The required actions outlined for each stage cannot be implemented until GSWC has filed a Tier 2 Advice Letter with the CPUC and CPUC approval has been obtained.

(T)

Response actions for each of the six stages of GSWC's WSCP are as follows:

Stage 1 – Stage 1 is a “Water Alert” where voluntary conservation is encouraged. GSWC explains the drought situation to the public and governmental bodies relying on GSWC water. GSWC explains the potential subsequent water shortage stages in order to forecast possible future actions for the customer base. Under Stage 1, GSWC takes the following actions:

- Implement Voluntary Water Conservation Measures authorized under Rule No. 14.1.
- Establish a voluntary demand reduction target for each water system.

(L)

(Continued)

(To be inserted by utility)

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Decision No. _____

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R. J. Sprowls
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Schedule No. 14.1
Water Shortage Contingency Plan
With Staged Mandatory Restrictions, Reductions And Drought Surcharges

(T)
(T)

D. WATER USE REDUCTIONS AND DROUGHT SURCHARGES (Continued)

(L)

Stage 1 (Continued)

- Inform public of water shortage conditions or demand reduction targets through some or all of the following: distribution of literature, public meetings, website updates, bill inserts, digital media, conservation messages printed in local newspapers, and educational programs in schools.
- Initiate a Conservation Hotline, a toll-free number with trained Conservation Representatives to answer customer questions about conservation and water-use efficiency.
- Identify the year to be used for establishing the customer baseline water use.
- Recommend voluntary customer outdoor irrigation between the hours of 7 PM and 8 AM per the following Schedule (If a city, county, or other public agency adopts restrictions on the number of days or hours of the day that customers may irrigate, GSWC, at its discretion, may adopt and enforce those restrictions):

(T)
(T)
(T)

Addresses Ending In:	Watering Days
Even Numbers (0, 2, 4, 6, 8)	Sunday, Wednesday, Friday
Odd Numbers (1, 3, 5, 7, 9)	Tuesday, Thursday, Saturday

Stage 2 - 20% Mandatory Reduction Stage: Stage 2 is a "Moderate Shortage" and will be implemented if the Stage 1 restrictions are deemed insufficient to achieve necessary demand reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official. Stage 2 will include all actions undertaken in Stage 1. GSWC will require mandatory conservation under this stage. Under Stage 2, GSWC takes the following actions:

- All measures implemented in Stage 1 are implemented in Stage 2.
- Outdoor Irrigation is restricted to between the hours of 7 PM and 8 AM per the following schedule (If a city, county, or other public agency adopts restrictions on the number of days or hours of the day that customers may irrigate, GSWC, at its discretion, may adopt and enforce those restrictions):

(T)
(T)
(T)

Addresses Ending In:	Watering Days
Even Numbers (0, 2, 4, 6, 8)	Sunday and Wednesday
Odd Numbers (1, 3, 5, 7, 9)	Tuesday and Saturday

- GSWC calculates customer conservation allocation based upon the year identified in Stage 1, less 20%.

(L)

(Continued)

(To be inserted by utility)

Advice Letter No. 1883-W
 Decision No. _____

Issued By
R. J. Sprowls
President

(To be inserted by P.U.C.)

Date Filed May 27, 2022
 Effective June 26, 2022
 Resolution No. _____

Schedule No. 14.1
Water Shortage Contingency Plan
With Staged Mandatory Restrictions, Reductions And Drought Surcharges

(T)
(T)

D. WATER USE REDUCTIONS AND DROUGHT SURCHARGES (Continued)

Stage 2 (Continued)

(L)

- For residential customers no allocation will be set less than eight (8) Ccf per monthly billing period or 16 Ccf per bi-monthly billing period, unless directed otherwise by an authorized government agency. (T)
- Water Usage in excess of customer baseline may be charged at regular rate plus a drought emergency surcharge of up to \$2.50 per Ccf. (T)
(T)
- Installation of a flow restrictor for repeated violation of water use restrictions under Rule No. 14.1, C.3., as noted in Section C. of this Schedule. (T)

Stage 3 - 30% Mandatory Reduction Stage: Stage 3 is a "Severe Shortage" and will be implemented if the Stage 2 restrictions are deemed insufficient to achieve necessary demand reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official. Stage 3 will include all actions undertaken in Stage 2. GSWC will require mandatory conservation under this stage. Under Stage 3, GSWC takes the following actions:

- All measures implemented in Stage 2 are implemented in Stage 3.
- GSWC calculates customer conservation allocation based upon the year identified in Stage 1, less 30%.
- For residential customers no allocation will be set less than eight (8) Ccf per monthly billing period or 16 Ccf per bi-monthly billing period, unless directed otherwise by an authorized government agency. (T)
- Water Usage in excess of customer baseline may be charged at regular rate plus a drought emergency surcharge of up to \$5 per Ccf. (T)
(T)
- Installation of a flow restrictor for repeated violation of water use restrictions under Rule 14.1 C.3., as noted in Section C. of this Schedule. (T)

Stage 4 - 40% Mandatory Reduction Stage: Stage 4 is a "Critical Shortage" and will be implemented if the Stage 3 restrictions are deemed insufficient to achieve necessary demand reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official. Stage 4 will include all actions undertaken in Stage 3. GSWC will require mandatory conservation under this stage. Under Stage 4, GSWC takes the following actions:

- All measures implemented in Stage 3 are implemented in Stage 4.
- GSWC calculates customer conservation allocation based upon the year identified in Stage 1, less 40%.
- For residential customers no allocation will be set less than eight (8) Ccf per monthly billing period or 16 Ccf per bi-monthly billing period, unless directed otherwise by an authorized government agency. (T)
(L)

(Continued)

(To be inserted by utility)

Advice Letter No. 1883-W
Decision No. _____

Issued By
R. J. Sprowls
President

(To be inserted by P.U.C.)

Date Filed May 27, 2022
Effective June 26, 2022
Resolution No. _____

Schedule No. 14.1
Water Shortage Contingency Plan (T)
With Staged Mandatory Restrictions, Reductions And Drought Surcharges (T)

D. WATER USE REDUCTIONS AND DROUGHT SURCHARGES (Continued)

Stage 4 (Continued) (L)

- Water Usage in excess of customer baseline may be charged at regular rate plus a drought emergency surcharge of up to \$7.50 per Ccf. (T)
- Installation of a flow restrictor for repeated violation of water use restrictions under Rule No. 14.1 C.3., as noted in Section C. of this Schedule. (T)

Stage 5 - 50% Mandatory Reduction Stage: Stage 5 is a "Shortage Crisis" and will be implemented if the Stage 4 restrictions are deemed insufficient to achieve necessary demand reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official. Stage 5 will include all actions undertaken in Stage 4. GSWC will require mandatory conservation under this stage. Under Stage 5, GSWC takes the following actions:

- All measures implemented in Stage 4 are implemented in Stage 5.
- GSWC calculates customer conservation allocation based upon the year identified in Stage 1, less 50%.
- For residential customer no allocation will be set less than eight (8) Ccf per monthly billing period or 16 Ccf per bi-monthly billing period, unless directed otherwise by an authorized government agency. (T)
- Water Usage in excess of customer baseline to be charged at regular rate plus a drought emergency surcharge of up to \$10 per Ccf. (T)
- Installation of a flow restrictor for repeated violation of water use restrictions under Rule No. 14.1 C.3., as noted in Section C. of this Schedule. (T)

Stage 6 - 55% Mandatory Reduction Stage: Stage 6 is an "Emergency Shortage" and will be implemented if the Stage 5 restrictions are deemed insufficient to achieve necessary demand reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official. Stage 6 will include all actions undertaken in Stage 5. GSWC will require mandatory conservation under this stage. Under Stage 6, GSWC takes the following actions:

- All measures implemented in Stage 5 are implemented in Stage 6.
- GSWC calculates customer conservation allocation based upon the year identified in Stage 1, less 55%. (L)

(Continued)

(To be inserted by utility)

Advice Letter No. 1883-W
Decision No. _____

Issued By
R. J. Sprowls
President

(To be inserted by P.U.C.)

Date Filed May 27, 2022
Effective June 26, 2022
Resolution No. _____

Schedule No. 14.1
Water Shortage Contingency Plan
With Staged Mandatory Restrictions, Reductions And Drought Surcharges

(T)
(T)

D. WATER USE REDUCTIONS AND DROUGHT SURCHARGES (Continued)

Stage 6 (Continued)

(L)

- For residential customers no allocation will be set less than eight (8) Ccf per monthly billing period or 16 Ccf per bi-monthly billing period, unless directed otherwise by an authorized government agency. (T)
- Water Usage in excess of customer baseline to be charged at regular rate plus a drought emergency surcharge of up to \$15 per Ccf. (T)
- Installation of a flow restrictor for repeated violation of water use restrictions under Rule No. 14.1 C.3., as noted in Section C. of this Schedule. (T)

E. DROUGHT SURCHARGES

(N)

Excess usage above the baseline drought allocation may result in a Drought Surcharge. The Drought Surcharge is in addition to the base charges allowed under the applicable tariffs authorized by the CPUC.

Customers participating in the Utility's Low Income Customer Assistance Program shall be entitled to a 50% reduction in the Drought Surcharge.

(N)

F. FLOW RESTRICTOR CHARGES

(T)

The charge for installation and removal of a flow-restricting device shall be:

<u>Connection Size</u>	<u>Charges</u>
5/8" to 1"	\$150
1-1/2" to 2"	\$200
3" and larger.....	\$300

The flow restrictor will remain installed for a minimum of seven (7) days.

G. EXEMPTION AND APPEALS PROCESS

(T)

Any customer who seeks a variance from any of the provisions of this voluntary water conservation plan and/or mandatory conservation plan shall notify the utility in writing, explaining in detail the reason for such a variation. The utility shall respond to each such request in writing.

The appeals form is available online at GSWC website: www.gswater.com/appeal or by calling GSWC's 24-Hour Customer Service Hotline at 1-800-999-4033.

(L)

(To be inserted by utility)

Advice Letter No. 1883-W
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President

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Schedule No. 14.1
Water Shortage Contingency Plan
With Staged Mandatory Restrictions, Reductions And Drought Surcharges

H. SPECIAL CONDITIONS

1. A Tier 2 advice letter will have to be filed with the CPUC to activate any of the Stages of Water Use Reduction and Drought Emergency Surcharges listed in this Schedule.
2. The active Stage of Water Use Reduction and Drought Emergency Surcharges is to remain in effect until a Tier 2 advice letter is filed with the CPUC to activate a different Stage or when Schedule No. 14.1 is deactivated.
3. Water-use violation fines and/or Drought Emergency Surcharges must be separately identified on each bill.
4. All bills are subject to reimbursement fee set forth on Schedule No. UF.
5. All revenue collected by the utility through water use violation fines and/or Drought Emergency Surcharges shall not be accounted for as income, but shall be accumulated in the WRAM and lost revenue portion tracked in the appropriate memorandum account for non-WRAM tariffs.

(T) (N)

(L)

(L)

(N)

(Continued)

(To be inserted by utility)

Advice Letter No. 1883-W
Decision No. _____

Issued By
R. J. Sprowls
President

(To be inserted by P.U.C.)

Date Filed May 27, 2022
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(To be inserted by utility)
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R. J. Sprowls
 President

(To be inserted by P.U.C.)
 Date Filed May 27, 2022
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The following tariff sheets contain all effective rates and rules affecting rates and service of the utility, together with information relating thereto:

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(To be inserted by utility)
 Advice Letter No. 1883-W
 Decision No. _____

Issued By
R. J. Sprowls
 President

(To be inserted by P.U.C.)
 Date Filed May 27, 2022
 Effective June 26, 2022
 Resolution No. _____

Si necesita asistencia en Español, tenemos representantes de servicio al cliente disponibles para ayudarle cuando lo solicite, por favor llame al número 1-800-999-4033.

NOTICE OF STAGE 2 MANDATORY WATER CONSERVATION

ARDEN-CORDOVA, BAY POINT, CLEARLAKE, LOS OSOS SYSTEM, SANTA MARIA (SISQUOC, TANGLEWOOD, ORCUTT, LAKE MARIE SYSTEMS), REGION 2 AND *REGION 3 CUSTOMER SERVICE AREAS

Golden State Water Company (GSWC) filed an Advice Letter with the California Public Utilities Commission (CPUC) to activate Stage 2 in its Schedule No. 14.1 Water Shortage Contingency Plan for all of its Customer Service Areas (CSAs) that are currently not on Stage 2. **(Claremont CSA in Region 3 is already on Stage 2).*

Schedule No. 14.1 provides information on mandatory restrictions, water allocations, enforcement measures and surcharges that will help to achieve reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official.

On March 28, 2022, Governor Newsom issued Executive Order (EO) N-7-22 calling on each urban water supplier to implement actions to reduce water usage by 20-30 percent, depending on local conditions. The Executive Order also directs the Water Board to consider adopting emergency regulations to prohibit watering “non-functional turf,” or turf that serves only ornamental purposes, in the commercial, industrial, and institutional sectors during the ongoing drought emergency to conserve water supplies.

Additionally, On May 24, 2022, the State Water Resources Control Board (State Board) adopted Emergency Regulations that require urban water suppliers to implement Level 2 demand reduction actions by June 10, 2022; and that prohibit the irrigation of non-functional turf in commercial, industrial and Institutional as well as Home-Owner Association sectors. The State Water Board defines non-functional turf as grass that is solely ornamental and is not regularly used for recreational purposes or community events. The state-wide emergency regulations adopted may remain in effect for up to one year, unless rescinded earlier, or extended by the State Water Board.

In response to the Governor’s EO and the State Board’s adopted Emergency Regulations to implement Level 2 reductions of non-essential water use, GSWC will implement Stage 2 of its Schedule No. 14.1 Water Shortage Contingency Plan, in its Arden-Cordova, Bay Point, Clearlake, Los Osos system, Santa Maria (Sisquoc, Tanglewood, Orcutt, Lake Marie systems), Region 2 and Region 3 CSAs requiring 20% mandatory reduction in customer usage.

All restrictions will require customers to reduce usage as compared to the amount they used in 2020.

Customers in these areas will be required to limit outdoor water use to **two-days-per week starting on June 26, 2022 and potentially to no outdoor watering later in the year should a local water agency or local city ordinance limit all non-essential outdoor watering.**

All outdoor irrigation is limited to (2) two-days-per week and is, banned between the hours of 9 am – 5 pm, according to the following watering schedule:

Addresses Ending In:	Watering Days:
Even Numbers (0, 2, 4, 6, 8):	Sunday, Wednesday
Odd Numbers (1, 3, 5, 7, 9):	Tuesday, Saturday

In order to achieve the water conservation goals from all customers, GSWC customers who do not meet the mandatory 20% reduction may be charged a drought surcharge of up to \$2.50 per Ccf for all usage in excess of the customer’s billing allocation (compared to 2020), as listed in Schedule 14.1, Section D., Stage 2 below:

If you need additional information, or a copy of the Advice Letter you may visit GSWC’s website at www.gswater.com or call the GSWC’s 24-hour Customer Service Center, toll free, at 1-800-999-4033, TTY 1-877-933-9533.

GOLDEN STATE WATER COMPANY

Schedule No. 14.1 Water Shortage Contingency Plan With Staged Mandatory Restrictions, Reductions And Drought Surcharges

A. APPLICABILITY

This Schedule applies to all Golden State Water Company (GSWC) water customers in all Customer Service Areas. This Schedule is effective in times of voluntary conservation or mandatory rationing, as required by Rule No. 14.1. To the extent any provision in this Schedule is inconsistent with Rule No. 14.1, the provisions of this Schedule apply. The drought emergency surcharges listed in this Schedule are in addition to the regular water-use charges under the applicable Schedules as authorized by the California Public Utilities Commission (CPUC) for the respective ratemaking area.

B. TERRITORY

This Schedule is applicable to all GSWC water customers in California.

C. MANDATORY RESTRICTIONS

The State Water Resources Control Board has established the following mandatory restrictions for all water users.

No Customer shall use utility-supplied water for non-essential or unauthorized uses as defined below; customers shall take actions to reduce non-essential and unauthorized water use accordingly as identified below:

- a. The application of potable water to outdoor landscapes in a manner that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
- b. The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.
- c. The use of potable water for washing buildings, structures, sidewalks, walkways, patios, tennis courts, or other hard-surfaced, non-porous areas.
- d. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
- e. The use of potable water for watering outside plants, lawn, landscape, and turf area during certain hours prohibited by applicable laws or rules, during and up to 48 hours after measurable rainfall (0.1" or more).
- f. GSWC will promptly notify customers when aware of leaks within the customer's control; the failure to repair any leaks, breaks, or other malfunction resulting in water waste in a customer's domestic or outdoor water system within forty-eight (48) hours of notification by the utility, unless other, specific arrangements are made with and agreed to by the utility.
- g. The serving of water, other than upon request, in eating and drinking establishments, including but not limited to restaurants, hotels, cafes, bars, or other public places where food or drink are served and/or purchased.
- h. Hotels/motels must provide guests with the option of choosing not to have towels and linens laundered daily and prominently display notice of this option.
- i. The use of potable water for irrigation of ornamental turf on public street medians.
- j. The use of potable water for irrigation outside of newly constructed homes and buildings that is not delivered by drip or micro spray systems.
- k. Commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, shall immediately implement water efficiency measures to reduce potable water use in an amount consistent with the mandated reduction.
- l. Further reduction in or the complete prohibition of any other use of water declared non-essential, unauthorized, prohibited, or unlawful by an authorized government or regulatory agency or official.
- m. Use of potable water for watering streets with trucks, or other vehicles, except for initial wash-down for construction purposes (if street sweeping is not feasible), or to protect the health and safety of the public.
- n. The outdoor irrigation restriction does not apply to trees or edible vegetation watered solely by drip or micro spray systems.
- o. The use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites.

D. MANDATORY WATER USE REDUCTIONS AND DROUGHT SURCHARGES

A resolution was adopted on August 2, 2021 by the Board of Directors (Board) of American States Water Company, the parent company of GSWC, in response to drought or water supply shortage conditions. As such, GSWC will implement the appropriate Stage of its Water-Use Reduction Plan either to mitigate the water supply shortage in accordance with the Water Shortage Contingency Plan (WSCP) or to achieve identified water usage goals established by an authorized government agency or official, or as directed under court jurisdiction. The required actions outlined for each stage cannot be implemented until GSWC has filed a Tier 2 Advice Letter with the CPUC and CPUC approval has been obtained.

Response actions for each of the six stages of GSWC's WSCP are as follows:

Stage 1 – Stage 1 is a "Water Alert" where voluntary conservation is encouraged. GSWC explains the drought situation to the public and governmental bodies relying on GSWC water. GSWC explains the potential subsequent water shortage stages in order to forecast possible future actions for the customer base. Under Stage 1, GSWC takes the following actions:

- Implement Voluntary Water Conservation Measures authorized under Rule No. 14.1.
- Establish a voluntary demand reduction target for each water system.
- Inform public of water shortage conditions or demand reduction targets through some or all of the following: distribution of literature, public meetings, website updates, bill inserts, digital media, conservation messages printed in local newspapers, and educational programs in schools.
- Initiate a Conservation Hotline, a toll-free number with trained Conservation Representatives to answer customer questions about conservation and water-use efficiency.
- Identify the year to be used for establishing the customer baseline water use.
- Recommend voluntary customer outdoor irrigation between the hours of 7 PM and 8 AM per the following Schedule (If a city, county, or other public agency adopts restrictions on the number of days or hours of the day that customers may irrigate, GSWC, at its discretion, may adopt and enforce those restrictions):

Addresses Ending In:	Watering Days
Even Numbers (0, 2, 4, 6, 8)	Sunday, Wednesday, Friday
Odd Numbers (1, 3, 5, 7, 9)	Tuesday, Thursday, Saturday

Stage 2 – 20% Mandatory Reduction Stage: Stage 2 is a "Moderate Shortage" and will be implemented if the Stage 1

restrictions are deemed insufficient to achieve necessary demand reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official. Stage 2 will include all actions undertaken in Stage 1.

- GSWC will require mandatory conservation under this stage. Under Stage 2, GSWC takes the following actions:
- All measures implemented in Stage 1 are implemented in Stage 2.
- Outdoor Irrigation is restricted to between the hours of 7 PM and 8 AM per the following schedule (If a city, county, or other public agency adopts restrictions on the number of days or hours of the day that customers may irrigate, GSWC, at its discretion, may adopt and enforce those restrictions):

Addresses Ending In:	Watering Days
Even Numbers (0, 2, 4, 6, 8)	Sunday and Wednesday
Odd Numbers (1, 3, 5, 7, 9)	Tuesday and Saturday

- GSWC calculates customer conservation allocation based upon the year identified in Stage 1, less 20%.
- For residential customers no allocation will be set less than eight (8) Ccf per monthly billing period or 16 Ccf per bi-monthly billing period, unless directed otherwise by an authorized government agency.
- Water Usage in excess of customer baseline may be charged at regular rate plus a drought emergency surcharge of up to \$2.50 per Ccf.
- Installation of a flow restrictor for repeated violation of water use restrictions under Rule No. 14.1 C.3., as noted in Section C. of this Schedule.

Stage 3 – 30% Mandatory Reduction Stage: Stage 3 is a “Severe Shortage” and will be implemented if the Stage 2 restrictions are deemed insufficient to achieve necessary demand reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official. Stage 3 will include all actions undertaken in Stage 2. GSWC will require mandatory conservation under this stage. Under Stage 3, GSWC takes the following actions:

- All measures implemented in Stage 2 are implemented in Stage 3.
- GSWC calculates customer conservation allocation based upon the year identified in Stage 1, less 30%.
- For residential customers no allocation will be set less than eight (8) Ccf per monthly billing period or 16 Ccf per bi-monthly billing period, unless directed otherwise by an authorized government agency.
- Water Usage in excess of customer baseline may be charged at regular rate plus a drought emergency surcharge of up to \$5 per Ccf.
- Installation of a flow restrictor for repeated violation of water use restrictions under Rule No. 14.1 C.3., as noted in Section C. of this Schedule.

Stage 4 - 40% Mandatory Reduction Stage: Stage 4 is a “Critical Shortage” and will be implemented if the Stage 3 restrictions are deemed insufficient to achieve necessary demand reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official. Stage 4 will include all actions undertaken in Stage 3. GSWC will require mandatory conservation under this stage. Under Stage 4, GSWC takes the following actions:

- All measures implemented in Stage 3 are implemented in Stage 4.
- GSWC calculates customer conservation allocation based upon the year identified in Stage 1, less 40%.
- For residential customers no allocation will be set less than eight (8) Ccf per monthly billing period or 16 Ccf per bi-monthly billing period, unless directed otherwise by an authorized government agency.
- Water Usage in excess of customer baseline may be charged at regular rate plus a drought emergency surcharge of up to \$7.50 per Ccf.
- Installation of a flow restrictor for repeated violation of water use restrictions under Rule No. 14.1 C.3., as noted in Section C. of this Schedule.

Stage 5 - 50% Mandatory Reduction Stage: Stage 5 is a “Shortage Crisis” and will be implemented if the Stage 4 restrictions are deemed insufficient to achieve necessary demand reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official. Stage 5 will include all actions undertaken in Stage 4. GSWC will require mandatory conservation under this stage. Under Stage 5, GSWC takes the following actions:

- All measures implemented in Stage 4 are implemented in Stage 5.
- GSWC calculates customer conservation allocation based upon the year identified in Stage 1, less 50%.
- For residential customers no allocation will be set less than eight (8) Ccf per monthly billing period or 16 Ccf per bi-monthly billing period, unless directed otherwise by an authorized government agency.
- Water Usage in excess of customer baseline to be charged at regular rate plus a drought emergency surcharge of up to \$10 per Ccf.
- Installation of a flow restrictor for repeated violation of water use restrictions under Rule No. 14.1 C.3., as noted in Section C of this Schedule.

Stage 6 - 55% Mandatory Reduction Stage: Stage 6 is an “Emergency Shortage” and will be implemented if the Stage 5 restrictions are deemed insufficient to achieve necessary demand reductions due to water supply shortages or to achieve identified water usage goals established by an authorized government agency or official. Stage 6 will include all actions

undertaken in Stage 5.

GSWC will require mandatory conservation under this stage. Under Stage 6, GSWC takes the following actions:

- All measures implemented in Stage 5 are implemented in Stage 6.
- GSWC calculates customer conservation allocation based upon the year identified in Stage 1, less 55%.
- For residential customers no allocation will be set less than eight (8) Ccf per monthly billing period or 16 Ccf per bi-monthly billing period, unless directed otherwise by an authorized government agency.
- Water Usage in excess of customer baseline to be charged at regular rate plus a drought emergency surcharge of up to \$15 per Ccf.
- Installation of a flow restrictor for repeated violation of water use restrictions under Rule No. 14.1 C.3., as noted in Section C. of this Schedule.

E. DROUGHT SURCHARGES

Excess usage above the baseline drought allocation may result in a Drought Surcharge. The Drought Surcharge is in addition to the base charges allowed under the applicable tariffs authorized by the CPUC.

Customers participating in the Utility's Low Income Customer Assistance Program shall be entitled to a 50% reduction in the Drought Surcharge.

F. FLOW RESTRICTOR CHARGES

The charge for installation and removal of a flow-restricting device shall be:

<u>Connection Size</u>	<u>Charges</u>
5/8" to 1" ...	\$150
1-1/2" to 2" ...	\$200
3" and larger	\$300

The flow restrictor will remain installed for a minimum of seven (7) days.

G. EXEMPTION AND APPEALS PROCESS

Any customer who seeks a variance from any of the provisions of this voluntary water conservation plan and/or mandatory conservation plan shall notify the utility in writing, explaining in detail the reason for such a variation. The utility shall respond to each such request in writing.

The appeals form is available online at GSWC website: www.gswater.com/appeal or by calling GSWC's 24-Hour Customer Service Hotline at 1-800-999-4033.

H. SPECIAL CONDITIONS

1. A Tier 2 advice letter will have to be filed with the CPUC to activate any of the Stages of Water Use Reduction and Drought Emergency Surcharges listed in this Schedule.
2. The active Stage of Water Use Reduction and Drought Emergency Surcharges is to remain in effect until a Tier 2 advice letter is filed with the CPUC to activate a different Stage or when Schedule No. 14.1 is deactivated.
3. Water-use violation fines and/or Drought Emergency Surcharges must be separately identified on each bill.
4. All bills are subject to reimbursement fee set forth on Schedule No. UF.
5. All revenue collected by the utility through water use violation fines and/or Drought Emergency surcharges shall not be accounted for as income, but shall be accumulated in the WRAM and lost revenue portion tracked in the appropriate memorandum account for non-WRAM tariffs.

ATTACHMENTS

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-7-22

WHEREAS on April 12, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, I proclaimed states of emergency that continue today and exist across all the counties of California, due to extreme and expanding drought conditions; and

WHEREAS climate change continues to intensify the impacts of droughts on our communities, environment, and economy, and California is in a third consecutive year of dry conditions, resulting in continuing drought in all parts of the State; and

WHEREAS the 21st century to date has been characterized by record warmth and predominantly dry conditions, and the 2021 meteorological summer in California and the rest of the western United States was the hottest on record; and

WHEREAS since my October 19, 2021 Proclamation, early rains in October and December 2021 gave way to the driest January and February in recorded history for the watersheds that provide much of California's water supply; and

WHEREAS the ongoing drought will have significant, immediate impacts on communities with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water; and

WHEREAS the two largest reservoirs of the Central Valley Project, which supplies water to farms and communities in the Central Valley and the Santa Clara Valley and provides critical cold-water habitat for salmon and other anadromous fish, have water storage levels that are approximately 1.1 million acre-feet below last year's low levels on this date; and

WHEREAS the record-breaking dry period in January and February and the absence of significant rains in March have required the Department of Water Resources to reduce anticipated deliveries from the State Water Project to 5 percent of requested supplies; and

WHEREAS delivery of water by bottle or truck is necessary to protect human safety and public health in those places where water supplies are disrupted; and

WHEREAS groundwater use accounts for 41 percent of the State's total water supply on an average annual basis but as much as 58 percent in a critically dry year, and approximately 85 percent of public water systems rely on groundwater as their primary supply; and

WHEREAS coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable levels of groundwater in critically overdrafted basins; and

WHEREAS the duration of the drought, especially following a multiyear drought that abated only five years ago, underscores the need for California to redouble near-, medium-, and long-term efforts to adapt its water management and delivery systems to a changing climate, shifting precipitation patterns, and water scarcity; and

WHEREAS the most consequential, immediate action Californians can take to extend available supplies is to voluntarily reduce their water use by 15 percent from their 2020 levels by implementing the commonsense measures identified in operative paragraph 1 of Executive Order N-10-21 (July 8, 2021); and

WHEREAS to protect public health and safety, it is critical the State take certain immediate actions without undue delay to prepare for and mitigate the effects of the drought conditions, and under Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of the drought conditions.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021 Proclamations remain in full force and effect, except as modified by those Proclamations and herein. State agencies shall continue to implement all directions from those Proclamations and accelerate implementation where feasible.
2. To help the State achieve its conservation goals and ensure sufficient water for essential indoor and outdoor use, I call on all Californians to strive to limit summertime water use and to use water more efficiently indoors and out. The statewide Save Our Water conservation campaign at SaveOurWater.com provides simple ways for Californians to reduce water use in their everyday lives. Furthermore, I encourage Californians to understand and track the amount of water they use and measure their progress toward their conservation goals.
3. By May 25, 2022, the State Water Resources Control Board (Water Board) shall consider adopting emergency regulations that include all of the following:
 - a. A requirement that each urban water supplier, as defined in section 10617 of the Water Code, shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water

supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code;

- b. A requirement that each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, the shortage response actions adopted under section 10632 of the Water Code for a shortage level of up to twenty percent (Level 2), by a date to be set by the Water Board; and
- c. A requirement that each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, shortage response actions established by the Water Board, which shall take into consideration model actions that the Department of Water Resources shall develop for urban water supplier water shortage contingency planning for Level 2, by a date to be set by the Water Board.

To further conserve water and improve drought resiliency if the drought lasts beyond this year, I encourage urban water suppliers to conserve more than required by the emergency regulations described in this paragraph and to voluntarily activate more stringent local requirements based on a shortage level of up to thirty percent (Level 3).

4. To promote water conservation, the Department of Water Resources shall consult with leaders in the commercial, industrial, and institutional sectors to develop strategies for improving water conservation, including direct technical assistance, financial assistance, and other approaches. By May 25, 2022, the Water Board shall consider adopting emergency regulations defining "non-functional turf" (that is, a definition of turf that is ornamental and not otherwise used for human recreation purposes such as school fields, sports fields, and parks) and banning irrigation of non-functional turf in the commercial, industrial, and institutional sectors except as it may be required to ensure the health of trees and other perennial non-turf plantings.
5. In order to maximize the efficient use of water and to preserve water supplies critical to human health and safety and the environment, Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended, with respect to the directives in paragraphs 3 and 4 of this Order and any other projects and activities for the purpose of water conservation to the extent necessary to address the impacts of the drought, and any permits necessary to carry out such projects or activities. Entities that desire to conduct activities under this suspension, other than the directives in paragraphs 3 and 4 of this Order, shall first request that the Secretary of the Natural Resources Agency make a determination that the proposed activities are eligible to be conducted under this suspension. The Secretary shall use sound discretion in applying this Executive Order to ensure that the suspension serves the purpose of accelerating conservation projects that are necessary to address impacts of the drought, while at the same time

protecting public health and the environment. The entities implementing these directives or conducting activities under this suspension shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

6. To support voluntary approaches to improve fish habitat that would require change petitions under Water Code section 1707 and either Water Code sections 1425 through 1432 or Water Code sections 1725 through 1732, and where the primary purpose is to improve conditions for fish, the Water Board shall expeditiously consider petitions that add a fish and wildlife beneficial use or point of diversion and place of storage to improve conditions for anadromous fish. California Code of Regulations, title 23, section 1064, subdivisions (a)(1)(A)(i)-(ii) are suspended with respect to any petition that is subject to this paragraph.
7. To facilitate the hauling of water for domestic use by local communities and domestic water users threatened with the loss of water supply or degraded water quality resulting from drought, any ordinance, regulation, prohibition, policy, or requirement of any kind adopted by a public agency that prohibits the hauling of water out of the water's basin of origin or a public agency's jurisdiction is hereby suspended. The suspension authorized pursuant to this paragraph shall be limited to the hauling of water by truck or bottle to be used for human consumption, cooking, or sanitation in communities or residences threatened with the loss of affordable safe drinking water. Nothing in this paragraph limits any public health or safety requirement to ensure the safety of hauled water.
8. The Water Board shall expand inspections to determine whether illegal diversions or wasteful or unreasonable use of water are occurring and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
9. To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:
 - a. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as medium- or high-priority without first obtaining written verification from a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability

Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; or

- b. Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

This paragraph shall not apply to permits for wells that will provide less than two acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.

10. To address household or small community drinking water shortages dependent upon groundwater wells that have failed due to drought conditions, the Department of Water Resources shall work with other state agencies to investigate expedited regulatory pathways to modify, repair, or reconstruct failed household or small community or public supply wells, while recognizing the need to ensure the sustainability of such wells as provided for in paragraph 9.
11. State agencies shall collaborate with tribes and federal, regional, and local agencies on actions related to promoting groundwater recharge and increasing storage.
12. To help advance groundwater recharge projects, and to demonstrate the feasibility of projects that can use available high water flows to recharge local groundwater while minimizing flood risks, the Water Board and Regional Water Quality Control Boards shall prioritize water right permits, water quality certifications, waste discharge requirements, and conditional waivers of waste discharge requirements to accelerate approvals for projects that enhance the ability of a local or state agency to capture high precipitation events for local storage or recharge, consistent with water right priorities and protections for fish and wildlife. For the purposes of carrying out this paragraph, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division, and Chapter 3 (commencing with section 85225) of Part 3 of Division 35 of the Water Code and regulations adopted pursuant thereto are hereby suspended to the extent necessary to address the impacts of the drought. This suspension applies to (a) any actions taken by state agencies, (b) any actions taken by local agencies where the state agency with primary responsibility for the implementation of the directives concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b). The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.
13. With respect to recharge projects under either Flood-Managed Aquifer Recharge or the Department of Water Resources Sustainable

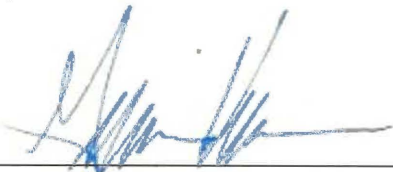
Groundwater Management Grant Program occurring on open and working lands to replenish and store water in groundwater basins that will help mitigate groundwater conditions impacted by drought, for any (a) actions taken by state agencies, (b) actions taken by a local agency where the Department of Water Resources concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b), Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended to the extent necessary to address the impacts of the drought. The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

14. To increase resilience of state water supplies during prolonged drought conditions, the Department of Water Resources shall prepare for the potential creation and implementation of a multi-year transfer program pilot project for the purpose of acquiring water from willing partners and storing and conveying water to areas of need.
15. By April 15, 2022, state agencies shall submit to the Department of Finance for my consideration proposals to mitigate the worsening effects of severe drought, including emergency assistance to communities and households and others facing water shortages as a result of the drought, facilitation of groundwater recharge and wastewater recycling, improvements in water use efficiency, protection of fish and wildlife, mitigation of drought-related economic or water-supply disruption, and other potential investments to support short- and long-term drought response.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of March 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State



Media Release

State Water Board adopts emergency water conservation regulation

Regulation to boost water savings starting in June

May 24, 2022

Contact: [Edward Ortiz](#), Public Information Officer

SACRAMENTO – In response to Governor Gavin Newsom’s March 28 [Executive Order](#) the State Water Resources Control Board adopted an [emergency water conservation regulation](#) today that will ensure more aggressive conservation by local water agencies across the state.

The new regulation bans irrigating turf at commercial, industrial, and institutional properties, such as grass in front of or next to large industrial or commercial buildings. The ban does not include watering turf that is used for recreation or other community purposes, water used at residences or water to maintain trees. The regulation also requires all urban water suppliers to implement conservation actions under Level 2 of their Water Shortage Contingency Plans.

In March 2022, the state’s urban retail water suppliers reported average water use statewide that was nearly 19% greater than in March 2020, lowering the state’s cumulative water savings since July 2021 to 3.7%. Yesterday, Governor Newsom convened leaders from the state’s largest urban water suppliers imploring them to take more aggressive action to combat drought.

“The severity of this drought requires all Californians to save water in every possible way,” said Joaquin Esquivel, chair of the State Water Board. “The regulation compels water systems and local authorities to implement a range of additional critical conservation measures as we enter the hot and dry summer months.”

Level 2 water shortage contingency plans are meant to address up to a 20% shortage of water supplies. In addition to implementing Level 2 actions, the regulation requires urban water suppliers to fast-track supply and demand assessments to plan for potential extended dry conditions.

Level 2 actions often include things such as:

- Limiting outdoor irrigation to certain days or hours
- Increasing patrolling to identify water waste



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STATE WATER RESOURCES CONTROL BOARD

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- Enforcing water-use prohibitions
- Increasing communication about the importance of water conservation

Some water suppliers already have imposed strong new restrictions on customers' water use in accordance with their drought management plans. However, about half of the state's 436 water suppliers (both urban water retailers and wholesalers) have not yet activated Level 2, and 36 have not submitted drought plans. The emergency regulation will require suppliers without drought plans to take certain conservation actions, such as conducting outreach to customers about conservation, restricting outdoor irrigation to two days a week and enforcing against wasteful water practices.

The approved regulation will be submitted to the Office of Administrative Law (OAL) for approval, which typically occurs within 10 calendar days. The ban on non-functional turf becomes effective upon OAL approval and the Level 2 requirements for urban water suppliers are proposed to take effect on June 10, 2022.

The regulation will give suppliers new options to reduce water waste if they choose to use them. A violation of the non-functional turf irrigation provision, for example, would be an infraction and subject to a fine of up to \$500.

People who see water waste should report it at [savewater.ca.gov](https://www.savewater.ca.gov).

The State Water Board's mission is to preserve, enhance and restore the quality of California's water resources and drinking water for the protection of the environment, public health and all beneficial uses, and to ensure proper allocation and efficient use for present and future generations.

PROPOSED EMERGENCY REGULATION TEXT

Version: May 13, 2022

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 3.5. Urban Water Use Efficiency and Conservation

Article 2. Prevention of Drought Wasteful Water Uses

§ 996. Urban Drought Response Actions

(a) As used in this section:

(1) “Commercial, industrial and institutional” refers to commercial water users, industrial water users, and institutional water users as respectively defined in Water Code, section 10608.12, subdivisions (e), (i), and (j), and includes homeowners’ associations, common interest developments, community service organizations, and other similar entities but does not include the residences of these entities’ members or separate interests.

(2) “Common interest development” has the same meaning as in section 4100 of the Civil Code.

(3) “Community service organization or similar entity” has the same meaning as in section 4110 of the Civil Code.

(4) “Homeowners’ association” means an “association” as defined in section 4080 of the Civil Code.

(5) “Non-functional turf” means turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events. Non-functional turf does not include sports fields and turf that is regularly used for human recreational purposes or for civic or community events.

(6) “Separate interest” has the same meaning as in section 4185 of the Civil Code.

(7) “Turf” has the same meaning as in section 491.

(8) “Urban water supplier” has the same meaning as Water Code section 10617.

(9) “Water shortage contingency plan” means the plan required by Water Code section 10632.

- (b) Each urban water supplier shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code.
- (c) (1) Each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources shall implement by June 10, 2022, at a minimum, the demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten to twenty percent (Level 2).
- (2) Notwithstanding subdivision (1), urban water suppliers shall not be required to implement new residential connection moratoria pursuant to this section.
- (d) Each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources shall, by June 10, 2022, and continuing until the supplier has implemented the demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten to twenty percent (Level 2), implement at a minimum the following actions:
- (1) Initiate a public information and outreach campaign for water conservation and promptly and effectively reach the supplier's customers, using efforts such as email, paper mail, bill inserts, customer app notifications, news articles, websites, community events, radio and television, billboards, and social media.
- (2) Implement and enforce a rule or ordinance limiting landscape irrigation to no more than two days per week and prohibiting landscape irrigation between the hours of 10:00 a.m. and 6:00 p.m.
- (3) Implement and enforce a rule or ordinance banning, at a minimum, the water uses prohibited by section 995. Adoption of a rule or ordinance is not required if the supplier has authority to enforce, as infractions, the prohibitions in section 995 and takes enforcement against violations.
- (e) (1) To prevent the unreasonable use of water and to promote water conservation, the use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites.
- (2) Notwithstanding subdivision (e)(1), the use of water is not prohibited by this section to the extent necessary to ensure the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need.

- (f) The taking of any action prohibited in subdivision (e) is an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.
- (g) A decision or order issued under this section by the Board, or an officer or employee of the Board, is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the Water Code.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, and 4185, Civil Code; Section 8627.7, Government Code; Sections 102, 104, 105, 275, 350, 491, 1122, 10608.12, 10617, 10632, and 10632.1, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463; *Stanford Vina Ranch Irrigation Co. v. State of California* (2020) 50 Cal.App.5th 976.

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