

# Appendices



**Appendix A**  
**Hillsborough's 1987-92 Drought Ordinances**



AN EMERGENCY ORDINANCE AMENDING SECTION 2.20.060  
OF THE HILLSBOROUGH MUNICIPAL CODE  
REGARDING CHARGES FOR EXCESS WATER USE

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH  
as follows:

Section 1. The Town is suffering from a drought condition and has instituted a water conservation program. As part of the conservation program, the Town imposes an excess use charge for water usage in excess of a customer's allotment. The City Council has determined that the current excess use charges will exceed the amount necessary to meet the Town's penalties charged under the water rationing program imposed by the San Francisco Water Department and further finds that the current charges may, in some cases, be unduly harsh or unfair.

Section 2. Section 6A of Section 2.20.060 of the Hillsborough Municipal Code is hereby amended to read in its entirety as follows:

A. An excess use charge shall be levied on all water used in excess of the applicable allotment during each billing period beginning with the July, 1988 billing. The excess use charge shall be levied only on the water consumption over the allotment and will be in addition to the standard charge per 100 cubic feet (748 gallons) of water, or portion thereof, as follows:

<u>If your Excess Water Consumption is:</u>	<u>For All Water Used in Excess of Allotment the Excess Use Charge will be:</u>
Up to 10% over allotment	1 times unit rate
10.1% to 20% over allotment	2 times unit rate
20.1% to 30% over allotment	4 times unit rate
30.1% + over allotment	6 times unit rate

The highest penalty rate will apply to the entire amount in excess of the allotment.

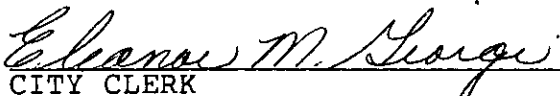
Section 3. Pursuant to California Government Code Section 36934, this ordinance shall be passed immediately after introduction as an urgency ordinance because the measure is necessary to ensure fairness in the Town's water conservation program and to prevent the levying of higher excess use charges on those customers who receive bi-monthly billings in October than on those customers who will receive their bi-monthly billings in November.

Section 4. Pursuant to Government Code Section 36937(b), this ordinance shall take effect immediately after passage as an emergency ordinance necessary for the immediate preservation of the public peace, health and safety. The City Council finds and declares that the Town is suffering from a drought condition and has instituted a water conservation program. This ordinance is necessary for the efficient operation of the conservation program and its immediate effectiveness is required to prevent the levying of higher excess use charges on customers who receive bi-monthly billings in October than on customers who receive billings in November.

Section 5. This Ordinance shall be printed and posted on the three official bulletin boards of the Town of Hillsborough and shall be effective on October 24, 1988.

  
MAYOR OF THE TOWN OF HILLSBOROUGH

ATTEST:

  
CITY CLERK

ORDINANCE NO. 454 of the TOWN OF HILLSBOROUGH  
introduced October 24, 1988, and adopted on  
October 24, 1988, by the following vote of the City  
Council:

AYES:	Council Members	<u>Kelly, Lawson, Auer, Boyar, Keller</u>
NOES:	Council Members	<u>None</u>
ABSENT:	Council Members	<u>None</u>
ABSTAIN:	Council Members	<u>None</u>

ORDINANCE NO. 477

ORDINANCE AMENDING SECTIONS 2 AND 4 OF SECTION 2.20.060  
OF THE HILLSBOROUGH MUNICIPAL CODE  
REGARDING THE REIMPOSITION OF WATER RATIONING

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH, as follows:

Section 1. The State of California is currently experiencing a fourth consecutive year of drought conditions. As a result, the San Francisco Water Department, from which the Town of Hillsborough obtains its water, has reimposed water rationing and excess use charges, necessitating similar action by the Town.

Section 2. In the Hillsborough Municipal Code, Section 2 Definitions of Section 2.20.060 Water Conservation Program is hereby amended by deleting subparagraphs G. and H.

Section 3. In the Hillsborough Municipal Code, Section 4 Nonessential Uses Defined of Section 2.20.060 Water Conservation Program is hereby amended by deleting subparagraph A. thereof and substituting the following in its place:

A. Use of water in excess of 73% of the amount of water used during the corresponding billing period during fiscal year 1987/88. This shall apply to residential customers, commercial and municipal customers, irrigation and outside water usage customers, and all other customers. Likewise, it shall apply to all interior and exterior uses of water of whatever kind or nature. In the event that a customer shall have no corresponding billing period for fiscal year 1987/88, such customer's allotments shall be established by the City Manager.

Section 4. In the Hillsborough Municipal Code, the last paragraph of subparagraph A. of Section 6 Excess Water Use Charge of Section 2.20.060 Water Conservation Program shall be deleted and the following substituted in its place:

If in any billing period a customer has exceeded the maximum amount of water allowed herein, such excess may be reduced by the amount, if any, by which such customer's water usage was under the maximum in the immediately preceding billing period. However, any such



under-utilizations may not be carried forward to any additional billing periods other than the one described above.

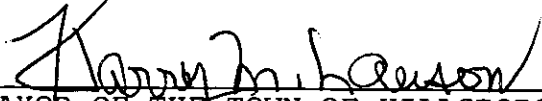
Section 5. In the Hillsborough Municipal Code, Section 7 Enforcement of Section 2.20.060 Water Conservation Program is hereby amended to change the installation charge and removal charge of the 5/8-inch to 1-inch meter size from \$25 to \$50.

Section 6. The amendments set forth in Sections 2, 3, 4 and 5 of this Ordinance shall be effective for all water consumption by any customer occurring after the date of the June 1990 reading of such customer's water meter. All water meters in the Town are scheduled to be read the week of June 4 to 8, 1990.

Section 6. Pursuant to California Government Code Section 36934, this ordinance shall be passed immediately after introduction as a urgency ordinance because the water rationing and excess use charges imposed on the Town by the San Francisco Water Department will take effect prior to the time this ordinance would ordinarily become law.

Section 7. Pursuant to California Government Code Section 36937(b), this ordinance shall take effect immediately after passage as an emergency ordinance necessary for the immediate preservation of the public peace, health and safety. The City Council finds and declares that the town is suffering from a drought condition and that this ordinance is necessary for the efficient operation of the Town's water conservation program.

Section 8. This Ordinance shall be printed and posted upon the three official bulletin boards of the Town of Hillsborough and shall be effective on May 14, 1990.

  
MAYOR OF THE TOWN OF HILLSBOROUGH

ATTEST:

  
City Clerk

ORDINANCE NO. 477 of the TOWN OF HILLSBOROUGH introduced on May 14, 1990, and adopted on May 14, 1990, by the following vote of the City Council:

AYES: Council members Kelly, Keller, Auer, Boyar, Lawson  
NOES: Council members None  
ABSENT: Council members None  
ABSTAIN: Council members None

**ORDINANCE AMENDING SECTION 2.20.060  
OF THE HILLSBOROUGH MUNICIPAL CODE  
REGARDING WATER ALLOCATION**

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH, as follows:

Section 1. The State of California is currently experiencing a fifth consecutive year of drought conditions and a water shortage emergency condition prevails within the area served by the Town of Hillsborough. As a result, the San Francisco Water Department, from which the Town of Hillsborough obtains its water, has instituted stricter water rationing criteria, necessitating similar action by the Town.

Section 2. In the Hillsborough Municipal Code, Section 4A of § 2.20.060 is hereby amended in its entirety to read as follows:

"A. Use of water in any billing period in excess of an amount calculated as follows:

**For Residential Customers:**

Two and one-half units (with each unit being 748 gallons) per person per month (provided that each such person must live at least six months of the year at the applicable Hillsborough residence) PLUS

(i) two and one-half units per Hillsborough residence per month for water bills received in December, January, February, March, April and May (which bills will cover prior one- or two- month periods); OR

(ii) the following number of units per Hillsborough residence per month for water bills received in June, July,

August, September, October and November (which bills will cover prior one- or two- month periods):

<u>Size of lot on which residence is located</u>	<u>Number of units allowable per month</u>
Less than 1/2 acre	7 1/2 units per residence
1/2 acre to 1 acre	10 units per residence
1+ acre to 2 acres	15 units per residence
2+ acres to 5 acres	17 1/2 units per residence
5+ acres	To be determined by City Manager after site inspection

**For all other Customers:**

Seventy-three percent (73%) of the amount of water used by such Customer during the corresponding billing period for fiscal year 1987/88.

The foregoing provisions shall apply to all interior and exterior uses of water of whatever kind or nature."

Section 3. In the Hillsborough Municipal Code, Section 6.B. and C. of § 2.20.060 are hereby deleted in their entirety.

Section 4. In the Hillsborough Municipal Code, Section 7.A. of § 2.20.060 is hereby amended in its entirety to read as follows:

"A. Installation of Flow-Restricting Devices.

In lieu of, or in addition to, the penalties provided for in Section 356 of the California Water Code, the Town of Hillsborough may, after assessment of two consecutive penalties against a customer, give such customer five days' written notice and then install a flow-restricting device on the service line of such customer."

Section 5. The amendments set forth in Sections 2, 3 and 4 of this Ordinance shall be effective with regard to all water consumption by customers as follows:

(A) for customers whose meters are read during or around the week of May 13, 1991 (and who receive a water bill every two months) the effective date shall be after the date of such meter reading and shall be reflected in such customers' water bills based on meter readings beginning on or around July 13, 1991;

(B) for customers whose meters are read during or around the week of April 8, 1991 (and who receive a water bill every two months) the effective date shall be after the date of such meter reading and shall be reflected in such customers' water bills based on meter readings beginning on or around June 8, 1991; and

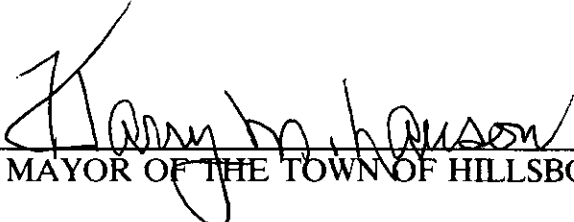
(C) for customers whose meters are read during or around the week of April 1, 1991 (and who receive a water bill every month) the effective date shall be after the date of such meter reading and shall be reflected in such customers' water bills based on meter readings beginning on or around May 1, 1991.

Section 6. Pursuant to California Government Code Section 36934, this Ordinance shall be passed immediately after introduction as an urgency ordinance because the water rationing and excess use charges imposed by the San Francisco Water Department on the Town of Hillsborough will have taken effect prior to the time this Ordinance would ordinarily become law.

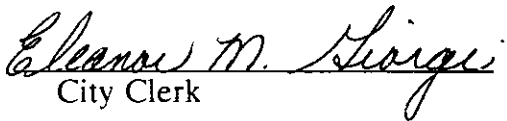
Section 7. Pursuant to California Government Code Section 36937(b) this Ordinance shall take effect immediately after passage as an emergency ordinance necessary for the immediate preservation of the public peace, health and safety. The City Council

finds and declares that the Town of Hillsborough is suffering from a drought condition and that this Ordinance is necessary for the efficient operation of the Town's water conservation program.

Section 8. This Ordinance shall be printed and posted upon the three official bulletin boards of the Town of Hillsborough and shall be effective on March 11, 1991.

  
MAYOR OF THE TOWN OF HILLSBOROUGH

ATTEST:

  
City Clerk

ORDINANCE NO. 494 OF THE TOWN OF HILLSBOROUGH introduced on March 11, 1991, and adopted on March 11, 1991, by the following vote of the City Council:

AYES: Council members Auer, Boyar, Keller, Kelly, Lawson

NOES: Council members None

ABSENT: Council members None

ABSTAIN: Council members None

ORDINANCE AMENDING SECTION 2.20.060  
OF THE HILLSBOROUGH MUNICIPAL CODE  
REGARDING WATER ALLOCATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF  
HILLSBOROUGH, as follows:

Section 1. The State of California is currently experiencing a fifth consecutive year of drought conditions, and a water shortage emergency condition prevails within the area served by the Town of Hillsborough.

Section 2. The Town of Hillsborough is enacting a new water rationing program in an effort to allocate water in a more equitable manner than in the past.

Section 3. In the Hillsborough Municipal Code, Section 4A of § 2.20.060 is hereby amended in its entirety to read as follows:

"A. Use of water in any billing period in excess of an amount calculated as follows:

**For Residential Customers:**

(I) For a residence for which water bills are sent in January, March, May, July, September and November:

(a) 40 percent of the water allotment for such residence for the corresponding 12-month billing period reflected in water bills received beginning in July 1990 and ending in May 1991, inclusive;

PLUS

(b) 60 percent of the sum of the following items i - iii:

- i. For persons living at such residence for at least six months of the year:
  - 8 units per billing period for the first person
  - 6 units per billing period for the second person
  - 4 units per billing period for each additional person;
- ii. Six units per billing period; and
- iii. The following number of units for the applicable lot size for the relevant billing period:

<u>Lot Size</u>	<u>Month Bill Will Be Received</u>					
	JAN	MAR	MAY	JULY	SEPT	NOV
LESS THAN .5 ACRE	3	3	20	46	49	23
.5 ACRE TO 1 ACRE	5	4	29	66	70	33
1 ACRE TO 2 ACRES	6	6	38	89	93	44
2 TO 5 ACRES	8	7	49	114	120	56
GREATER THAN 5 ACRES	TO BE DETERMINED BY WATER AUDITOR					

(II) For a residence for which water bills are sent in February, April, June, August, October and December:

(a) 40 percent of the water allotment for such residence for the corresponding 12-month billing period reflected in water bills received beginning in August 1990 and ending June 1991, inclusive;

PLUS

(b) 60 percent of the sum of the following items i - iii:

- i. For persons living at such residence for at least six months of the year:
  - 8 units per billing period for the first person
  - 6 units per billing period for the second person
  - 4 units per billing period for each additional person;
- ii. Six units per billing period; and



iii. The following number of units for the applicable lot size for the relevant billing period:

<u>Lot Size</u>	<u>Month Bill Will Be Received</u>					
	FEB	APR	JUNE	AUG	OCT	DEC
LESS THAN .5 ACRE	2	9	34	52	38	10
.5 ACRE TO 1 ACRE	2	12	49	74	54	14
1 ACRE TO 2 ACRES	3	17	66	99	73	19
2 TO 5 ACRES	4	21	85	127	93	24
GREATER THAN 5 ACRES	TO BE DETERMINED BY WATER AUDITOR					

(III) For a residence for which water bills are sent every month:

(a) 40 percent of the water allotment for such residence for the corresponding 12-month billing period reflected in water bills received beginning in July 1990 and ending June 1991, inclusive;

PLUS

(b) 60 percent of the sum of the following items i - iii:

i. For persons living at such residence for at least six months of the year:

4 units per billing period for the first person  
 3 units per billing period for the second person  
 2 units per billing period for each additional person;

ii. Three units per billing period; and

iii. The following number of units for the applicable lot size for the relevant billing period:

<u>Lot Size</u>	<u>Month Bill Will Be Received</u>					
	JAN	FEB	MAR	APR	MAY	JUNE
LESS THAN .5 ACRE	1	1	2	6	14	21
.5 ACRE TO 1 ACRE	1	1	3	9	19	30
1 ACRE TO 2 ACRES	2	1	4	12	26	40
2 TO 5 ACRES	2	2	5	16	33	51
GREATER THAN 5 ACRES	TO BE DETERMINED BY WATER AUDITOR					

<u>Lot Size</u>	<u>Month Bill Will Be Received</u>					
	JULY	AUG	SEPT	OCT	NOV	DEC
LESS THAN .5 ACRE	25	26	22	15	7	2
.5 ACRE TO 1 ACRE	36	38	32	22	11	3
1 ACRE TO 2 ACRES	49	50	43	29	14	4
2 TO 5 ACRES	62	65	55	38	18	6
GREATER THAN 5 ACRES	TO BE DETERMINED BY WATER AUDITOR					

Notwithstanding the foregoing, it is specifically provided that any new residence, which never had a water allotment assigned for 1990-1991 shall be assigned a water allotment based on 100 percent (rather than 60 percent) of the formula set forth in (I)(b), II(b) or III(b), above, as applicable.

**For all other Customers:**

Water allocations shall be determined by a water auditor hired and paid for by the Town of Hillsborough.

The foregoing provisions shall apply to all interior and exterior uses of water of whatever kind or nature."

Section 4. With regard only to the first water bill sent to each residence after the effective date of this Ordinance, no penalties shall be assessed if allotments set by this Ordinance are exceeded. It is provided, however, that penalties shall be assessed for exceeding water allotments that would have been in effect if this Ordinance and Ordinance No. 494 had not been enacted.

Section 5. The amendments to § 2.20.060 of the Hillsborough Municipal Code which were adopted pursuant to

Ordinance No. 494 shall be rescinded, so that the prior version of such § 2.20.060 shall continue in effect with regard to all water consumption by customers until the dates described below:

(A) for customers whose meters are read during or around the week of July 8, 1991 (and who receive a water bill every two months) the provisions of this Ordinance shall be applicable beginning on the first day of the period covered by such meter reading;

(B) for customers whose meters are read during or around the 7-day period beginning August 7, 1991 (and who receive a water bill every two months) the provisions of this Ordinance shall be applicable beginning on the first day of the period covered by such meter reading; and


(C) for customers whose meters are read during or around the week beginning July 8, 1991 (and who receive a water bill every month) the provisions of this Ordinance shall be applicable beginning on the first day of the period covered by such meter reading.

Section 6. Pursuant to California Government Code Section 36934, this Ordinance shall be passed immediately after introduction as an urgency ordinance because the latest water rationing program imposed by the San Francisco Water Department on the Town of Hillsborough shall have taken effect prior to the time this Ordinance would ordinarily become law.

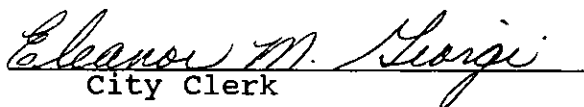
Section 7. Pursuant to California Government Code Section 36937(b) this Ordinance shall take effect immediately after

passage as an emergency ordinance necessary for the immediate preservation of the public peace, health and safety. The City Council finds and declares that the Town of Hillsborough is suffering from a drought condition and that this Ordinance is necessary for the efficient operation of the Town's water conservation program.

Section 8. This Ordinance shall be printed and posted upon the three official bulletin boards of the Town of Hillsborough and shall be effective on June 10, 1991.

  
MAYOR OF THE TOWN OF HILLSBOROUGH

ATTEST:

  
City Clerk

ORDINANCE NO. 497 OF THE TOWN OF HILLSBOROUGH introduced on May 28, 1991, and adopted on June 10, 1991, by the following vote of the City Council:

AYES:	Council members	<u>Boyar, Kelly, Keller, Lawson</u>
NOES:	Council members	<u>None</u>
ABSENT:	Council members	<u>Auer</u>
ABSTAIN:	Council members	<u>None</u>

ORDINANCE NO. 517

ORDINANCE AMENDING PORTIONS OF CHAPTER 15.52 OF THE  
HILLSBOROUGH MUNICIPAL CODE REGARDING WATER  
CONSERVATION AND LANDSCAPING

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF  
HILLSBOROUGH, as follows:

Section 1. The Table of Contents for Chapter 15.52 of the Hillsborough  
Municipal Code and § 15.52.010 are hereby amended and restated in their entirety  
as follows:

"Chapter 15.52

LANDSCAPING

Sections:

15.52.010	Purpose and intent.
15.52.020	Landscaping--Definition.
15.52.030	Compliance required.
15.52.035	Water Conservation.
15.52.040	Permit--Application and review.
15.52.050	Permit--Issuance and guarantee.
15.52.060	Appeal.

15.52.010                      Purpose and intent.      In enacting this Chapter, the City Council desires to resolve the problems created by the inadequate or inappropriate landscaping of newly constructed homes or the lack of any landscaping at all and the inappropriate changes made in, or the failure to reasonably maintain, the existing landscaping of existing homes. Such problems include a substantially increased fire hazard from uncleared wild grasses, underbrush, dead growth and unresolved drainage problems. The unsightliness of unlandscaped or improperly landscaped or maintained properties diminishes the highly regarded quality of life in the Town and its property values. In addition, the City Council desires to effect efficient water use through proper landscape design and selection for the Hillsborough climate. However, nothing in this Chapter shall be construed to entitle property developed in accordance therewith to water in excess of that allocated with respect to such property during periods of water rationing.

The general purpose of this chapter is to promote the public health, safety and welfare by providing a means to ensure the proper and timely landscaping and landscaping maintenance of all newly developed residential properties as well as to ensure that substantial changes in existing landscaping, or the maintenance thereof, are appropriate to the needs and standards of the community."

Section 2. Section 15.52.030B of the Hillsborough Municipal Code is hereby amended and restated in its entirety as follows:

"B. Permit--Required. It is unlawful for any person to commence the landscaping, as defined in Section 15.52.020, of any parcel or lot within the Town which would (1) result in adding or moving fifty (50) yards or more of dirt or soil, (2) result in removing any tree which has a trunk with a diameter of thirty-six inches (36") or more measured at four feet, six inches (4'6") above natural grade, (3) result in rehabilitation of more than ten thousand (10,000) square feet of landscaping, or (4) reasonably cost in the open market in excess of five thousand dollars (\$5,000), without first obtaining a landscaping permit from the Building Department as set forth in Section 15.52.040. Notwithstanding the foregoing, all landscaping of whatever nature which is required to be installed for property on which a new residence is being constructed (either because the property was previously undeveloped or because a previously-existing residence was removed and a new one is being constructed) shall be undertaken pursuant to a landscaping permit as described herein."

Section 3. In order to comply with California Government Code § 65595, the Town of Hillsborough desires to adopt the following water efficient landscape ordinance by January 1, 1993, pursuant to a new Section 15.52.035 in Chapter 15.52 of the Hillsborough Municipal Code, and the same is hereby adopted as follows:

"15.52.035                      Water Conservation.\*                      Although all residents are encouraged to abide by the following provisions, such provisions shall be

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\*This provision is the water efficient landscape ordinance adopted pursuant to California Government Code § 65595.

mandatory in the case of landscaping undertaken after Feb. 1, 1993, for property on which (a) a new residence is being constructed (either because the property was previously undeveloped or because a previously-existing residence was removed and a new one is being constructed), and/or (b) rehabilitation of more than ten thousand (10,000) square feet of landscaping is being undertaken:

A. Turf and Water Area Limitations. Except for public parks, public sports fields, school recreation areas and golf courses, the combined (1) water (i.e., swimming pools, man-made ponds and fountains), (2) turf, and (3) high water use plant area for a property shall be limited to thirty-four percent (34%) of the landscaped area of such property. For purposes of this Section 15.52.035, "landscaped area" is defined as the total area of the subject property less building pad, driveway, parking areas, tennis courts, patios, decks, walks and other non-porous areas.

B. Plant Selection. The plants in the remaining landscaped area (which shall be at least sixty-six percent (66%) of the total landscaped area) shall be limited to no more than the following:

- |                            |  |
|----------------------------|--|
| Moderate water use plants: | 50% (in other words, 33% of total landscaped area) |
| Low water use plants:      | 50% (in other words, 33% of total landscaped area) |

(Reference materials which classify plants by the levels of water use referred to in subsections A and B of this § 15.52.035 shall be available at the Building Department.)

C. Irrigation. Plants of each level of water use shall be grouped together to the extent possible and irrigation system(s) provided so that plants of each such level are irrigated separately from plants of another level."

Section 4. Section 15.52.040B of the Hillsborough Municipal Code is hereby amended and restated in its entirety as follows:

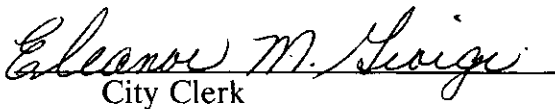
"B. Such application shall describe in detail the nature of the new landscaping contemplated or the nature of the change to existing landscaping contemplated, including an estimate of the retail cost of obtaining such

landscaping and an estimate of the number of yards of dirt or soil to be added or moved as a result of such landscaping. Such application shall include a plan showing all existing and proposed buildings or residential structures located in the area of such landscaping, including contours and shall indicate the general features of the proposed landscaping including the collection and disposal of surface water. When § 15.52.035 of this Chapter applies, the application shall also include an irrigation system plan and otherwise specifically indicate how compliance with § 15.52.035 will be accomplished. All plans shall be drawn to appropriate scale and as accurately as reasonably possible. In the case of new homes or additions, the front yard landscaping plans shall be filed with the building plans for review."

Section 5. This Ordinance shall be printed and posted upon the three official bulletin boards of the Town of Hillsborough and shall be effective on Feb. 1, 1993

  
MAYOR OF THE TOWN OF HILLSBOROUGH

ATTEST:

  
City Clerk

ORDINANCE NO. 517 of the TOWN OF HILLSBOROUGH introduced Nov. 16, 1992, and adopted on Dec. 14, 1992, by the following vote of the City

Council:

AYES: Council Members: Mullooly, Adams, Kelly, Boyar, Auer

NOES: Council Members: None

ABSENT: Council Members: None

ABSTAIN: Council Members: None



ORDINANCE DELETING SECTION 2.20.060 OF CHAPTER 2.20  
OF THE HILLSBOROUGH MUNICIPAL CODE AND  
ADDING CHAPTER 2.25 WITH RESPECT TO  
WATER RATIONING

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF  
HILLSBOROUGH, as follows:

SECTION 1. The existing Section 2.20.060 Water Conservation Program is hereby deleted in its entirety.

SECTION 2. A new Chapter 2.25 Water Conservation is hereby added to the Hillsborough Municipal Code to read in its entirety as follows:

Chapter 2.25

WATER CONSERVATION

Sections:

- 2.25.010 Findings and Determinations
- 2.25.020 Definitions
- 2.25.030 Voluntary Water Conservation
- 2.25.040 Deemed Past Allotments for New Customers
- 2.25.050 Recommended Limitations on Use of Town Water
- 2.25.060 New Construction or Alterations
- 2.25.070 Swimming Pool Deposits
- 2.25.080 Water Service Rates
- 2.25.090 Excess Water Use Charges Under Previous Ordinance
- 2.25.100 Future Rationing Formulas

Section 2.25.010 Findings and Determinations. The City Council of the Town of Hillsborough hereby finds and determines that:

A. Effective March 23, 1993, the San Francisco Water Department ("SFWD"), which is the supplier of water to the Town of Hillsborough, terminated its mandatory water rationing and replaced it with a 15% voluntary rationing.

B. Under SFWD's water rationing system just ended, the Town was allotted 73% of its former (pre-drought) consumption. Under the just enacted voluntary rationing, SFWD will allot the Town 85% of its former (pre-drought) consumption.

C. If the water allotments made by the Town to its residents pursuant to Section 2.20.060 of Chapter 2.20 are increased by 16% (i.e., current allotment x 1.16), that will have the effect of increasing the allotments from 73% of pre-drought consumption to 85% of pre-drought consumption (73% x 1.16 = 85%).

D. Despite the current easing of California's water crisis thanks to the heavy rains of the 1992/93 winter, California's water supply and population growth will necessitate prudent water use by all of the state's residents for the foreseeable future.

E. Based on the above, it is appropriate that the Town of Hillsborough terminate its mandatory rationing program (including excess use penalties and the banking of unused water allotments), increase current allotments by 16%, and urge residents to comply with the voluntary rationing program.

Section 2.25.020 Definitions.

A. "Town" means the Town of Hillsborough.

B. "City Council" means the City Council of the Town of Hillsborough.

C. "City Manager" means the City Manager of the Town of Hillsborough.

D. "Person" means any individual, firm, partnership, association, corporation, company, organization, or governmental or other entity.

E. "Customer" means any person, whether within or without the geographic boundaries of the Town of Hillsborough, who uses water supplied by the Town of Hillsborough.

Section 2.25.030 Voluntary Water Conservation. All Customers are urged and encouraged to continue to conserve water by confining their total usage of water obtained from the Town's water system to One Hundred Sixteen Percent (116%) of their water allotments in effect immediately prior to the passage of this ordinance.

Section 2.25.040 Deemed Past Allotments for New Customers. In the event that a Customer did not have a water allotment in effect immediately prior to the passage of this ordinance, such Customer shall be deemed to have had the allotment that would have applied based on the formulas described below.

FOR RESIDENTIAL CUSTOMERS:

(I) FOR A RESIDENCE FOR WHICH WATER BILLS ARE SENT IN JANUARY, MARCH, MAY, JULY, SEPTEMBER, AND NOVEMBER:

The sum of the following items i - iii:

- i. For persons living at such residence for at least six months of the year:

8 units per billing period for the first person  
6 units per billing period for the second person  
4 units per billing period for each additional person;

- ii. Six (6) units per billing period; and

- iii. The following number of units for the applicable lot size for the relevant billing period:

<u>Lot Size</u>	<u>Month Bill Will Be Received</u>					
	JAN	MAR	MAY	JULY	SEPT	NOV
LESS THAN .5 ACRE	3	3	20	46	49	23
.5 ACRE TO 1 ACRE	5	4	29	66	70	33
1 ACRE TO 2 ACRES	6	6	38	89	93	44
2 TO 5 ACRES	8	7	49	114	120	56
GREATER THAN 5 ACRES	TO BE DETERMINED BY WATER AUDITOR					

(II) FOR A RESIDENCE FOR WHICH WATER BILLS ARE SENT IN FEBRUARY, APRIL, JUNE, AUGUST, OCTOBER, AND DECEMBER:

The sum of the following items i - iii:

- i. For persons living at such residence for at least six months of the year:

8 units per billing period for the first person  
6 units per billing period for the second person  
4 units per billing period for each additional person;

- ii. Six (6) units per billing period; and

iii. The following number of units for the applicable lot size for the relevant billing period:

<u>Lot Size</u>	<u>Month Bill Will Be Received</u>					
	FEB	APR	JUNE	AUG	OCT	DEC
LESS THAN .5 ACRE	2	9	34	52	38	10
.5 ACRE TO 1 ACRE	2	12	49	74	54	14
1 ACRE TO 2 ACRES	3	17	66	99	73	19
2 TO 5 ACRES	4	21	85	127	93	24
GREATER THAN 5 ACRES	TO BE DETERMINED BY WATER AUDITOR					

(III) FOR A RESIDENCE FOR WHICH WATER BILLS ARE SENT EVERY MONTH:

The sum of the following items i - iii:

i. For persons living at such residence for at least six months of the year:

4 units per billing period for the first person  
 3 units per billing period for the second person  
 2 units per billing period for each additional person;

ii. Three (3) units per billing period; and

iii. The following number of units for the applicable lot size for the relevant billing period:

<u>Lot Size</u>	<u>Month Bill Will Be Received</u>					
	JAN	FEB	MAR	APR	MAY	JUNE
LESS THAN .5 ACRE	1	1	2	6	14	21
.5 ACRE TO 1 ACRE	1	1	3	9	19	30
1 ACRE TO 2 ACRES	2	1	4	12	26	40
2 TO 5 ACRES	2	2	5	16	33	51
GREATER THAN 5 ACRES	TO BE DETERMINED BY WATER AUDITOR					

<u>Lot Size</u>	<u>Month Bill Will Be Received</u>					
	JULY	AUG	SEPT	OCT	NOV	DEC
LESS THAN .5 ACRE	25	26	22	15	7	2
.5 ACRE TO 1 ACRE	36	38	32	22	11	3
1 ACRE TO 2 ACRES	49	50	43	29	14	4
2 TO 5 ACRES	62	65	55	38	18	6
GREATER THAN 5 ACRES	TO BE DETERMINED BY WATER AUDITOR					

FOR ALL OTHER CUSTOMERS:

Water allocations as determined by a water auditor hired and paid for by the Town of Hillsborough.

Section 2.25.050 Recommended Limitations on Use of Town Water.

A. Customers are encouraged to use reclaimed rather than Town water for consolidation of backfill and other construction purposes.

B. Organizations holding social or similar events in the Town and private clubs in the Town are encouraged to serve water to individuals only upon request.

C. Customers who have been given notice to repair broken or defective plumbing, sprinkler, watering, or irrigation systems are urged to have those repairs completed as soon as possible and in any event within five (5) days after receipt of the notice.

Section 2.25.060 New Construction or Alterations. All permits for new construction or alterations shall require the following water conservation provisions:

A. All water closets and associated flushometer valves, if any, which are installed shall be of a type using no more than 1.6 gallons per flush and meeting performance standards established by the American National Standards Institute Standard A112.19.2; urinals and associated flushometer valves, if any, which are installed shall be of a type using no more than 1 gallon per flush and meeting performance standards established by the American National Standards Institute Standard A112.19.2. It is specifically provided, however, that when the configuration of a building drainage system requires a greater quantity of water to flush the system adequately, the Town in its sole discretion may allow the use of standard flush toilets or urinals.

B. All shower heads which are installed shall be of a type permitting a maximum flow rate of no more than 2.5 gallons per minute.

C. All faucets which are installed shall be of a type permitting a maximum flow rate of no more than 2.2 gallons per minute and having an aerator screen.

D. All tub spout diverters which are installed shall be of a type permitting leakage through the diverter directly into the bathtub (when the device is in the diverting position) of (a) no more than 0.1 gallons per minute (when new), and (b) 0.3 gallons per minute (after 15,000 cycles of diverting.)

E. All hot water lines which are installed shall be insulated from loss of heat. (Ord. #501, 3/9/92.)

Section 2.25.070 Swimming Pool Deposits. Each deposit held by the Town pursuant to the former Section 2.20.060 Water Conservation Program, Section 8, paragraph C, shall be promptly refunded to the person who paid such deposit unless the swimming pool to which the deposit applied was filled with water from the Town's water supply either (i) prior to March 9, 1993, or (ii) after March 8, 1993, using an amount of water which exceeded the then-current balance in the water bank of the person who paid the deposit. Deposits not refundable hereunder shall be forfeited to the Town, and no one other than the Town shall have any further claim upon or right to them.

Section 2.25.080 Water Service Rates.

A. In addition to the regular flat rates the Town charges its Customers for water meter service pursuant to Hillsborough Municipal Code §13.20.020, the following water service charges shall apply:

1. For Customers who receive water bills on a monthly basis, water used by each Customer during the period covered by each water bill shall cost:

0-50 units	@ \$1.90 per unit
50.1-100 units	@ \$2.20 per unit
100.1-150 units	@ \$2.66 per unit
150.1-200 units	@ \$2.99 per unit
Over 200.1 units	@ \$3.35 per unit

2. For Customers who receive water bills every two months, water used by each Customer during the period covered by each water bill shall cost:

0-50 units	@ \$1.66 per unit
50.1-100 units	@ \$1.92 per unit
100.1-150 units	@ \$2.31 per unit
150.1-200 units	@ \$2.60 per unit
Over 200.1 units	@ \$2.94 per unit

B. For the purposes of the water rates referred to in paragraph A above, the term "unit" shall mean 100 cubic feet of water.

C. The water rates referred to in paragraph A above shall be applicable as follows:

1. For Customers whose meters are read on or around August 7, 1992, (and who receive a water bill every two months),

the water rates established by this Ordinance shall be applicable on the first day of the period covered by such meter reading;

2. For Customers whose meters are read on or around September 7, 1992, (and who receive a water bill every two months), the water rates established by this Ordinance shall be applicable on the first day of the period covered by such meter reading; and

3. For Customers whose meters are read on or around July 6, 1992, (and who receive a water bill every month), the water rates established by this Ordinance shall be applicable on the first day of the period covered by such meter reading. (Ord. #512, 1992; Ord. #498, 1991.)

Section 2.25.090 Excess Water Use Charges Under Previous Ordinance. Any excess water use charge billed on or after March 1, 1993, pursuant to the former Section 2.20.060 Water Conservation Program, Section 6 Excess Water Use Charge, shall be forgiven.

Section 2.25.100 Future Rationing Formulas. Future water rationing allotments shall not be based on water use in 1993 or thereafter.

SECTION 3. Pursuant to California Government Code Section 36934, this Ordinance shall be passed immediately upon introduction as an urgency measure because it is necessary for the Town immediately to end mandatory water rationing, terminate excessive water use penalties generated after February 28, 1993, eliminate Customers' water banks, and impose voluntary water rationing in order to be consistent with action already taken by the Town's water supplier, the San Francisco Water Department. Furthermore, the immediate passage of this ordinance is necessary in order to allow enough lead time for the Town's computerized billing system to be reprogrammed before the next water bills are generated.

SECTION 4. Pursuant to California Government Code Section 36937(b), this Ordinance shall take effect upon passage as an ordinance necessary for the immediate preservation of the public peace, health, and safety. The City Council finds and declares that this measure is necessary to provide relief to Town residents from the detrimental effects of prolonged, substantial mandatory water rationing and to assure the Town's compliance with the new

voluntary water rationing program imposed by the San Francisco Water Department.

SECTION 5. This Ordinance shall be printed and posted upon the three official bulletin boards of the Town of Hillsborough and shall be effective on April 12, 1993.

  
MAYOR OF THE TOWN OF HILLSBOROUGH

ATTEST:

  
City Clerk

ORDINANCE NO. 520 of the TOWN OF HILLSBOROUGH introduced April 12, 1993, and adopted on April 12, 1993, by the following vote of the City Council:

AYES:	Council members	<u>Mullooly, Adams, Kelly, Boyar</u>
NOES:	Council members	<u>None</u>
ABSENT:	Council members	<u>Auer</u>
ABSTAIN:	Council members	<u>None</u>



ORDINANCE NO. 556

ORDINANCE AMENDING SECTION 2.25.040  
OF THE HILLSBOROUGH MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH, as follows:

Section 1. The Section 2.25.040 is hereby amended in its entirety to read as follows:

Section 2.25.040 Water Rationing

The Town of Hillsborough's sole source for its supply of water is the San Francisco Water Department (SFWD). Normal water allotments for properties served by the Hillsborough Water Department shall be determined by the following method:

For residential parcels, the sum of the following:

1. Three (3) units per month per household;
2. For persons living at such residence for at least six (6) months of the year:

Four (4) units per month for the first person,  
Three (3) units per month for the second person,  
Two (2) units per month for each additional person;

3. The following formulas shall be used to determine outdoor water allotments:

<u>Parcel Size</u>	<u>Allotment</u>
Less than .05 acres	$y = 295 x + 80$
0.5 acres to 0.99 acres	$y = 185 x + 135$
1 acre to 2.49 acres	$y = 50 x + 270$
2.5 acres to 3 acres	$y = 40 x + 295$
Greater than 3 acres	Determined by Water Auditor

where  $y$  = annual outdoor allotment in units (ccf)  
 $x$  = parcel size in acres

Parcels less than three acres may, at their option and expense, have their outdoor allotment determined by a water auditor.

In the event mandatory water rationing is required and imposed on the Town by the SFWD, non-residential parcels will have water allotments determined by a water auditor and residential outdoor allotments will be reduced. Reductions to residential outdoor water allotments will be determined at the time rationing is imposed on the Town. The monthly distribution of the outdoor allotments shall be in the same ratio as the Town is allotted water by the SFWD.

Unused monthly allotments may be banked for future use during the rationing period.

Section 2. This ordinance shall be printed and posted upon the three official bulletin boards of the Town of Hillsborough and shall be effective on September 11, 1997.

  
MAYOR OF THE TOWN OF HILLSBOROUGH

ATTEST:

  
City Clerk

ORDINANCE NO. 556 of the TOWN OF HILLSBOROUGH introduced July 14, 1997, 1997, and adopted on August 11, 1997, by the following vote of the City Council:

AYES: Council members Auer, Boyar, Kelly, Mullooly

NOES: Council members None

ABSENT: Council members Adams

ABSTAIN: Council members None

**Exhibit B**  
**2012-16 State Drought Response Executive Orders and Resolutions**



## A PROCLAMATION OF A STATE OF EMERGENCY

**WHEREAS** the State of California is experiencing record dry conditions, with 2014 projected to become the driest year on record; and

**WHEREAS** the state's water supplies have dipped to alarming levels, indicated by: snowpack in California's mountains is approximately 20 percent of the normal average for this date; California's largest water reservoirs have very low water levels for this time of year; California's major river systems, including the Sacramento and San Joaquin rivers, have significantly reduced surface water flows; and groundwater levels throughout the state have dropped significantly; and

**WHEREAS** dry conditions and lack of precipitation present urgent problems: drinking water supplies are at risk in many California communities; fewer crops can be cultivated and farmers' long-term investments are put at risk; low-income communities heavily dependent on agricultural employment will suffer heightened unemployment and economic hardship; animals and plants that rely on California's rivers, including many species in danger of extinction, will be threatened; and the risk of wildfires across the state is greatly increased; and

**WHEREAS** extremely dry conditions have persisted since 2012 and may continue beyond this year and more regularly into the future, based on scientific projections regarding the impact of climate change on California's snowpack; and

**WHEREAS** the magnitude of the severe drought conditions presents threats beyond the control of the services, personnel, equipment and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

**WHEREAS** under the provisions of section 8558(b) of the California Government Code, I find that conditions of extreme peril to the safety of persons and property exist in California due to water shortage and drought conditions with which local authority is unable to cope.

**NOW, THEREFORE, I, EDMUND G. BROWN JR.**, 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, section 8625 of the California Government Code **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in the State of California due to current drought conditions.

### IT IS HEREBY ORDERED THAT:

1.State agencies, led by the Department of Water Resources, will execute a statewide water conservation campaign to make all Californians aware of the drought and encourage personal actions to reduce water usage. This campaign will be built on the existing Save Our Water campaign ([www.saveourh20.org](http://www.saveourh20.org)) and will coordinate with local water agencies. This campaign will call on Californians to reduce their water usage by 20 percent.

2.Local urban water suppliers and municipalities are called upon to implement their local water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season. Local water agencies should also update their legally required urban and agricultural water management plans, which help plan for extended drought conditions. The Department of Water Resources will make the status of these updates publicly available.

3.State agencies, led by the Department of General Services, will immediately implement water use reduction

plans for all state facilities. These plans will include immediate water conservation actions, and a moratorium will be placed on new, non-essential landscaping projects at state facilities and on state highways and roads.

4. The Department of Water Resources and the State Water Resources Control Board (Water Board) will expedite the processing of water transfers, as called for in Executive Order B-21-13. Voluntary water transfers from one water right holder to another enables water to flow where it is needed most.

5. The Water Board will immediately consider petitions requesting consolidation of the places of use of the State Water Project and Federal Central Valley Project, which would streamline water transfers and exchanges between water users within the areas of these two major water projects.

6. The Department of Water Resources and the Water Board will accelerate funding for water supply enhancement projects that can break ground this year and will explore if any existing unspent funds can be repurposed to enable near-term water conservation projects.

7. The Water Board will put water right holders throughout the state on notice that they may be directed to cease or reduce water diversions based on water shortages.

8. The Water Board will consider modifying requirements for reservoir releases or diversion limitations, where existing requirements were established to implement a water quality control plan. These changes would enable water to be conserved upstream later in the year to protect cold water pools for salmon and steelhead, maintain water supply, and improve water quality.

9. The Department of Water Resources and the Water Board will take actions necessary to make water immediately available, and, for purposes of carrying out directives 5 and 8, Water Code section 13247 and Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are suspended on the basis that strict compliance with them will prevent, hinder, or delay the mitigation of the effects of the emergency. Department of Water Resources and the Water Board shall maintain on their websites a list of the activities or approvals for which these provisions are suspended.

10. The state's Drinking Water Program will work with local agencies to identify communities that may run out of drinking water, and will provide technical and financial assistance to help these communities address drinking water shortages. It will also identify emergency interconnections that exist among the state's public water systems that can help these threatened communities.

11. The Department of Water Resources will evaluate changing groundwater levels, land subsidence, and agricultural land fallowing as the drought persists and will provide a public update by April 30 that identifies groundwater basins with water shortages and details gaps in groundwater monitoring.

12. The Department of Water Resources will work with counties to help ensure that well drillers submit required groundwater well logs for newly constructed and deepened wells in a timely manner and the Office of Emergency Services will work with local authorities to enable early notice of areas experiencing problems with residential groundwater sources.

13. The California Department of Food and Agriculture will launch a one-stop website ([www.cdffa.ca.gov/drought](http://www.cdffa.ca.gov/drought)) that provides timely updates on the drought and connects farmers to state and federal programs that they can access during the drought.

14. The Department of Fish and Wildlife will evaluate and manage the changing impacts of drought on threatened and endangered species and species of special concern, and develop contingency plans for state Wildlife Areas and Ecological Reserves to manage reduced water resources in the public interest.

15. The Department of Fish and Wildlife will work with the Fish and Game Commission, using the best available science, to determine whether restricting fishing in certain areas will become necessary and prudent as drought conditions persist.

16. The Department of Water Resources will take necessary actions to protect water quality and water supply in the Delta, including installation of temporary barriers or temporary water supply connections as needed, and will coordinate with the Department of Fish and Wildlife to minimize impacts to affected aquatic species.

17. The Department of Water Resources will refine its seasonal climate forecasting and drought prediction by advancing new methodologies piloted in 2013.

18. The California Department of Forestry and Fire Protection will hire additional seasonal firefighters to suppress wildfires and take other needed actions to protect public safety during this time of elevated fire risk.

19. The state's Drought Task Force will immediately develop a plan that can be executed as needed to provide emergency food supplies, financial assistance, and unemployment services in communities that suffer high levels of unemployment from the drought.

20. The Drought Task Force will monitor drought impacts on a daily basis and will advise me of subsequent actions that should be taken if drought conditions worsen.

**I FURTHER DIRECT** that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 17th day of January, 2014.

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EDMUND G. BROWN JR.,  
Governor of California

ATTEST:

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DEBRA BOWEN,  
Secretary of State

## GOVERNOR BROWN ISSUES EXECUTIVE ORDER TO REDOUBLE STATE DROUGHT ACTIONS

4-25-2014

LOS ANGELES - With California's driest months ahead, Governor Edmund G. Brown Jr. today issued an executive order to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water.

"The driest months are still to come in California and extreme drought conditions will get worse," said Governor Brown. "This order cuts red tape to help get water to farmers more quickly, ensure communities have safe drinking water, protect vulnerable species and prepare for an extreme fire season. I call on every city, every community, every Californian to conserve water in every way possible."

In January, the Governor declared a drought [state of emergency](#). Since then, state water officials say that reservoirs, rainfall totals and the snowpack remain critically low. Current electronic readings show the snowpack's statewide water content at just [16 percent of average](#).

In the order, Governor Brown directs the Department of Water Resources and the State Water Resources Control Board to expedite approvals of voluntary water transfers to assist farmers. He also directs the California Department of Fish and Wildlife to accelerate monitoring of drought impacts on winter-run Chinook salmon in the Sacramento River and its tributaries, and to execute habitat restoration projects that will help fish weather the on-going drought.

To respond to the increased threat of wildfire season, the order streamlines contracting rules for the Governor's Office of Emergency Services and CALFIRE for equipment purchases and enables landowners to quickly clear brush and dead, dying or diseased trees that increase fire danger.

The order also calls on Californians and California businesses to take specific actions to avoid wasting water, including limiting lawn watering and car washing; recommends that schools, parks and golf courses limit the use of potable water for irrigation; and asks that hotels and restaurants give customers options to conserve water by only serving water upon request and other measures. The order also prevents homeowner associations from fining residents that limit their lawn watering and take other conservation measures.

The order provides a limited waiver of the California Environmental Quality Act for several actions that will limit harm from the drought. This waiver will enable these urgently needed actions to take place quickly and will remain in place through the end of 2014.

Last December, the Governor formed a [Drought Task Force](#) to closely manage precious water supplies, to expand water conservation wherever possible and to quickly respond to emerging drought impacts throughout the state. In May 2013, Governor Brown issued an [Executive Order](#) to direct state water officials to expedite the review and processing of voluntary transfers of water.

Governor Brown has called on all Californians to reduce their water use by 20 percent - visit [SaveOurH2O.org](#) to find out how everyone can do their part, and visit [Drought.CA.Gov](#) to learn more about how California is dealing with the effects of the drought.

The text of the executive order is below:

### A PROCLAMATION OF A CONTINUED STATE OF EMERGENCY

**WHEREAS** on January 17, 2014, I proclaimed a State of Emergency to exist in the State of California due to



severe drought conditions; and

WHEREAS state government has taken expedited actions as directed in that Proclamation to minimize harm from the drought; and

WHEREAS California's water supplies continue to be severely depleted despite a limited amount of rain and snowfall since January, with very limited snowpack in the Sierra Nevada mountains, decreased water levels in California's reservoirs, and reduced flows in the state's rivers; and

WHEREAS drought conditions have persisted for the last three years and the duration of this drought is unknown; and

WHEREAS the severe drought conditions continue to present urgent challenges: water shortages in communities across the state, greatly increased wildfire activity, diminished water for agricultural production, degraded habitat for many fish and wildlife species, threat of saltwater contamination of large fresh water supplies conveyed through the Sacramento-San Joaquin Bay Delta, and additional water scarcity if drought conditions continue into 2015; and

WHEREAS additional expedited actions are needed to reduce the harmful impacts from the drought as the state heads into several months of typically dry conditions; and

WHEREAS the magnitude of the severe drought conditions continues to present threats beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS under the provisions of section 8558(b) of the Government Code, I find that conditions of extreme peril to the safety of persons and property continue to exist in California due to water shortage and drought conditions with which local authority is unable to cope; and

WHEREAS under the provisions of section 8571 of the Government Code, I find that strict compliance with the various statutes and regulations specified in this proclamation would prevent, hinder, or delay the mitigation of the effects of the drought.

**NOW, THEREFORE, I, EDMUND G. BROWN JR.,** Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, including the Emergency Services Act and in particular Government Code section 8567, do hereby issue this Executive Order, effective immediately, to mitigate the effects of the drought conditions upon the people and property within the State of California.

**IT IS HEREBY ORDERED THAT:**

1. The orders and provisions contained in Proclamation No. 1-17-2014, dated January 17, 2014, remain in full force and effect except as modified herein.

2. The Department of Water Resources and the State Water Resources Control Board (Water Board) will immediately and expeditiously process requests to move water to areas of need, including requests involving voluntary water transfers, forbearance agreements, water exchanges, or other means. If necessary, the Department will request that the Water Board consider changes to water right permits to enable such voluntary movements of water.

3. Recognizing the tremendous importance of conserving water during this drought, all California residents

should refrain from wasting water:

- a. Avoid using water to clean sidewalks, driveways, parking lots and other hardscapes.
- b. Turn off fountains and other decorative water features unless recycled or grey water is available.
- c. Limit vehicle washing at home by patronizing local carwashes that use recycled water.
- d. Limit outdoor watering of lawns and landscaping to no more than two times a week.

Recreational facilities, such as city parks and golf courses, and large institutional complexes, such as schools, business parks and campuses, should immediately implement water reduction plans to reduce the use of potable water for outdoor irrigation.

Commercial establishments such as hotel and restaurants should take steps to reduce water usage and increase public awareness of the drought through measures such as offering drinking water only upon request and providing customers with options to avoid daily washing of towels or sheets.

Professional sports facilities, such as basketball arenas, football, soccer, and baseball stadiums, and hockey rinks should reduce water usage and increase public awareness of the drought by reducing the use of potable water for outdoor irrigation and encouraging conservation by spectators.

The Water Board shall direct urban water suppliers that are not already implementing drought response plans to limit outdoor irrigation and other wasteful water practices such as those identified in this Executive Order. The Water Board will request by June 15 an update from urban water agencies on their actions to reduce water usage and the effectiveness of these efforts. The Water Board is directed to adopt emergency regulations as it deems necessary, pursuant to Water Code section 1058.5, to implement this directive.

Californians can learn more about conserving water from the Save Our Water campaign ([SaveOurH2O.org](http://SaveOurH2O.org)).

4. Homeowners Associations (commonly known as HOAs) have reportedly fined or threatened to fine homeowners who comply with water conservation measures adopted by a public agency or private water company. To prevent this practice, pursuant to Government Code section 8567, I order that any provision of the governing document, architectural or landscaping guidelines, or policies of a common interest development will be void and unenforceable to the extent it has the effect of prohibiting compliance with the water-saving measures contained in this directive, or any conservation measure adopted by a public agency or private water company, any provision of Division 4, Part 5 (commencing with section 4000) of the Civil Code notwithstanding.

5. All state agencies that distribute funding for projects that impact water resources, including groundwater resources, will require recipients of future financial assistance to have appropriate conservation and efficiency programs in place.

6. The Department of Fish and Wildlife will immediately implement monitoring of winter-run Chinook salmon in the Sacramento River and its tributaries, as well as several runs of salmon and species of smelt in the Delta as described in the April 8, 2014 Drought Operations Plan.

7. The Department of Fish and Wildlife will implement projects that respond to drought conditions through habitat restoration and through water infrastructure projects on property owned or managed by the Department of Fish and Wildlife or the Department of Water Resources for the benefit of fish and wildlife impacted by the drought.

8. The Department of Fish and Wildlife will work with other state and federal agencies and with landowners in priority watersheds to protect threatened and endangered species and species of special concern and maximize the beneficial uses of scarce water supplies, including employment of voluntary agreements to secure instream flows, relocation of members of those species, or through other measures.

9. The Department of Water Resources will expedite the consideration and, where appropriate, the implementation, of pump-back delivery of water through the State Water Project on behalf of water districts.

10. The Water Board will adopt statewide general waste discharge requirements to facilitate the use of treated wastewater that meets standards set by the Department of Public Health, in order to reduce demand on potable water supplies.

11. The Department of Water Resources will conduct intensive outreach and provide technical assistance to local agencies in order to increase groundwater monitoring in areas where the drought has significant impacts, and develop updated contour maps where new data becomes available in order to more accurately capture changing groundwater levels. The Department will provide a public update by November 30 that identifies groundwater basins with water shortages, details remaining gaps in groundwater monitoring, and updates its monitoring of land subsidence and agricultural land following.

12. The California Department of Public Health, the Office of Emergency Services, and the Office of Planning and Research will assist local agencies that the Department of Public Health has identified as vulnerable to acute drinking water shortages in implementing solutions to those water shortages.

13. The Department of Water Resources and the Water Board, in coordination with other state agencies, will provide appropriate assistance to public agencies or private water companies in establishing temporary water supply connections to mitigate effects of the drought.

14. For the protection of health, safety, and the environment, CAL FIRE, the Office of Emergency Services, the Department of Water Resources, and the Department of Public Health, where appropriate, may enter into contracts and arrangements for the procurement of materials, goods, and services necessary to quickly mitigate the effects of the drought.

15. Pursuant to the drought legislation I signed into law on March 1, 2014, by July 1, 2014, the California Department of Food and Agriculture, in consultation with the Department of Water Resources and Water Board, will establish and implement a program to provide financial incentives to agricultural operations to invest in water irrigation treatment and distribution systems that reduce water and energy use, augment supply, and increase water and energy efficiency in agricultural applications.

16. To assist landowners meet their responsibilities for removing dead, dying and diseased trees and to help landowners clear other trees and plants close to structures that increase fire danger, certain noticing requirements are suspended for these activities. Specifically, the requirement that any person who conducts timber operations pursuant to the exemptions in Title 14, California Code of Regulations sections 1038 (b) and (c) submit notices to CAL FIRE under the provisions of Title 14, California Code of Regulations, section 1038.2 is hereby suspended. Timber operations pursuant to sections 1038(b) and (c) may immediately commence operations upon submission of the required notice to CAL FIRE and without a copy of the Director's notice of acceptance at the operating site. All other provisions of these regulations will remain in effect.

17. The Water Board will adopt and implement emergency regulations pursuant to Water Code section 1058.5, as it deems necessary to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation, and to require curtailment of diversions when water is not available under the diverter's priority of right.

18. In order to ensure that equipment and services necessary for drought response can be procured quickly, the provisions of the Government Code and the Public Contract Code applicable to state contracts, including, but not limited to, advertising and competitive bidding requirements, are hereby suspended for directives 7 and

14. Approval by the Department of Finance is required prior to the execution of any contract entered into pursuant to these directives.

19. For several actions called for in this proclamation, environmental review required by the California Environmental Quality Act is suspended to allow these actions to take place as quickly as possible. Specifically, for actions taken by state agencies pursuant to directives 2, 3, 6-10, 13, 15, and 17, for all actions taken pursuant to directive 12 when the Office of Planning and Research concurs that local action is required, and for all necessary permits needed to implement these respective actions, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are hereby suspended. The entities implementing these directives will maintain on their websites a list of the activities or approvals for which these provisions are suspended. This suspension and that provided in paragraph 9 of the January 17, 2014 Proclamation will expire on December 31, 2014, except that actions started prior to that date shall not be subject to Division 13 for the time required to complete them.

20. For several actions called for in this proclamation, certain regulatory requirements of the Water Code are suspended to allow these actions to take place as quickly as possible. Specifically, for actions taken pursuant to directive 2, section 13247 of the Water Code is suspended. The 30-day comment period provided in section 1726(f) of the Water Code is also suspended for actions taken pursuant to directive 2, but the Water Board will provide for a 15-day comment period. For actions taken by state agencies pursuant to directives 6 and 7, Chapter 3 of Part 3 (commencing with section 85225) of the Water Code is suspended. The entities implementing these directives will maintain on their websites a list of the activities or approvals for which these provisions are suspended.

**I FURTHER DIRECT** that as soon as hereafter possible, this Proclamation shall be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Proclamation.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 25th day of April, 2014

\_\_\_\_\_  
EDMUND G. BROWN JR.  
Governor of California

ATTEST:

\_\_\_\_\_  
DEBRA BOWEN  
Secretary of State

## Mandatory Water Conservation Regulation Go Into Effect

An [emergency regulation](#) to increase conservation practices for all Californians became effective July 29, 2014. The new conservation regulation targets outdoor urban water use. In some areas of the State, 50 percent or more of daily water use is for lawns and outdoor landscaping. This regulation establishes the minimum level of activity that residents, businesses and water suppliers must meet as the drought deepens and will be in effect for 270 days unless extended or repealed.

### **Prohibitions for ALL urban water users in California:**

- The application of potable water to any driveway or sidewalk.
- Using potable water to water outdoor landscapes in a manner that causes runoff to adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots or structures.
- Using a hose that dispenses potable water to wash a motor vehicle, unless the hose is fitted with a shut-off nozzle.
- Using potable water in a fountain or decorative water feature, unless the water is recirculated. Recycled water is not mandated, but encouraged for fountain use.

### **Requirements for Urban Water Suppliers (serving >3000 connections):**

- Implement water shortage contingency plans to a level where restrictions on outdoor irrigation are mandatory.
- Urban water suppliers without a plan, or without an adequate plan, must either mandate that outdoor irrigation be reduced to no more than twice a week or implement other mandatory use restrictions that provide a comparable level of savings.
- Report monthly water production beginning August 15. Include an estimate of the gallons per capita per day used by residential customers beginning with the October 15 report.

### **Requirements for Other Water Suppliers (serving <3000 connections):**

- Mandate that outdoor irrigation be reduced to no more than twice a week or implement other mandatory use restrictions that provide a comparable level of savings.

## **Assessing Compliance**

- Individual Prohibitions – evaluating alleged violations and taking enforcement action is primarily a local discretionary action.
- Water Suppliers – compliance will be evaluated based on multiple factors including implementation of the required actions, the content of the monthly reports (Urban Water Suppliers), and other relevant information.

## **Tips for Implementing the New Regulations**

- Notify and educate staff, ratepayers and the community at large about the prohibitions.
- Inform ratepayers of the requirements of the stage of the Water Shortage Contingency Plan required by the regulations.
- Access the water conservation resources clearinghouse, a partnership of the State of California and the Association of California Water Agencies at either <http://www.saveourh2o.org/> or <http://saveourwater.com/>

## **Contact Information**

- Report State Agency water waste at <http://www.saveourh2o.org/report-water-waste>
- Contact the State Water Board's drought hotline for questions on drought-related activities including general questions on the emergency regulations: (916) 341-5342.

More information on the emergency regulation can be found at the [Conservation Regulation Portal](#).

*(This fact sheet was last updated July 29, 2014)*

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2014-0038**

**TO ADOPT AN EMERGENCY REGULATION  
FOR STATEWIDE URBAN WATER CONSERVATION**

WHEREAS:

1. On April 25, 2014, Governor Edmund G. Brown Jr. issued an [executive order](#) to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water. The executive order finds that the continuous severe drought conditions present urgent challenges across the state including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater contamination, and additional water scarcity if drought conditions continue into 2015. The [National Integrated Drought Information System](#) reported that nearly 80% of the state was reported to be under "extreme" drought conditions at the end of June;
2. The executive order refers to the [Governor's Proclamation No. 1-17-2014](#), issued on January 17, 2014, declaring a State of Emergency to exist in California due to severe drought conditions. The January Proclamation notes that the state is experiencing record dry conditions, with 2014 projected to become the driest year on record. Since January, state water officials indicate that reservoirs, rainfall totals and the snowpack remain critically low. This follows two other dry or below average years, leaving reservoir storage at alarmingly low levels. The January Proclamation highlights the State's dry conditions, lack of precipitation and the resulting effects on drinking water supplies, the cultivation of crops, and the survival of animals and plants that rely on California's rivers and streams. The January Proclamation also calls on all Californians to reduce their water usage by 20 percent;
3. There is no guarantee that winter precipitation will alleviate the drought conditions that the executive orders address, which will lead to even more severe impacts across the state if the drought wears on;
4. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: "prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports";
5. Over 400,000 acres of farmland are expected to be fallowed, thousands of people may be out of work, communities risk running out of drinking water, and fish and wildlife will suffer.

6. Many Californians have taken bold steps over the years and in this year to reduce water use; nevertheless, the dire nature of the current drought requires additional conservation actions from residents and businesses. Some severely affected communities have implemented water rationing, limiting water use in some cases to only 50 gallons per person per day, foregoing showers, laundry, toilet flushing, and all outdoor watering.
7. Water conservation is the easiest, most efficient and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this summer is water available next year, giving water suppliers the flexibility to manage their systems efficiently. The more water that is conserved now, the less likely it is that a community will experience such dire circumstances that water rationing is required ;
8. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water;
9. Public information and awareness is critical to achieving conservation goals and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>).
10. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated;
11. The emergency regulations set a minimum standard requiring only modest lifestyle changes across the state. Many communities are already doing more and have been for years. They should be commended, but can and should do more. Others are not yet doing so and should at least do this, but should do much more given the severity of the drought;
12. On July 8, 2014, the State Water Board issued public notice that the State Water Board would consider the adoption of the regulation at the Board's regularly-scheduled July 15, 2014 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations;
13. On April 25, 2014, the Governor suspended the California Environmental Quality Act's application to the State Water Board's adoption of emergency regulations pursuant to Water Code section 1058.5 to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation;
14. As discussed above, the State Water Board is adopting the emergency regulation because of emergency drought conditions, the need for prompt action, and current limitations in the existing enforcement process;



15. Disadvantaged communities may require assistance in increasing water conservation and state agencies should look for opportunities to provide assistance in promoting water conservation;
16. Nothing in the regulations or in the enforcement provisions of the regulations, preclude a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulations adopted by this resolution and local agencies retain their enforcement discretion in enforcing the regulations, to the extent authorized, and may develop their own progressive enforcement practices to encourage conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, sections 863, 864, and 865, as appended to this resolution as an emergency regulation;
2. The State Water Board staff will submit the regulation to the Office of Administrative Law (OAL) for final approval;
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes;
4. These regulations shall remain in effect for 270 days after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulations due to continued drought conditions as described in Water Code section 1058.5;
5. The State Water Board directs staff to provide the Board with monthly updates on the implementation of the emergency regulations and their effect;
6. Directs State Water Board staff to condition funding upon compliance with the emergency regulations, to the extent feasible;
7. Directs State Water Board staff to work with the Department of Water Resources and the Save Our Water campaign to disseminate information regarding the emergency regulations; and
8. Directs State Water Board staff in developing an electronic reporting portal to include data fields so that local agencies may provide monthly reporting data on (i) conservation-related implementation measures or enforcement actions taken by the local agency and (ii) substitution during the drought of potable water with recycled water to extend water supplies.

THEREFORE BE IT FURTHER RESOLVED THAT:

9. The State Water Board commends water suppliers that have increased conservation messaging and adopted innovative strategies to enhance customer awareness of water use, such as applications that let customers compare their water use to water use by others; reduce system losses, such as fixing system leaks which can deplete supplies by 10 percent or more; and establish incentives to reduce demand, such as tiered or drought rate structures. The State Water Board also commends all Californians that have already been working to maximize their conservation efforts, both at home and at work;
10. The State Water Board calls upon water suppliers to take the following actions:

*Educate customers and employees*

- Retail water suppliers should provide notice of the regulations in English and Spanish in one or more of the following ways: newspaper advertisements, bill inserts, website homepage, social media, notices in public libraries;
- Wholesale suppliers should include reference to the regulations in their customer communications;
- All water suppliers should train personnel on the regulations;
- All water suppliers should provide signage where recycled or reclaimed water is being used for activities that the emergency regulations prohibit with the use of potable water, such as operation of fountains and other water features;
- All water suppliers should redouble their efforts to disseminate information regarding opportunities and incentives to upgrade indoor fixtures and appliances;
- All water suppliers should use education and the tools available through the Save Our Water website (<http://saveourwater.com>); and
- All water suppliers should educate and prepare their boards and councils on the drought response actions contained in the emergency regulations and in this resolution, and to make sure that drought response items are placed on agendas as early as possible;

*Increasing local supplies*


- All water suppliers should accelerate the completion of projects that will conserve potable water by making use of non-potable supplies, such as recycled water, "greywater," and stormwater collection projects;
- All water suppliers should improve their leak reporting and response programs and request that police and fire departments and other local government personnel report leaks and water waste that they encounter during their routine duties/patrols;
- Smaller water suppliers – those with fewer than 3,000 service connections – should take proactive steps to secure their communities' water supplies and educate their customers about water conservation and the status of their supply reserves;
- All water suppliers should conduct water loss audits and make leak detection and repair a top priority for the duration of the drought; and
- All urban water suppliers should evaluate their rate structures and begin to implement needed changes as part of planning for another dry year. Information and assistance on setting and implementing drought rates is available from the Alliance for Water Efficiency. (<http://www.allianceforwaterefficiency.org/>).

11. The State Water Board calls on all Californians to take the following additional actions:
  - Further reduce water demand, whether by using less water in daily routines indoors and out, retrofitting appliances and installing greywater and rainwater catchment systems; and
  - Check residential and business water bills to see if there are high charges that may indicate a leak and to fix the leak, if they are able, or contact their local water utility if they need assistance.
  
12. The State Water Board encourages its staff, the Department of Water Resources, the Public Utilities Commission, urban water suppliers, and other local agencies to look for opportunities to encourage and promote new technologies that reduce water usage, including through timely access to water usage information and behavioral response.
  
13. The State Water Board encourages all state and local agencies to look for additional opportunities to minimize potable water use in outdoor spaces.
  
14. The State Water Board encourages investor-owned utilities to expeditiously submit applications for implementation of the regulations to the California Public Utilities Commission.

**CERTIFICATION**

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 15, 2014.

AYE:           Chair Felicia Marcus  
                   Vice Chair Frances Spivy-Weber  
                   Board Member Steven Moore  
                   Board Member Dorene D'Adamo  
  
 NAY:           None  
  
 ABSENT:       Board Member Tam M. Doduc  
  
 ABSTAIN:      None

  
 \_\_\_\_\_  
 Jeanine Townsend  
 Clerk to the Board

# **PROPOSED TEXT OF EMERGENCY REGULATIONS**

## **Article 22.5. Drought Emergency Water Conservation**

### Sec. 863 Findings of Drought Emergency

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;

(4) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and

(5) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to further promote conservation.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

### Sec. 864 Prohibited Activities in Promotion of Water Conservation

(a) To promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) 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;

(3) The application of potable water to driveways and sidewalks; and

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

(b) The taking of any action prohibited in subdivision (a) of this section, in addition to any other applicable civil or criminal penalties, is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

# PROPOSED TEXT OF EMERGENCY REGULATIONS

## Sec. 865 Mandatory Actions by Water Suppliers

(a) The term “urban water supplier,” when used in this section, refers to a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(b)(1) To promote water conservation, each urban water supplier shall implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water.

(2) As an alternative to subdivision (b)(1), an urban water supplier may submit a request to the Executive Director for approval of an alternate plan that includes allocation-based rate structures that satisfies the requirements of chapter 3.4 (commencing with section 370) of division 1 of the Water Code, and the Executive Director may approve such an alternate plan upon determining that the rate structure, in conjunction with other measures, achieves a level of conservation that would be superior to that achieved by implementing limitations on outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.

(c) To promote water conservation, each urban water supplier that does not have a water shortage contingency plan or has been notified by the Department of Water Resources that its water shortage contingency plan does not meet the requirements of Water Code section 10632 shall, within thirty (30) days, limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week or shall implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

(d) In furtherance of the promotion of water conservation each urban water supplier shall prepare and submit to the State Water Resources Control Board by the 15<sup>th</sup> of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. Beginning October 15, 2014, the monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves. In its initial monitoring report, each urban water supplier shall state the number of persons it serves.

(e) To promote water conservation, each distributor of a public water supply, as defined in Water Code section 350, that is not an urban water supplier shall, within thirty (30) days, take one or more of the following actions:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or

(2) Implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105; 350; 10617; 10632.



# Fact Sheet

## 2015 Emergency Water Conservation Regulation Frequently Asked Questions

On March 17, the State Water Resources Control Board (State Water Board or Board) adopted an expanded [emergency conservation regulation](#) to safeguard the state's remaining water supplies as California enters a fourth consecutive dry year. While there are many ways to boost local water supplies, conservation is the easiest, most efficient, and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. With our inability to predict the remainder of this rainy season or the next, water saved today can improve a region's water security and add flexibility to systems that may need to withstand another year or more of warm temperatures and low precipitation.

The enhanced emergency conservation regulation targets both individual water use, by identifying the practices from which every Californian should abstain during this drought emergency, as well as the steps that local water suppliers should be taking to reduce water demand in their service areas. These updated restrictions set a minimum level of effort in this continuing drought emergency. Everyone should take additional steps to conserve water. As the drought wears on, the State Water Board will closely watch local implementation of the regulation, and will take further action as needed.

### 1. What types of water use are prohibited for all Californians?

The 2015 emergency conservation regulation prohibits:

- Using potable water to wash sidewalks and driveways;
- Allowing runoff when irrigating with potable water;
- Using hoses with no shutoff nozzles to wash cars;
- Using potable water in decorative water features that do not recirculate the water; and
- **New** Irrigating outdoors during and within 48 hours following measureable rainfall

### 2. Are businesses required to conserve water as well?

Yes, the prohibitions above apply to businesses and residents. In addition, the 2015 emergency regulation also focuses on the restaurant and hospitality sector:

- **New** Restaurants are prohibited from serving water to their customers unless the customer requests it; and
- **New** Hotels and motels must offer their guests the option to not have their linens and towels laundered daily, and prominently display this option in each guest room.



- Restaurants are also encouraged to use table cards to help convey the conservation message. Table card templates are available for download at the Save Our Water website at: <http://saveourwater.com/for-water-agencies/toolkit/>. Local water suppliers may also be able to provide similar materials.

### **3. Do water suppliers have to implement conservation measures?**

Yes, there are requirements for both large urban water suppliers serving more than 3,000 customers, as well as small water suppliers serving fewer than 3,000 customers.

Large urban water suppliers (serving >3000 connections) must:

- Impose restrictions on outdoor irrigation;
- Notify customers about leaks that are within the customer's control;
- Report on water use monthly; and
- Report on compliance and enforcement

Small water suppliers (serving <3000 connections) must:

- Limit outdoor irrigation to two days per week **or** comparable measures to achieve a 20 percent reduction in water use.

### **4. Are there limitations on outdoor watering?**

Yes, the regulations limit the number of days per week that outdoor irrigation is allowed. Urban water suppliers with water shortage contingency plans can rely on limitations in their plans if they exist. Plans with no limitations must restrict outdoor watering to two days per week.

### **5. Can water shortage contingency plans be amended to impose day-per-week restrictions in lieu of implementing the two-day-per-week backstop?**

Yes, the regulations allow for the local amendment of the plans.

### **6. Is everyone required to limit outdoor watering to two days per week?**

No, the regulations rely on the days-per-week limitations contained on local water shortage contingency plans. If these plans do not contain limitations, then a two-day-per-week restriction must be implemented. Smaller water suppliers that are not required to have water shortage contingency plans have the option of implementing the two-day-per-week restriction or comparable conservation measures designed to achieve a 20 percent reduction in water use.

### **7. How do I report water waste?**

Water waste should be reported to the water supplier for the service area. The State Water Board's conservation website contains a simple tool to find the contact information for the water supplier based on the location of the alleged wasteful activity. The tool is located at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/water\\_supplier.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/water_supplier.shtml).

**8. Who can enforce the prohibitions?**

Violations of prohibited activities are considered infractions and are punishable by fines of up to \$500 for each day in which the violation occurs. Any peace officer or employee of a public agency charged with enforcing laws and authorized to do so by ordinance may issue a citation to the violator. The State Water Board can issue cease and desist orders against water agencies that don't impose mandatory outdoor irrigation restrictions upon their retail customers. Water suppliers that violate cease and desist orders are subject to civil liability of up to \$10,000 a day.

**9. Who makes sure that the water suppliers are doing their part?**

The State Water Board has been tracking the implementation of conservation measures by large urban water suppliers. Information on their progress along with the status of their enforcement efforts is available on the website at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/conservation\\_report\\_info.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/conservation_report_info.shtml). With more than 2,500 smaller water agencies not subject to reporting requirements, compliance checking is more challenging but is a priority for 2015.

**10. Where can I find the monthly reports and conservation results submitted by the urban water suppliers?**

The reports can be found on the State Water Board's website at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/conservation\\_report\\_info.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/conservation_report_info.shtml). Information on the regulation can be found at:  
[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/emergency\\_regulations\\_waterconservation.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/emergency_regulations_waterconservation.shtml).

**11. When does the regulation go into effect?**

The regulation goes into effect immediately upon approval by the Office of Administrative Law and filing with the Secretary of State. The effective date of the regulation is March 27, 2015.

**12. How long is the regulation in effect for?**

The regulation will be in effect for 270 days unless extended by the State Water Board.

For more information, visit the [Emergency Water Conservation Portal](#).

Please visit [SaveOurWater.com](http://SaveOurWater.com) today!





# Media Release

## State Water Board Expands and Extends Emergency Water Conservation Regulation

For Immediate Release  
March 17, 2015

Contact: George Kostyrko  
gkostyrko@waterboards.ca.gov

SACRAMENTO -- As California enters a fourth year of severe drought, the State Water Resources Control Board Tuesday adopted an expanded emergency regulation to safeguard the state's remaining water supplies. While Californians have made great strides to conserve water, more effort is needed.

"We are experiencing the lowest snowpack and the driest January in recorded history, and communities around the state are already suffering severely from the prior three years of drought," said State Water Board Chair Felicia Marcus. "If the drought continues through next winter and we do not conserve more -- the consequences could be even more catastrophic than they already are. Today's action is just a tune-up and a reminder to act, and we will consider more significant actions in the weeks to come."

While communities and water suppliers have saved substantial amounts of water since the water conservation [emergency regulation](#) was first adopted in July 2014, there are many more opportunities for Californians to conserve in even greater amounts. The expanded emergency regulation captures some of these opportunities while continuing to give urban water suppliers flexibility to take actions that reflect their local conditions as long as they meet the minimum requirements. The State Water Board strongly encourages water suppliers to do much more than the minimum required by the regulation.

Today's action incorporates lessons learned from implementation of the emergency regulation approved in 2014 and feedback from urban water suppliers and the public.

### Prohibited Water Use

Under today's action, the prohibitions on potable water use, first adopted in 2014, will continue, and new prohibitions will go into effect. All Californians are now prohibited from:

- washing down sidewalks and driveways;
- watering outdoor landscapes in a manner that causes excess runoff;
- washing a motor vehicle with a hose, unless the hose is fitted with a shut-off nozzle;
- operating a fountain or decorative water feature, unless the water is part of a recirculating system; and



- irrigating turf or ornamental landscapes during and 48 hours following measurable precipitation (new).

**(New) Prohibitions affecting commercial businesses include:**

- restaurants and other food service establishments can only serve water to customers on request; and
- operators of hotels and motels must provide guests with the option of choosing not to have towels and linens laundered daily and prominently display notice of this option.

**Water Agency Requirements**

The biggest change for urban water suppliers is the creation of a floor, or minimum standard, for outdoor irrigation restrictions. Outdoor irrigation represents 50 to 80 percent of all water use for some communities in the state. Irrigating outdoor ornamental landscapes is a questionable use of a limited resource when some communities are running out of water in this fourth consecutive year of drought. Urban water suppliers must now limit the number of days per week that customers can irrigate outdoors. The limit must either be specified in their drought contingency plans; or if their plan contains no specific limit, irrigation is limited to no more than two days per week.

Water agencies will also be required to notify customers when they are aware of leaks that are within the customer's control. Finally, monthly reporting requirements will be expanded to include the limit on days for outdoor irrigation and a description of compliance and enforcement efforts.

For smaller water suppliers, the expanded regulation clarifies that if they choose to implement alternate mandatory measures, in lieu of limiting outdoor irrigation to twice a week; those measures should be designed to achieve a 20 percent reduction in water consumption.

Local agencies can fine property owners up to \$500 a day for failure to implement conservation requirements and the State Water Board can issue cease and desist orders against water agencies that don't impose mandatory conservation measures upon their retail customers. Water agencies that violate cease and desist orders are subject to civil liability of up to \$10,000 a day.

"In a drought this severe, we need to think differently about our daily water use, and need to sacrifice emerald green lawns and other water use luxuries," Marcus said. "At a time when hundreds of thousands of acres of farmland lie fallow, thousands are out of work, communities are running out of water, and fish and wildlife are devastated, and when locally stored urban water supplies are shrinking, we need to step up the pace of conservation. Water agencies should be motivating customers to take even more responsibility for the amount of water used in homes, backyards, businesses, parks and everywhere else."

Following Board adoption, the regulation will be submitted to the Office of Administrative Law, which has 10 days to approve or deny the regulation. If approved by the Office of



## Media Release

Administrative Law, the regulation will take effect immediately and remain in effect for 270 days from that date.

For more information, please visit the [Emergency Water Conservation](#) website.

Governor Brown has called on all Californians to reduce their water use by 20 percent and prevent water waste – visit [SaveOurWater.com](#) to find out how everyone can do their part, and visit [Drought.CA.Gov](#) to learn more about how California is dealing with the effects of the drought.

###

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2015-0013**

**TO ADOPT AN EMERGENCY REGULATIONS FOR  
STATEWIDE URBAN WATER CONSERVATION**

WHEREAS:

1. On April 25, 2014, Governor Edmund G. Brown Jr. issued an executive order (April 2014 Proclamation) to strengthen the State's ability to manage water and habitat effectively in drought conditions, and called on all Californians to redouble their efforts to conserve water. The April 2014 Proclamation finds that the continuous severe drought conditions present urgent challenges across the State, including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater contamination, and additional water scarcity, if drought conditions continue into 2015. The April 2014 Proclamation also suspends the environmental review required by the California Environmental Quality Act to allow the emergency regulation and other actions to take place as quickly as possible;
2. The April 2014 Proclamation refers to the [Governor's Proclamation No. 1-17-2014](#), issued on January 17, 2014, declaring a drought State of Emergency to exist in California due to severe drought conditions (January 2014 Proclamation). The January 2014 Proclamation finds that dry conditions and lack of precipitation present urgent problems to drinking water supplies and cultivation of crops, which put farmers' long-term investments at risk. The conditions also threaten the survival of animals and plants that rely on California's rivers, including many species in danger of extinction. The January 2014 Proclamation also calls on all Californians to reduce their water usage by 20 percent;
3. On December 22, 2014, in light of the continued lack of rain, Governor Brown issued [Executive Order B-28-14](#), which extends the California Environmental Quality Act suspension through May 31, 2016 for Water Code section 13247 and certain activities identified in the January 2014 and April 2014 proclamations;
4. Drought conditions are continuing. As of March 3, 2015, snow water equivalents for the Northern, Central, and Southern Sierra regions were at 16 percent, 20 percent, and 21 percent of normal for that date, respectively. Additionally, most reservoirs are less than 60 percent full and January 2015 was one of the driest months ever recorded in California history. Moreover, many communities face the prospect of needing emergency drinking water supplies;
5. The likelihood that any additional precipitation will significantly reduce the severity of drought conditions this year is extremely low;
6. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: "prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports";

7. On July 15, 2014, the State Water Board adopted an emergency regulation to support water conservation ([Resolution No. 2014-0038](#)), and that regulation became effective July 28, 2014 upon approval by the Office of Administrative Law (OAL);
8. The current emergency regulation will expire on April 25, 2015;
9. The current emergency regulation has supported Californians' water conservation efforts, with over 119 billion gallons saved from August 2014 through January 2015;
10. Many Californians have taken bold steps over the years and in this year to reduce water use; nevertheless, the dire nature of the current drought requires additional conservation actions from residents and businesses. Some severely-affected communities have implemented water rationing, limiting water use in some cases to only 50 gallons per person per day, foregoing showers, laundry, toilet flushing, and all outdoor watering;
11. Water conservation is the easiest, most efficient and most cost-effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this summer is water available later in the season or next year, giving water suppliers the flexibility to manage their systems efficiently;
12. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water;
13. Most urban water suppliers have placed restrictions on outdoor watering, but the State Water Board has nevertheless received many reports of excessive water use;
14. Education and enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated;
15. Public information and awareness is critical to achieving conservation goals, and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>);
16. Other parts of the world have faced social and economic hardship due to severe drought. Californians must continue to make lifestyle changes, including landscape choices that conserve even more water;
17. On March 6, 2015, the State Water Board issued public notice that it would consider the adoption of the emergency regulation at the Board's regularly-scheduled March 17, 2015 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations;
18. As discussed above, the State Water Board is adopting the emergency regulation because of the continuing emergency drought conditions, the need for prompt action, and the need to act before the current emergency regulation expires on April 25, 2015; and

19. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulation adopted by this resolution, and local agencies retain the enforcement discretion in enforcing the regulation to the extent authorized. Local agencies are encouraged to develop their own progressive enforcement practices to promote conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board re-adopts California Code of Regulations, title 23, sections 863, 864, and 865, as appended to this resolution as an emergency regulation;
2. State Water Board staff will submit the regulation to the OAL for final approval;
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes;
4. This regulation shall remain in effect for 270 days after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulation due to continued drought conditions as described in Water Code section 1058.5;
5. The State Water Board directs staff to provide the Board with monthly updates on the implementation of the emergency regulation and its effect;
6. The State Water Board directs staff to condition funding upon compliance with the emergency regulation, to the extent feasible;
7. The State Water Board directs staff to work with the DWR and the Save Our Water campaign to disseminate information regarding the emergency regulations; and
8. The State Water Board directs staff to update the electronic reporting portal to include data fields for local agencies to report on compliance and enforcement activities.

THEREFORE BE IT FURTHER RESOLVED THAT:

9. The State Water Board commends Californians who heeded the call for conservation and have helped to save over 119 billion gallons from August 2014 through January 2015. The State Water Board calls upon Californians to redouble their conservation efforts in the face of a fourth year of severe drought. For homeowners and businesses that have delayed removing turf, planting drought-tolerant landscapes, or installing efficient irrigation systems, the time to act is now;

10. The State Water Board calls upon water suppliers to ensure that they have adequate personnel and financial resources to implement conservation requirements not only for 2015, but also for another year of drought should it occur. Water suppliers that face budget shortfalls due to reduced sales should take immediate steps to raise necessary revenues in a way that actively promotes continued conservation. In Resolution No. 2014-0038, the State Water Board called on all urban water suppliers to evaluate their rate structures and begin to implement needed changes as part of planning for another dry year. These efforts should be continued and redoubled;
11. Disadvantaged communities may require assistance in increasing water conservation and State agencies should look for opportunities to provide assistance in promoting water conservation;
12. The State Water Board calls upon all water suppliers to take further actions to increase water conservation, such as by:
  - a. providing customers with timely and easy-to-understand information on the average
  - b. number of gallons they use each month and each day within their billing period; accelerating the completion of projects that will conserve potable water by making use of non-potable supplies, such as recycled water and stormwater collection projects; and
  - c. accelerating projects to fix leaks, and to conduct a system-wide water loss audit as soon as possible;
13. The State Water Board calls upon the restaurant and hospitality industry to take further actions to increase water conservation, such as by utilizing water efficient pre-rinse spray valves for dish washing and training staff on the new regulation so that the minimum amount of water is used to wash towels and linens; and
14. The State Water Board directs staff to develop a statewide portal for reporting water waste.

### CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 17, 2015.

AYE: Chair Felicia Marcus  
 Vice Chair Frances Spivy-Weber  
 Board Member Tam M. Doduc  
 Board Member Steven Moore  
 Board Member Dorene D'Adamo

NAY: None

ABSENT: None

ABSTAIN: None


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 Jeanine Townsend  
 Clerk to the Board

# ADOPTED TEXT OF EMERGENCY REGULATION

## Article 22.5. Drought Emergency Water Conservation

### Sec. 863 Findings of Drought Emergency

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;

(4) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and

(5) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to further promote conservation.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

### Sec. 864 ~~Prohibited Activities~~ End-User Requirements in Promotion of Water Conservation

(a) To promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) 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;

(3) The application of potable water to driveways and sidewalks; ~~and~~

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system-;

(5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall; and

(6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.

(b) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.



~~(b)~~(c) The taking of any action prohibited in subdivision (a) or the failure to take any action required in subdivision (b) of this section, in addition to any other applicable civil or criminal penalties, is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

#### Sec. 865 Mandatory Actions by Water Suppliers

(a) The term “urban water supplier,” when used in this section, refers to a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(b)(1) To promote water conservation, each urban water supplier shall implement all requirements and actions of the stage of its water shortage contingency plan that ~~imposes~~includes mandatory restrictions on the number of days that outdoor irrigation of ornamental landscapes or turf with potable water is allowed, or shall amend its water shortage contingency plan to include mandatory restrictions on the number of days that outdoor irrigation of ornamental landscapes or turf with potable water is allowed and implement these restrictions within forty-five (45) days. Urban water suppliers with approved alternate plans as described in subdivision (b)(2) are exempted from this requirement.

~~(2) As an alternative to subdivision (b)(1) a~~An urban water supplier may submit a request to the Executive Director for approval of an alternate plan that includes allocation-based rate structures that satisfies the requirements of chapter 3.4 (commencing with section 370) of division 1 of the Water Code, and the Executive Director may approve such an alternate plan upon determining that the rate structure, in conjunction with other measures, achieves a level of conservation that would be superior to that achieved by implementing limitations on outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.

(c) To promote water conservation, each urban water supplier that does not have a water shortage contingency plan that restricts the number of days that outdoor irrigation of ornamental landscapes and turf with potable water is allowed, or has been notified by the Department of Water Resources that its water shortage contingency plan does not meet the requirements of Water Code section 10632 shall, within ~~thirty-fourty-five (3045)~~ thirty-fourty-five (3045) days, limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week ~~or shall implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.~~

(d) In furtherance of the promotion of water conservation each urban water supplier shall:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-users exclusive control.

(2) Prepare and submit to the State Water Resources Control Board by the 15<sup>th</sup> of each month a monitoring report on forms provided by the Board. The monitoring report

shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. ~~Beginning October 15, 2014, †~~The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, and the number of days that outdoor irrigation is allowed. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves. ~~In its initial monitoring report, each urban water supplier shall state the number of persons it serves.~~

(e) To promote water conservation, each distributor of a public water supply, as defined in Water Code section 350, that is not an urban water supplier shall, within ~~thirty~~forty-five (3045) days, take one or more of the following actions:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or

(2) Implement another mandatory conservation measure or measures intended to achieve a ~~comparable~~20 percent reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105; 350; 10617; 10632.

**Executive Department**  
State of California

**EXECUTIVE ORDER B-29-15**

**WHEREAS** on January 17, 2014, I proclaimed a State of Emergency to exist throughout the State of California due to severe drought conditions; and

**WHEREAS** on April 25, 2014, I proclaimed a Continued State of Emergency to exist throughout the State of California due to the ongoing drought; and

**WHEREAS** California's water supplies continue to be severely depleted despite a limited amount of rain and snowfall this winter, with record low snowpack in the Sierra Nevada mountains, decreased water levels in most of California's reservoirs, reduced flows in the state's rivers and shrinking supplies in underground water basins; and

**WHEREAS** the severe drought conditions continue to present urgent challenges including: drinking water shortages in communities across the state, diminished water for agricultural production, degraded habitat for many fish and wildlife species, increased wildfire risk, and the threat of saltwater contamination to fresh water supplies in the Sacramento-San Joaquin Bay Delta; and

**WHEREAS** a distinct possibility exists that the current drought will stretch into a fifth straight year in 2016 and beyond; and

**WHEREAS** new expedited actions are needed to reduce the harmful impacts from water shortages and other impacts of the drought; and

**WHEREAS** the magnitude of the severe drought conditions continues to present threats beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

**WHEREAS** under the provisions of section 8558(b) of the Government Code, I find that conditions of extreme peril to the safety of persons and property continue to exist in California due to water shortage and drought conditions with which local authority is unable to cope; and

**WHEREAS** under the provisions of section 8571 of the California Government Code, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay the mitigation of the effects of the drought.

**NOW, THEREFORE, I, EDMUND G. BROWN JR.**, Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, in particular Government Code sections 8567 and 8571 of the California Government Code, do hereby issue this Executive Order, effective immediately.

**IT IS HEREBY ORDERED THAT:**

1. The orders and provisions contained in my January 17, 2014 Proclamation, my April 25, 2014 Proclamation, and Executive Orders B-26-14 and B-28-14 remain in full force and effect except as modified herein.

**SAVE WATER**

2. The State Water Resources Control Board (Water Board) shall impose restrictions to achieve a statewide 25% reduction in potable urban water usage through February 28, 2016. These restrictions will require water suppliers to California's cities and towns to reduce usage as compared to the amount used in 2013. These restrictions should consider the relative per capita water usage of each water suppliers' service area, and require that those areas with high per capita use achieve proportionally greater reductions than those with low use. The California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.
3. The Department of Water Resources (the Department) shall lead a statewide initiative, in partnership with local agencies, to collectively replace 50 million square feet of lawns and ornamental turf with drought tolerant landscapes. The Department shall provide funding to allow for lawn replacement programs in underserved communities, which will complement local programs already underway across the state.
4. The California Energy Commission, jointly with the Department and the Water Board, shall implement a time-limited statewide appliance rebate program to provide monetary incentives for the replacement of inefficient household devices.
5. The Water Board shall impose restrictions to require that commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, immediately implement water efficiency measures to reduce potable water usage in an amount consistent with the reduction targets mandated by Directive 2 of this Executive Order.
6. The Water Board shall prohibit irrigation with potable water of ornamental turf on public street medians.
7. The Water Board shall prohibit irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or microspray systems.

8. The Water Board shall direct urban water suppliers to develop rate structures and other pricing mechanisms, including but not limited to surcharges, fees, and penalties, to maximize water conservation consistent with statewide water restrictions. The Water Board is directed to adopt emergency regulations, as it deems necessary, pursuant to Water Code section 1058.5 to implement this directive. The Water Board is further directed to work with state agencies and water suppliers to identify mechanisms that would encourage and facilitate the adoption of rate structures and other pricing mechanisms that promote water conservation. The California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.

#### **INCREASE ENFORCEMENT AGAINST WATER WASTE**

9. The Water Board shall require urban water suppliers to provide monthly information on water usage, conservation, and enforcement on a permanent basis.
10. The Water Board shall require frequent reporting of water diversion and use by water right holders, conduct inspections to determine whether illegal diversions or wasteful and unreasonable use of water are occurring, and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. Pursuant to Government Code sections 8570 and 8627, the Water Board is granted authority to inspect property or diversion facilities to ascertain compliance with water rights laws and regulations where there is cause to believe such laws and regulations have been violated. 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.
11. The Department shall update the State Model Water Efficient Landscape Ordinance through expedited regulation. This updated Ordinance shall increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, greywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf. It will also require reporting on the implementation and enforcement of local ordinances, with required reports due by December 31, 2015. The Department shall provide information on local compliance to the Water Board, which shall consider adopting regulations or taking appropriate enforcement actions to promote compliance. The Department shall provide technical assistance and give priority in grant funding to public agencies for actions necessary to comply with local ordinances.
12. Agricultural water suppliers that supply water to more than 25,000 acres shall include in their required 2015 Agricultural Water Management Plans a detailed drought management plan that describes the actions and measures the supplier will take to manage water demand during drought. The Department shall require those plans to include quantification of water supplies and demands for 2013, 2014, and 2015 to the extent data is available. The Department will provide technical assistance to water suppliers in preparing the plans.

13. Agricultural water suppliers that supply water to 10,000 to 25,000 acres of irrigated lands shall develop Agricultural Water Management Plans and submit the plans to the Department by July 1, 2016. These plans shall include a detailed drought management plan and quantification of water supplies and demands in 2013, 2014, and 2015, to the extent that data is available. The Department shall give priority in grant funding to agricultural water suppliers that supply water to 10,000 to 25,000 acres of land for development and implementation of Agricultural Water Management Plans.
14. The Department shall report to Water Board on the status of the Agricultural Water Management Plan submittals within one month of receipt of those reports.
15. Local water agencies in high and medium priority groundwater basins shall immediately implement all requirements of the California Statewide Groundwater Elevation Monitoring Program pursuant to Water Code section 10933. The Department shall refer noncompliant local water agencies within high and medium priority groundwater basins to the Water Board by December 31, 2015, which shall consider adopting regulations or taking appropriate enforcement to promote compliance.
16. The California Energy Commission shall adopt emergency regulations establishing standards that improve the efficiency of water appliances, including toilets, urinals, and faucets available for sale and installation in new and existing buildings.

#### **INVEST IN NEW TECHNOLOGIES**

17. The California Energy Commission, jointly with the Department and the Water Board, shall implement a Water Energy Technology (WET) program to deploy innovative water management technologies for businesses, residents, industries, and agriculture. This program will achieve water and energy savings and greenhouse gas reductions by accelerating use of cutting-edge technologies such as renewable energy-powered desalination, integrated on-site reuse systems, water-use monitoring software, irrigation system timing and precision technology, and on-farm precision technology.

#### **STREAMLINE GOVERNMENT RESPONSE**

18. The Office of Emergency Services and the Department of Housing and Community Development shall work jointly with counties to provide temporary assistance for persons moving from housing units due to a lack of potable water who are served by a private well or water utility with less than 15 connections, and where all reasonable attempts to find a potable water source have been exhausted.
19. State permitting agencies shall prioritize review and approval of water infrastructure projects and programs that increase local water supplies, including water recycling facilities, reservoir improvement projects, surface water treatment plants, desalination plants, stormwater capture, and greywater systems. Agencies shall report to the Governor's Office on applications that have been pending for longer than 90 days.

20. The Department shall take actions required to plan and, if necessary, implement Emergency Drought Salinity Barriers in coordination and consultation with the Water Board and the Department of Fish and Wildlife at locations within the Sacramento - San Joaquin delta estuary. These barriers will be designed to conserve water for use later in the year to meet state and federal Endangered Species Act requirements, preserve to the extent possible water quality in the Delta, and retain water supply for essential human health and safety uses in 2015 and in the future.
21. The Water Board and the Department of Fish and Wildlife shall immediately consider any necessary regulatory approvals for the purpose of installation of the Emergency Drought Salinity Barriers.
22. The Department shall immediately consider voluntary crop idling water transfer and water exchange proposals of one year or less in duration that are initiated by local public agencies and approved in 2015 by the Department subject to the criteria set forth in Water Code section 1810.
23. The Water Board will prioritize new and amended safe drinking water permits that enhance water supply and reliability for community water systems facing water shortages or that expand service connections to include existing residences facing water shortages. As the Department of Public Health's drinking water program was transferred to the Water Board, any reference to the Department of Public Health in any prior Proclamation or Executive Order listed in Paragraph 1 is deemed to refer to the Water Board.
24. The California Department of Forestry and Fire Protection shall launch a public information campaign to educate the public on actions they can take to help to prevent wildfires including the proper treatment of dead and dying trees. Pursuant to Government Code section 8645, \$1.2 million from the State Responsibility Area Fire Prevention Fund (Fund 3063) shall be allocated to the California Department of Forestry and Fire Protection to carry out this directive.
25. The Energy Commission shall expedite the processing of all applications or petitions for amendments to power plant certifications issued by the Energy Commission for the purpose of securing alternate water supply necessary for continued power plant operation. Title 20, section 1769 of the California Code of Regulations is hereby waived for any such petition, and the Energy Commission is authorized to create and implement an alternative process to consider such petitions. This process may delegate amendment approval authority, as appropriate, to the Energy Commission Executive Director. The Energy Commission shall give timely notice to all relevant local, regional, and state agencies of any petition subject to this directive, and shall post on its website any such petition.

26. For purposes of carrying out directives 2–9, 11, 16–17, 20–23, and 25, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are hereby suspended. This suspension applies to any actions taken by state agencies, and for actions taken by local agencies where the state agency with primary responsibility for implementing the directive concurs that local action is required, as well as for any necessary permits or approvals required to complete these actions. This suspension, and those specified in paragraph 9 of the January 17, 2014 Proclamation, paragraph 19 of the April 25, 2014 proclamation, and paragraph 4 of Executive Order B-26-14, shall remain in effect until May 31, 2016. Drought relief actions taken pursuant to these paragraphs that are started prior to May 31, 2016, but not completed, shall not be subject to Division 13 (commencing with section 21000) of the Public Resources Code for the time required to complete them.
27. For purposes of carrying out directives 20 and 21, section 13247 and Chapter 3 of Part 3 (commencing with section 85225) of the Water Code are suspended.
28. For actions called for in this proclamation in directive 20, the Department shall exercise any authority vested in the Central Valley Flood Protection Board, as codified in Water Code section 8521, et seq., that is necessary to enable these urgent actions to be taken more quickly than otherwise possible. The Director of the Department of Water Resources is specifically authorized, on behalf of the State of California, to request that the Secretary of the Army, on the recommendation of the Chief of Engineers of the Army Corps of Engineers, grant any permission required pursuant to section 14 of the Rivers and Harbors Act of 1899 and codified in section 48 of title 33 of the United States Code.
29. The Department is directed to enter into agreements with landowners for the purposes of planning and installation of the Emergency Drought Barriers in 2015 to the extent necessary to accommodate access to barrier locations, land-side and water-side construction, and materials staging in proximity to barrier locations. Where the Department is unable to reach an agreement with landowners, the Department may exercise the full authority of Government Code section 8572.
30. For purposes of this Executive Order, chapter 3.5 (commencing with section 11340) of part 1 of division 3 of the Government Code and chapter 5 (commencing with section 25400) of division 15 of the Public Resources Code are suspended for the development and adoption of regulations or guidelines needed to carry out the provisions in this Order. Any entity issuing regulations or guidelines pursuant to this directive shall conduct a public meeting on the regulations and guidelines prior to adopting them.



31. In order to ensure that equipment and services necessary for drought response can be procured quickly, the provisions of the Government Code and the Public Contract Code applicable to state contracts, including, but not limited to, advertising and competitive bidding requirements, are hereby suspended for directives 17, 20, and 24. Approval by the Department of Finance is required prior to the execution of any contract entered into pursuant to these directives.

This Executive 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.

**I FURTHER DIRECT** 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 to this Order.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 1<sup>st</sup> day of April 2015.

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EDMUND G. BROWN JR.  
Governor of California

**ATTEST:**

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ALEX PADILLA  
Secretary of State



# Fact Sheet

## **NOTICE OF PROPOSED EMERGENCY REGULATION IMPLEMENTING THE 25% CONSERVATION STANDARD**

On April 1, 2015, Governor Jerry Brown issued the fourth in a series of Executive Orders on actions necessary to address California's severe drought conditions. With snowpack water content at a record low level of 5 percent of average for April 1st, major reservoir storage shrinking each day as a percentage of their daily average measured over the last several decades, and groundwater levels continuing to decline, urgent action is needed. The April 1 Executive Order requires, for the first time in the State's history, mandatory conservation of potable urban water use. Commercial agriculture in many parts of the State has already been notified of severe cutbacks in water supply contracted through the State and Federal Water Projects and is bracing for curtailments of surface water rights in the near-term. Conserving water more seriously now will forestall even more catastrophic impacts if it does not rain next year.

### **Stakeholder Involvement**

To maximize input in a short amount of time, the State Water Board released a proposed regulatory framework for implementing the 25% conservation standard on April 7, 2015 for public input. Over 250 comments were submitted by water suppliers, local government, businesses, individuals, and non-governmental organizations. Draft regulations that considered this input were released on April 18 for informal public comment. Almost 300 comments were received that addressed the methodology for the assignment of conservation standards, the availability of exclusions or adjustments under defined conditions, how to approach the commercial, industrial and institutional (CII) sector, the requirements for smaller water suppliers, and the approach to enforcement. A Notice of Proposed Emergency Regulations, which considers this input and initiates the formal emergency rulemaking process, was released on April 28, 2015. If approved, water savings amounting to approximately 1.3 million acre-feet of water, or nearly as much water as is currently in Lake Oroville, will be realized over the next nine months.

### **What's Next**

The Notice of Proposed Emergency Rulemaking begins a formal comment period that will conclude just prior to the State Water Board's consideration of adoption of the proposed emergency regulation at its May 5-6, 2015 meeting. The formal comment period will conclude on May 4, 2015 at 10:00am. All comments will be immediately provided to the Board Members and posted on the State Water Board's webpage at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/emergency\\_mandatory\\_regulations.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/emergency_mandatory_regulations.shtml)



During this formal notice period, all **comments must be received by 10:00am on Monday May 4, 2015** and submitted either electronically to: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) or in writing to the address in the Notice. All comments should indicate on the subject line: "Comment Letter – Emergency Conservation Regulation."

## **Proposed Emergency Regulation - Key Provisions**

### **Conservation Standard for Urban Water Suppliers**

As drought conditions continue, all water suppliers will need to do more to meet the statewide 25% conservation standard. Since the State Water Board adopted its initial emergency urban conservation regulation in July 2014, statewide conservation has reached 9%. Everyone must do more, but the greatest opportunities to meet the statewide 25% conservation standard exist in those areas with higher water use. Often, but not always, these water suppliers are located in areas where the majority of the water use is directed at outdoor irrigation due to lot size, climate and other factors. As temperatures are forecast to climb to above average for the summer months, it will become even more important to take aggressive actions to reduce outdoor water use. The emergency regulation establishes tiers of required water reductions that emphasize the opportunities to reduce outdoor water use.

Many comments spoke to the question of fairness and equity in the construction of the tiers in earlier drafts of the regulation. Concerns were raised about accounting for factors that influence water use, such as past conservation, climate, lot size, density, and income. Ultimately, the tier structure proposed on April 18, 2015 was maintained as the best way to achieve the 25% water reduction called for by the Governor.

*Feedback is specifically requested on whether the conservation framework should be modified to double the number of tiers and use two percent increments instead of four percent. This change would provide further refinement for water suppliers that find themselves on one side or the other of a tier.*

The conservation savings for all urban water suppliers are allocated across nine tiers of increasing levels of residential water use (R-GPCD) to reach the statewide 25 percent reduction mandate. This approach lessens the disparities in reduction requirements between agencies that have similar levels of water consumption, but fall on different sides of dividing lines between tiers. Suppliers have been assigned a conservation standard that ranges between 8% and 36% based on their R-GPCD for the months of July – September, 2014. These three months reflect the amount of water used for summer outdoor irrigation, which provides the greatest opportunity for conservation savings. Some suppliers may be eligible, under specific conditions, for placement into a lower 4% conservation tier. Water suppliers that reduced their water use prior to the drought will have a lower R-GPCD and thus a lower conservation standard than water suppliers with similar climate and density factors where R-GPCD remains high.

Urban water suppliers (serving more than 3,000 customers or delivering more than 3,000 acre feet of water per year and accounting for more than 90% of urban water use) will be assigned a conservation standard, as shown in the following table:

Tier	R-GPCD Range		# of Suppliers in Range	Conservation Standard
	From	To		
1	reserved		0	4%
2	0	64.9	23	8%
3	65	79.9	24	12%
4	80	94.9	44	16%
5	95	109.9	51	20%
6	110	129.9	48	24%
7	130	169.9	82	28%
8	170	214.9	54	32%
9	215	612.0	85	36%

The Smith family of three learns that their water district must reduce water use by 12 percent. A manufacturing plant uses 20 percent of the water and cannot reduce its use. So, residents are told to reduce their use by 15 percent to meet the overall 12 percent target. The Smith family uses an average of 210 gallons per day (or about 70 gallons per person), 165 gallons for indoor use and 45 gallons for watering their small yard. To meet the 15% reduction requirement they must reduce total water use to about 180 gallons per day. This is equivalent to about 60 gallons per person per day.

The Jones family of four learn that their water district must reduce water use by 32 percent. An oil refinery uses 10 percent of the district's water and cannot reduce its use. Their city also has many small businesses, and a golf course, which can reduce use by more than 10 percent. The residents must now reduce their use by 30 percent to meet the overall 32 percent target. The Jones family uses an average of 1,200 gallons per day (or about 300 gallons per person); 300 gallons for indoor use and 900 gallons outdoors, to irrigate a large yard that includes grass and fruit trees. To cut water use by 30 percent, the Jones' must cut their water use by 360 gallons per day to 840 gallons which is equivalent to 210 gallons per person per day.

## Exceptions

The proposed regulation allows water suppliers to request to modify their total water use or be placed into a lower conservation tier under two situations:

1. Urban water suppliers delivering more than 20 percent of their total water production to commercial agriculture may be allowed to modify the amount of water subject to their conservation standard. These suppliers must provide written certification to the Board to be able to subtract the water supplied to commercial agriculture from their total water production for baseline and conservation purposes.
2. Urban water suppliers that have a reserve supply of surface water that could last at least four years may be eligible for placement into lower conservation tier. Only suppliers meeting the eligibility criteria will be considered. These criteria relate to the source(s) of supply, storage capacity, and the number of years that those supplies could last.

*Feedback is specifically requested on whether the regulation should allow water suppliers whose supplies include groundwater to apply for inclusion the 4% reserve tier if it can be demonstrated that they have a minimum of 4 years of supply, do not rely upon imported water, and their groundwater supplies recharge naturally.*

### **Commercial, Industrial and Institutional Sector Clarification**

There are no specific use reduction targets for commercial, industrial, and institutional users served by urban and all other water suppliers. Water suppliers will decide how to meet their conservation standard through reductions from both residential and non-residential users. Water suppliers are encouraged to look at their commercial, institutional and industrial properties that irrigate outdoor ornamental landscapes with potable water for potential conservation savings.

### **Conservation Standard For All Other Water Suppliers**

Smaller water suppliers (serving fewer than 3,000 connections) will be required to achieve a 25% conservation standard or restrict outdoor irrigation to no more than two days per week. These smaller urban suppliers serve less than 10% of Californians.

### **End-User Requirements**

The new prohibitions in the Executive Order apply to all Californians and will take effect immediately upon approval of the regulation by the Office of Administrative Law. These include:

- Irrigation with potable water of ornamental turf on public street medians is prohibited; and
- Irrigation with potable water outside of newly constructed homes and buildings not in accordance with emergency regulations or other requirements established in the California Building Standards Code is prohibited.

These are in addition to the existing restrictions that prohibit:

- Using potable water to wash sidewalks and driveways;
- Allowing runoff when irrigating with potable water;
- Using hoses with no shutoff nozzles to wash cars;
- Using potable water in decorative water features that do not recirculate the water;
- Irrigating outdoors during and within 48 hours following measureable rainfall; and
- Restaurants from serving water to their customers unless the customer requests it.

Additionally, hotels and motels must offer their guests the option to not have their linens and towels laundered daily, and prominently display this option in each guest room.

It will be very important as these provisions are implemented to ensure that existing trees remain healthy and do not present a public safety hazard. Guidance on the implementation of both prohibitions will be developed.

## **Self-Supplied CII**

Commercial, industrial and institutional properties under Provision 5 of the Executive Order with an independent source of water supply (not served by a water supplier), are required under the proposed emergency regulation to either limit outdoor irrigation to two days per week or achieve a 25% reduction in water use. Often, these properties have large landscapes that would otherwise not be addressed by this regulation.

## **New Reporting Requirements**

Total monthly water production and specific reporting on residential use and enforcement as laid out in the previously adopted emergency regulations will remain in effect. Because the conservation standard applies to total water production, the proposed emergency regulation expands the reporting to include information on water use in the commercial, industrial, and institutional sectors. Small water suppliers with fewer than 3,000 service connections will be required to submit a single report on December 15, 2015 that provides their water production from June-November 2015 and June-November 2013 and the number of days per week outdoor irrigation is allowed.

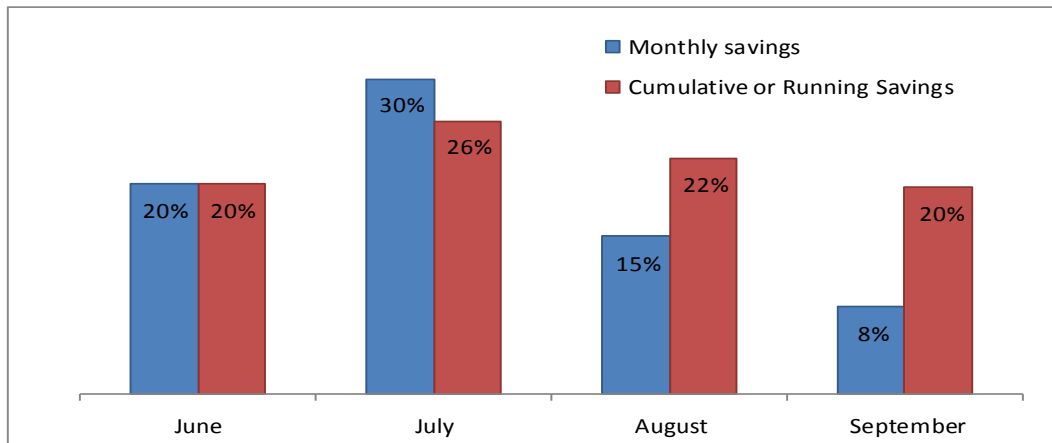
Commercial, industrial, and institutional facilities with an independent source of supply (they are not served by a water supplier) are not required to submit a report; however they should be prepared to demonstrate their compliance with the two day per week watering restriction or the 25% reduction in water use if requested to do so by the Board.

## **Compliance Assessment**

In many communities around the state, over half (and up to 80 percent) of total residential water use is for outdoor irrigation during the summer months. With summer just around the corner, bringing with it the greatest opportunity for making substantial conservation gains, immediate action is essential. As a result, the Board will begin assessing compliance with the submittal of the June monthly report on July 15, 2015. Beyond June, the Board will track compliance on a cumulative basis. Cumulative tracking means that conservation savings will be added together from one month to the next and compared to the amount of water used during the same months in 2013. This tracking will look like the sample graph below.

### **Example Comparison of Monthly Savings and Cumulative Savings**

	<b>2013 Water Use</b>	<b>2015 Water Use</b>	<b>Monthly savings</b>	<b>Cumulative or Running Savings</b>
<b>June</b>	1000	800	20%	20%
<b>July</b>	1500	1050	30%	26%
<b>August</b>	1200	1020	15%	22%
<b>September</b>	900	825	8%	20%



Two additional tools are included in the proposed emergency regulation to both expedite the investigation of water suppliers not meeting their conservation standard and to require the implementation of actions to correct this situation. A proposed informational order would require water suppliers to respond to request for information or face immediate enforcement. The proposed conservation order can be used to direct specific actions to correct non-compliance. Both of these tools are tailored to the emergency circumstances that the State finds itself in as a result of continuing drought conditions. Violation of an information or conservation order carries a penalty of up to \$500 per day.

The Board will work with water suppliers along the way that are not meeting their targets to implement actions to get them back on track. These actions could include changes to rates and pricing, restrictions on outdoor irrigation, public outreach, rebates and audit programs, leak detection and repair, and other measures. The Board may use its enforcement tools to ensure that water suppliers are on track to meet their conservation standards at any point during the 270 days that the emergency regulation is in effect.

## **Conclusion**

No one knows how the future will unfold. While the state may return to “normal,” or even to above average hydrologic water conditions in 2016, such an outcome is far from certain. If there is a fifth, or even sixth, year of water scarcity the emergency regulation will have contributed to safeguarding the state’s future water supplies, thereby forestalling potentially dramatic economic consequences. An example of the challenge facing the State comes from Australia, which experienced persistent and severe drought across most of its continent between 2002 and 2012. Over the full course of the 10 years of drought, half a percentage point may have been shaved from Australia’s GDP growth rate due to water curtailments, lowered productivity, unemployment and reduced exports. A half-point reduction in GDP growth is significant: if this were to occur in California, cumulative state output would be reduced by close to half a trillion dollars over the same 10-year span of time.

The State Water Board is committed to working with water suppliers around the State on implementation of the emergency regulation to reduce the risk that the State faces if drought conditions do not abate. A workshop to discuss implementation of the emergency regulation will be scheduled for October 2015, and the Board will continue to receive monthly updates and hear public comment as it has been doing since adopting its initial emergency regulation in July 2014.

As Governor Brown said on April 1, 2015, when announcing his fourth Executive Order since the drought began, “All of us in so many different parts of California, doing so many different things, have to now pull together in our own different contexts to do what is required.”

*(This fact sheet was last updated on April 28, 2015)*





# Fact Sheet

## **DRAFT REGULATIONS IMPLEMENTING 25% CONSERVATION STANDARD**

On April 1, 2015, Governor Jerry Brown issued the fourth in a series of Executive Orders on actions necessary to address California's severe drought conditions. With snowpack water content at a record low level of 5 percent of average for April 1st, major reservoir storage shrinking each day as a percentage of their daily average measured over the last several decades, and groundwater levels continuing to decline, urgent action is needed. The April 1 Executive Order requires, for the first time in the State's history, mandatory conservation of potable urban water use. Commercial agriculture in many parts of the State has already been notified of severe cutbacks in water supply contracted through the State and Federal Water Projects and is bracing for curtailments of surface water rights in the near-term. Conserving water more seriously now will forestall even more catastrophic impacts if it does not rain next year.

### **Early Input**

To maximize input in a short amount of time, the State Water Board released a proposed regulatory framework for implementing the 25% conservation standard mandated by the Executive Order on April 7, 2015. This will result in water savings amounting to approximately 1.3 million acre-feet of water over the next nine months, or nearly as much water as is currently in Lake Oroville. Draft regulations are now available for informal public comment that consider and incorporate the input contained in over 250 comments submitted by water suppliers, local government, businesses, individuals, and non-governmental organizations. Key areas of comment focused on the methodology behind the assignment of conservation standards, the availability of exclusions or adjustments under defined conditions, how to approach the commercial, industrial and institutional (CII) sector, the requirements for smaller water suppliers, and the approach to enforcement.

### **What's Next**

During this second informal comment period, we are soliciting feedback on the updated approach reflected in the draft regulation as well as comment on the specific regulatory language. Please submit comments by email to Jessica Bean at [Jessica.Bean@waterboards.ca.gov](mailto:Jessica.Bean@waterboards.ca.gov) by April 22, 2015. The draft regulation will be further refined based on comments received and the Notice of Proposed Emergency Rulemaking and accompanying revised regulatory language will be released on April 28<sup>th</sup> for public comment and consideration by the Board at its May 5-6, 2015 regular business meeting.



## Draft Regulation - Key Provisions

### Conservation Standard for Urban Water Suppliers

As drought conditions continue, all water suppliers will need to do more to meet the statewide 25% conservation standard. Many communities around the State have been conserving for years. Some of these communities have achieved remarkable results with residential water use now hovering around the statewide target for indoor water use, while others are using many times more. Everyone must do more, but the greatest opportunities to meet the statewide 25% conservation standard now exist in those areas with higher water use. Often, but not always, these water suppliers are located in areas where the majority of the water use is directed at outdoor irrigation due to lot size and other factors.

In response to comments and suggestions, the draft regulation assigns urban water suppliers to a tier of water reduction based upon three months of summer residential gallons-per-capita-per-day data (July-September). These three months reflect the amount of water used for summer outdoor irrigation, which provides the greatest opportunity for conservation savings.

The number of tiers has more than doubled, from the proposed regulatory framework, to more equitably allocate the conservation savings necessary to reach the statewide 25 percent reduction mandate. This updated approach lessens the disparities in reduction requirements between agencies that have similar levels of water consumption, but fall on different sides of dividing lines between tiers. Suppliers that were in the 35% reduction tier in the prior proposal may now be in the 32% or 28% tier if their summer 2014 R-GPCD was below 210. Adding additional tiers to the conservation framework also better reflects past conservation efforts because water suppliers that have reduced use prior to the drought will have a lower R-GPCD and lower conservation standard than water suppliers with similar climate and density factors where R-GPCD remains high.

Urban water suppliers (serving more than 3,000 customers or delivering more than 3,000 acre feet of water per year and accounting for more than 90% of urban water use) will be assigned a conservation standard, as shown in the following table:

Tier	R-GPCD Range		# of Suppliers in Range	Conservation Standard
	From	To		
1	reserved		0	4%
2	0	64.99	23	8%
3	65	79.99	21	12%
4	80	94.99	42	16%
5	95	109.99	41	20%
6	110	129.99	51	24%
7	130	169.99	73	28%
8	170	214.99	66	32%
9	215	612.00	94	36%

The Smith family of three learns that their water district must reduce water use by 12 percent. A manufacturing plant uses 20 percent of the water and cannot reduce its use. So, residents are told to reduce their use by 15 percent to meet the overall 12 percent target. The Smith family uses an average of 210 gallons per day (or about 70 gallons per person), 165 gallons for indoor use and 45 gallons for watering their small yard. To meet the 15% reduction requirement they must bring their total water use down to about 180 gallons per day. This is equivalent to about 60 gallons per person per day.

The Jones family of four learn that their water district must reduce water use by 32 percent. An oil refinery uses 10 percent of the district's water and cannot reduce its use. Their city also has many small businesses, and a golf course, which can reduce use by more than 10 percent. The residents must now reduce their use by 30 percent to meet the overall 32 percent target. The Jones family uses an average of 1,200 gallons per day (or about 300 gallons per person); 300 gallons for indoor use and 900 gallons outdoors, to irrigate a large yard that includes grass and fruit trees. To cut water use by 30 percent, the Jones' must cut their water use by 360 gallons per day to 840 gallons which is equivalent to 210 gallons per person per day.

The draft regulation describes two situations where water suppliers could request to modify their total water use or be placed into a lower conservation tier:

1. Urban water suppliers delivering more than 20 percent of their total water production to commercial agriculture may be allowed to modify the amount of water subject to their conservation standard. These suppliers must provide written certification to the Board to be able to subtract the water supplied to commercial agriculture from their total water production for baseline and conservation purposes.
2. Urban water suppliers that have a reserve supply of surface water that could last multiple years may be eligible for placement into lower conservation tier. Only suppliers meeting the eligibility criteria will be considered. These criteria relate to the source(s) of supply, precipitation amounts, and the number of years that those supplies could last.

There are no specific use reduction targets for commercial, industrial, and institutional users served by urban and all other water suppliers. Water suppliers will decide how to meet their conservation standard through reductions from both residential and non-residential users. Water suppliers are encouraged to look at their commercial, institutional and industrial properties that irrigate outdoor ornamental landscapes with potable water for potential conservation savings.

*An open question is whether the draft regulation should allow multiple suppliers to join together to meet a collective conservation standard. In order to achieve a statewide 25% reduction in urban water use, the group as a whole would need to achieve the same amount of water savings as they would as individual suppliers. This approach could provide additional flexibility in achieving the conservation standard and allow for uniform messaging and implementation across contiguous service areas. There are many uncertainties, however, related to the appropriate geographic scope, group leadership, compliance assessment, accountability, and enforcement. Input is requested regarding how a collective approach could be administered that addresses these uncertainties and achieves the required reduction in water use.*

### **Conservation Standard For All Other Water Suppliers**

Under the current proposal, smaller water suppliers (serving fewer than 3,000 connections) will be required to achieve a 25% conservation standard or restrict outdoor irrigation to no more than two days per week. Commercial, industrial, and institutional users with independent supplies will also be required to reduce usage by 25% or restrict outdoor irrigation to no more than two days per week. These smaller urban suppliers serve less than 10% of Californians.

## **End-User Requirements**

The new prohibitions in the Executive Order apply to all Californians and will take effect immediately upon approval of the regulation by the Office of Administrative Law. These include:

- Irrigation with potable water of ornamental turf on public street medians is prohibited; and
- Irrigation with potable water outside of newly constructed homes and buildings not delivered by drip or microspray is prohibited.

Commercial, industrial and institutional properties under Provision 5 of the Executive Order with an independent source of water supply (not served by a water supplier), are required under the draft regulation to either limit outdoor irrigation to two days per week or achieve a 25% reduction in water use. Often, these properties have large landscapes that would otherwise not be addressed by this regulation.

It will be very important as these provisions are implemented to ensure that existing trees remain healthy and do not present a public safety hazard. Guidance on the implementation of both prohibitions will be developed.

## **New Reporting Requirements**

Total monthly water production and specific reporting on residential use and enforcement as laid out in the previously adopted emergency regulations will remain in effect. Because the conservation standard applies to total water production, the draft regulation expands the reporting to include information on water use in the commercial, industrial, and institutional sectors. Small water suppliers with fewer than 3,000 service connections will be required to submit a single report on December 15, 2015 that provides their water production from June-November 2015 and June-November 2013. In addition, they must report on the number of days per week outdoor irrigation is allowed.

Commercial, industrial, and institutional facilities with an independent source of supply (they are not served by a water supplier) will not be required to submit a report; however they should be prepared to demonstrate their compliance with the two day per week watering restriction or the 25% reduction in water use if requested to do so by the Board.

## **Compliance Assessment**

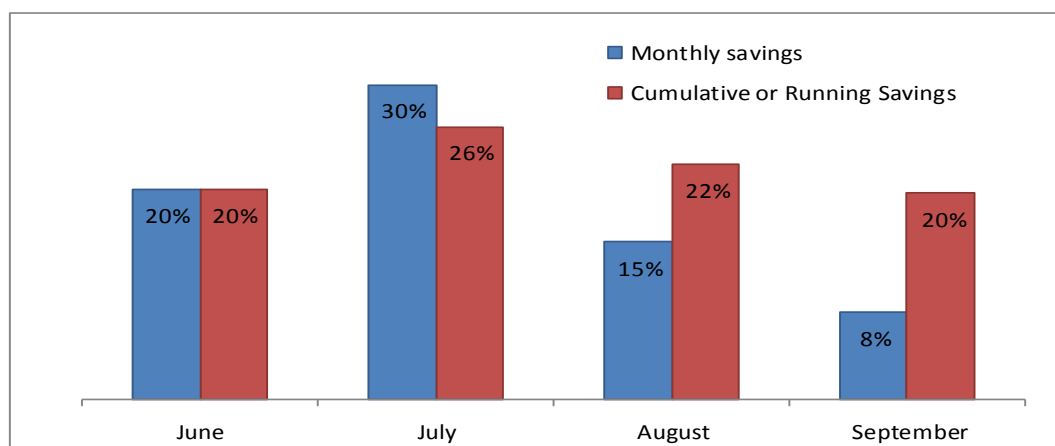
In many communities around the state, over half (and up to 80 percent) of total residential water use is for outdoor irrigation during the summer months. With summer just around the corner, bringing with it the greatest opportunity for making substantial conservation gains, immediate action is essential. As a result, the Board will begin assessing compliance with the submittal of the June monthly report on July 15, 2015.

Commenters pointed out that a month-by-month comparison of the percentage reduction in water use is confusing to the public because of the potentially wide variation in results due to temperatures, precipitation, and other factors. Several comments suggested using a 12-month rolling average; however a cumulative approach will also eliminate the wide swings that can occur in a month-by-month comparison and give a more accurate sense of progress. Beyond June, the Board will track compliance on a cumulative basis. Cumulative tracking means that conservation savings will be added together from one month to the next and compared to the amount of water used during the same months in 2013. This tracking will look like the sample graph below.

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## Example Comparison of Monthly Savings and Cumulative or Running Savings

	2013 Water Use	2015 Water Use	Monthly savings	Cumulative or Running Savings
<b>June</b>	1000	800	20%	20%
<b>July</b>	1500	1050	30%	26%
<b>August</b>	1200	1020	15%	22%
<b>September</b>	900	825	8%	20%



Two additional tools are included in the draft regulation to both expedite the investigation of water suppliers not meeting their conservation standard and require the implementation of actions to correct this situation. A new informational order is proposed that water suppliers would be required to respond to or face immediate enforcement. The proposed conservation order can be used to direct specific actions to correct non-compliance. Both of these tools are tailored to the emergency circumstances that the State finds itself in as a result of continuing drought conditions. Violation of an information or conservation order carries a penalty of up to \$500 per day.

The Board will work with water suppliers along the way that are not meeting their targets to implement actions to get them back on track. These actions could include changes to rates and pricing, restrictions on outdoor irrigation, public outreach, rebates and audit programs, leak detection and repair, and other measures. The Board may use its enforcement tools to ensure that water suppliers are on track to meet their conservation standards at any point during the 270 days that the emergency regulation is in effect.

### **In Conclusion**

The Board received many comments on how to incorporate factors correlated with water use, such as climate, density, past conservation achievements, growth, and others. Many of these factors are accounted for in the State's 20x2020 conservation approach adopted in 2009, and they are relevant to a longer-term conservation policy. While the draft regulation does not directly adjust the conservation standards based on climate or other factors, the increase in the number of tiers gives many communities in the hotter, inland areas a lower conservation standard than they would have otherwise been subject to.

There were also many comments that discussed how recycled water and other new sources of water supply should factor in to the conservation standard. Many suggested that potable recycled water supplies be excluded from the amount of water subject to the conservation standard and that a credit system be established to also recognize investments made in developing non-potable recycled water supplies (which are not included in Total Water Production). Both of these sources of supply add resiliency and are key to a more sustainable water future. These suggestions were not integrated into the draft regulations because while the State, our federal government partners and local governments have provided much needed capital to make these projects work; they are still sources of supply that need to be managed judiciously, especially in times of drought.

The staff appreciates the extensive input submitted from individuals, communities and organizations around the State. In particular, comments that targeted specific concerns and provided specific solutions were very well received. There has been a wealth of input on actions that are more appropriately dealt with over the longer term, not necessarily in this rulemaking. These suggestions will be considered as the Board moves forward in establishing permanent regulations for water usage, conservation, and reporting under Provision 9 of the Executive Order as well as additional temporary emergency regulations that may be needed if it does not rain significantly next winter.



# Fact Sheet

## ***GENERAL INFORMATION***

### **MANDATORY RESTRICTIONS TO ACHIEVE A 25% STATEWIDE REDUCTION IN POTABLE URBAN WATER USE**

With California facing one of the most severe droughts on record, Governor Brown declared a drought State of Emergency in January 2014 and issued a series of Executive Orders in April and September 2014 and January 2015, that streamline the State's drought response and makes California more drought resilient for the future.

The April 2014 Executive Order asked the State Water Board to assess voluntary conservation levels for urban water agencies and granted authority to adopt emergency conservation regulations, which the Board did in July of 2014 and updated in March of 2015. With the lowest snowpack on record and a lack of sufficient conservation to deal with the continuing drought emergency, the Governor, on April 1, 2015, directed the State Water Board to implement mandatory water reductions in urban areas to reduce potable urban water usage by 25 percent statewide. He also directed that this regulation take into account the different levels of conservation already achieved by communities based upon their relative per capita water usage.

This savings amounts to approximately 1.3 million acre-feet of water over the next nine months, or nearly as much water as is currently in Lake Oroville. To achieve these savings, the State Water Board is expediting an emergency regulation to set usage targets for communities around the State.

The Board's task is to implement a regulation which is equitable, achievable, and enforceable for every urban water supplier in the state, and which can be implemented quickly given the state of the drought and the uncertainty of when it will end. To maximize input in a short amount of time, the Board began discussions with water suppliers, stakeholder groups, and others to solicit feedback on approach on the day that the Executive Order was issued.

On April 7, 2015, the Board released a draft framework and received more than 250 comments. Suggestions from the comments were incorporated into the draft regulation issued on April 17, 2015. The Board is soliciting additional comment on the draft regulation by April 22. The draft regulation will be further refined based on comments received and the Notice of Proposed Emergency Rulemaking and accompanying documents will be released on April 28<sup>th</sup> for public comment and consideration by the Board at its May 5-6, 2015 meeting.



### **Content of Emergency Regulation**

This emergency regulation will address the following provisions of the April 1, 2015 [Executive Order](#) :

- Ordering Provision 2: Mandatory 25% reduction in potable urban water use with recognition of past conservation achievements;
- Ordering Provision 5: Reductions in potable water use at commercial, industrial and institutional properties;
- Ordering Provision 6: Prohibition on using potable water for irrigation of ornamental turf in street medians; and
- Ordering Provision 7: Prohibition on using potable water for irrigation outside of new home construction without drip or microspray systems.

This emergency regulation does not address rate structures and other pricing mechanisms required by Ordering Provision 8, which will be developed separately.

### **Schedule for Adoption and Implementation of the Emergency Regulation**

Stakeholder comments on the proposed emergency regulation must be submitted by **Wednesday April 22, 2015**. Staff will use those comments to finalize the draft emergency regulation, which will be published on April 28, 2015, along with supporting documents. Final public comment on the emergency regulation can be made at the Board meeting on May 5, 2015. The specific prohibitions in the emergency regulation will take effect immediately upon approval by the Office of Administrative Law. Urban water suppliers will be expected to begin implementing measures to meet their mandatory reduction targets by June 1, 2015 to ensure maximum conservation during the summer months. The schedule is listed below.

- |   |                |
|---|----------------|
| • Notice announcing release of draft regulation for informal public comment   | April 17, 2015 |
| • Deadline for comment on draft regulation                                    | April 22, 2015 |
| • Formal Notice of Proposed Rulemaking and written comment period             | April 28, 2015 |
| • Board hearing and adoption  | May 5-6, 2015  |
| • Office of Administrative Law approval                                       | May 15, 2015   |
| • Specific prohibitions become effective                                      | May 15, 2015   |
| • First (June) report on water production and other conservation measures due | July 15, 2015  |

### **How to Provide Input**

Information including discussion drafts, draft regulations and related materials is available on the State Water Board's website at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/emergency\\_mandatory\\_regulations.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/emergency_mandatory_regulations.shtml) .

Written comment and questions can be sent to Jessica Bean at [jessica.bean@waterboards.ca.gov](mailto:jessica.bean@waterboards.ca.gov) .





# Media Release

## State Water Board Adopts 25 Percent Mandatory Water Conservation Regulation

For Immediate Release  
May 5, 2015

Contact: George Kostyrko  
[gkostyrko@waterboards.ca.gov](mailto:gkostyrko@waterboards.ca.gov)

**SACRAMENTO** – With emergency drought conditions persisting throughout California, the State Water Resources Control Board Tuesday adopted an [emergency regulation](#) requiring an immediate 25 percent reduction in overall potable urban water use statewide in accordance with Gov. Jerry Brown’s April 1 [Executive Order](#).

The Governor’s Executive Order required, for the first time in the state’s history, mandatory conservation for all residents and directed several state agencies, including the State Water Board, to take immediate action to safeguard the state’s remaining potable urban water supplies in preparation for a possible fifth year of drought.

A 25 percent savings in potable urban water use amounts to more than 1.2 million acre-feet of water over the next nine months, or nearly as much water as is currently in Lake Oroville.

Tuesday’s action follows the release of water production figures for the month of March which registered only a slight increase from the amount of water saved in the prior month. The amount of water conserved in March 2015, as compared to March 2013 was 3.6 percent, up less than one percent from February’s results.

Since the State Water Board adopted its initial emergency urban conservation regulation in July 2014, voluntary statewide conservation efforts have reached 9 percent overall – far short of the 20 percent Governor Brown called for in 2014. To see how various regions and communities have done conserving water, please visit this link [here](#).

“This is the drought of the century, with greater impact than anything our parents and grandparents experienced, and we have to act accordingly,” said Felicia Marcus, Chair of the State Water Resources Control Board.

“Today we set a high but achievable bar, with the goal of stretching urban California’s water supply. We have to face the reality that this drought may continue and prepare as if that’s the case. If it rains and snows next winter, we celebrate. If the drought continues, we’ll be glad we took difficult but prudent action today. It’s the responsible thing to do.”



## Conservation Standard

The emergency regulation identifies how much water communities must conserve based on their average residential water use, per person per day, last summer. Every person should be able keep indoor water use to no more than 55 gallons per day. For the most part, the amount of water that each person uses in excess of this amount is water that is applied to lawns and other ornamental landscapes.

On average, 50 percent of total residential use is outdoors, in some cases up to 80 percent. To save water now, during this drought emergency, the regulation targets these outdoor uses. Communities that are approaching, at or below the indoor target, are assigned a modest conservation standard while communities that use water well above the indoor target will be asked to do much more.

To reduce water use by 25 percent statewide, the regulation adopted by the Board this week places each urban water supplier into one of eight tiers which are assigned a conservation standard, ranging between four percent and 36 percent. Each month, the State Water Board will compare every urban water suppliers' water use with their use for the same month in 2013 to determine if they are on track for meeting their conservation standard. Local water agencies will determine the most cost effective and locally appropriate way to achieve their standard. The State Water Board will be working closely with water suppliers to implement the regulations and improve local efforts that are falling short.

“This likely will result in all communities significantly cutting back on outdoor watering, particularly ornamental landscapes surrounding homes, institutions, and businesses, resulting in many golden landscapes statewide,” said Marcus. “This will be a heavy lift for some, but we believe that the regulatory strategy adopted today is doable – in fact, many communities that have focused on conserving water have already achieved significant conservation without losing their landscapes.”

Residential customers of water suppliers with a conservation standard of 36 percent currently use between 216 and 614 gallons of water per person per day during the months of July, August, and September. Reducing their water use by 36 percent will still leave these residents with a minimum of 137 and up to 393 gallons of water per person per day; far more than the accepted standard of 55 gallons per person per day for indoor use. The difference between 55 gallons per person per day and 137 – 393 gallons per person per day means that these residents will still have water available for outdoor irrigation. Communities using less than 65 gallons per person per day will be required to reduce their overall water use by 8 percent.

“Over the longer term, we have many ways to extend our precious water resources, particularly in urban areas — conservation, recycling, stormwater capture, and desalination in appropriate cases have great promise. Many communities have done a lot already, or have ambitious goals that we hope to help them achieve. In the short run however, conservation is the cheapest, fastest and smartest way to become more resilient in the face of drought today and climate change in the future,” said Marcus.

## Summary of New Requirements

- The conservation savings for all urban water suppliers (serving more than 3,000 connections) are allocated across nine tiers of increasing levels of residential gallons per capita per day (R-GPCD) water use to reduce water use by 25 percent statewide and will take effect June 1st. For specific information on the tiers and the suppliers in each tier, please visit [here](#).
- Smaller water suppliers (serving fewer than 3,000 connections) must either reduce water use by 25 percent, or restrict outdoor irrigation to no more than two days per week. These smaller urban suppliers, that collectively serve less than 10 percent of Californians, must submit a report on December 15, 2015 to demonstrate compliance.
- Commercial, Industrial and Institutional properties that are not served by a water supplier (or are self-supplied, such as by a groundwater well) also must either reduce water use by 25 percent or restrict outdoor irrigation to no more than two days per week. No reporting is required but these properties must maintain documentation of their water use and practices.
- The new prohibitions in the Executive Order apply to all Californians and will take effect immediately upon approval of the regulation by the Office of Administrative Law. These include:
  - Irrigation with potable water of ornamental turf on public street medians; and
  - Irrigation with potable water outside of newly constructed homes and buildings not in accordance with emergency regulations or other requirements established by the Building Standards Commission and the Department of Housing and Community Development.
- These are in addition to the existing restrictions that prohibit:
  - Using potable water to wash sidewalks and driveways;
  - Allowing runoff when irrigating with potable water;
  - Using hoses with no automatic shutoff nozzles to wash cars;
  - Using potable water in decorative water features that do not recirculate the water;
  - Irrigating outdoors during and within 48 hours following measureable rainfall; and
  - Restaurants serving water to their customers unless the customer requests it.
- Additionally, hotels and motels must offer their guests the option to not have their linens and towels laundered daily and prominently display this option in each guest room.

## **Enforcement**

In addition to other powers, local agencies can fine property owners up to \$500 a day for failure to implement the water use prohibitions and restrictions. The State Water Board can issue informational orders, conservation orders or cease and desist orders to water suppliers for failure to meet their conservation standard. Water agencies that violate cease and desist orders are subject to a civil liability of up to \$10,000 a day.

## **Next Steps**

Following Board adoption, the regulation will be submitted to the Office of Administrative Law, which has 10 days to approve or deny the regulation. If approved by the Office of Administrative Law, the regulation will take effect immediately and remain in effect for 270 days from that date.

For more information, please visit the [Emergency Water Conservation](#) website.

To learn more about the state's drought response, visit [Drought.CA.Gov](#).

Every Californian should take steps to conserve water. Find out how at [SaveOurWater.com](#).

**MANDATORY CONSERVATION**  
**ACHIEVING A 25% STATEWIDE REDUCTION IN POTABLE URBAN WATER USE**  
**FACT SHEET**

**Background**

With California facing one of the most severe droughts on record, Governor Brown declared a drought State of Emergency in January 2014. Since that time, the Governor has issued three additional Executive Orders directing actions to prepare for water shortages. For the first time in state history, the Governor, in his April 1, 2015 Executive Order, directed the State Water Board to implement mandatory water reductions in cities and towns across California to reduce potable urban water usage by 25 percent statewide. This savings amounts to approximately 1.3 million acre-feet of water over the next nine months, or nearly as much water as is currently in Lake Oroville. To achieve these savings, the State Water Board is expediting emergency regulations to set usage targets for communities around the State.

**Applicability**

The mandatory water reductions, along with specific restrictions on commercial, industrial and institutional irrigation uses, apply to urban water suppliers as defined in water code section 10617, excluding wholesalers. Generally, urban water suppliers serve more than 3,000 customers or deliver more than 3,000 acre feet of water per year. Suppliers regulated by the Public Utilities Commission are included in the mandatory water restrictions. The Executive Order requests that the Public Utilities Commission require investor-owned water utilities to implement reductions consistent with the State Water Board requirements for all other urban water suppliers. The specific restrictions and prohibitions on water use in the Executive Order apply to all Californians and are in addition to the specific restrictions and prohibitions contained in the emergency conservation regulation approved by the Office of Administrative Law (OAL) on March 27, 2015.

**Proposed Schedule**

The State Water Board is expediting the development and adoption of additional regulations to implement the new restrictions and prohibitions contained in the Executive Order. There will be several opportunities for stakeholder involvement prior to the release of the formal notice of emergency rulemaking. The first opportunity follows the release of a Proposed Regulatory Framework and the second will follow the release of draft a regulation, as follows:

- Governor issues Drought Executive Order **April 1, 2015**
- Notice announcing release of draft regulatory framework and request for public comment **April 7, 2015**
- Notice announcing release of draft regulation for informal public comment **April 17, 2015**
- Emergency rulemaking formal notice **April 28, 2015**
- Board hearing and adoption **May 5 or 6, 2015**

## Content of Emergency Rulemaking Package

This rulemaking package will address the following provisions of the April 1, 2015 Executive Order:

- Ordering Provision 2: Mandatory 25% reduction in potable urban water use;
- Ordering Provision 5: Commercial, industrial and institutional potable water use reductions;
- Ordering Provision 6: Prohibition on using potable water for irrigation of ornamental turf in street medians; and
- Ordering Provision 7: Prohibition on using potable water for irrigation outside of new home construction without drip or micro-spray systems.

Rate structures and other pricing mechanisms, which are very important tools for reducing water use, will be taken up in the coming weeks as required by Ordering Provision 8.

## How You Can Help

To meet a mid-May to June 1 timeline for implementation of the emergency regulation, interested persons and organizations will be requested to provide input within one week of a document's release. To assist the Board in most thoughtfully addressing this dire situation, please consider the following general questions as you prepare your comments:

1. Are there other approaches to achieve a 25% statewide reduction in potable urban water use that would also impose a greater responsibility on water suppliers with higher per capita water use than those that use less?
2. How should the regulation differentiate between tiers of high, medium and low per capita water users?
3. Should water suppliers disclose their list of actions to achieve the required water reductions?
4. Should these actions detail specific plans for potable water use reductions in the commercial, industrial, and institutional (CII) sectors?
5. Should additional information be required in the monthly conservation reports for urban water suppliers to demonstrate progress towards achieving the required water reductions?
6. How and when should compliance with the required water reductions be assessed?
7. What enforcement response should be considered if water suppliers fail to achieve their required water use reductions?

## How to Provide Input

Information including discussion drafts, draft regulations and related materials will be available on the State Water Board's website at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/emergency\\_mandatory\\_regulations.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/emergency_mandatory_regulations.shtml) . Clear and concise written comment and questions can be sent to Jessica Bean at [jessica.bean@waterboards.ca.gov](mailto:jessica.bean@waterboards.ca.gov).

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2015-0032**

**TO ADOPT AN EMERGENCY REGULATION FOR  
STATEWIDE URBAN WATER CONSERVATION**

**WHEREAS:**

1. On April 25, 2014, Governor Edmund G. Brown Jr. issued an executive order (April 2014 Proclamation) to strengthen the State's ability to manage water and habitat effectively in drought conditions, and called on all Californians to redouble their efforts to conserve water. The April 2014 Proclamation finds that the continuous severe drought conditions present urgent challenges across the State, including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater contamination, and additional water scarcity, if drought conditions continue into 2015. The April 2014 Proclamation also suspends the environmental review required by the California Environmental Quality Act to allow the emergency regulation and other actions to take place as quickly as possible;
2. The April 2014 Proclamation refers to the [Governor's Proclamation No. 1-17-2014](#), issued on January 17, 2014, declaring a drought State of Emergency to exist in California due to severe drought conditions (January 2014 Proclamation). The January 2014 Proclamation finds that dry conditions and lack of precipitation present urgent problems to drinking water supplies and cultivation of crops, which put farmers' long-term investments at risk. The conditions also threaten the survival of animals and plants that rely on California's rivers, including many species in danger of extinction. The January 2014 Proclamation also calls on all Californians to reduce their water usage by 20 percent;
3. On December 22, 2014, in light of the continued lack of rain, Governor Brown issued [Executive Order B-28-14](#), which extends the California Environmental Quality Act suspension through May 31, 2016 for Water Code section 13247 and certain activities identified in the January 2014 and April 2014 proclamations;
4. On April 1, 2015, Governor Brown issued a new Executive Order that directs the State Water Board to impose restrictions on urban water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems; along with other directives;
5. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: "prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports";

6. On July 15, 2014, the State Water Board adopted an emergency regulation to support water conservation ([Resolution No. 2014-0038](#)), and that regulation became effective July 28, 2014 upon approval by the Office of Administrative Law (OAL);
7. On March 17, 2015, the State Water Board amended and readopted the emergency regulation to support water conservation ([Resolution No. 2015-0013](#)), which became effective March 27, 2015 upon approval by OAL;
8. The current emergency regulation has supported Californians' water conservation efforts, with over 125 billion gallons saved from August 2014 through March 2015; however, statewide water use is only nine percent less than the same months in 2013. Achieving a 25 percent reduction in use will require even greater conservation efforts across the state. In particular, many communities must dramatically reduce their outdoor water use;
9. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes will survive while receiving a decreased amount of water;
10. Although urban water suppliers have placed restrictions on outdoor watering, the State Water Board continues to receive reports of excessive outdoor water use;
11. Water conservation is the easiest, most efficient and most cost-effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this summer is water available later in the season or next year, reducing the likelihood of even more severe water shortages should the drought continue;
12. Education and enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated;
13. Public information and awareness is critical to achieving conservation goals, and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>);
14. Many California communities are facing social and economic hardship due to this drought. The rest of us can make adjustments to our water use, including landscape choices that conserve even more water;
15. The California Constitution declares, at article X, section 2, that the water resources of the state must be put to beneficial use in a manner that is reasonable and not wasteful. Relevant to the current drought conditions, the California Supreme Court has clarified that "what may be a reasonable beneficial use, where water is present in excess of all needs, would not be a reasonable beneficial use in an area of great scarcity and great need. What is a beneficial use at one time may, because of changed conditions, become a waste of water at a later time." (*Tulare Dist. v. Lindsay Strathmore Dist.* (1935) 3 Cal.2d 489, 567.) In support of water conservation, the legislature has, through Water Code section 1011, deemed reductions in water use due to conservation as equivalent



to reasonable beneficial use of that water. Accordingly, this regulation is in furtherance of article X, section 2 during this drought emergency. This temporary emergency regulation is not to be used in any future administrative or judicial proceedings as evidence or finding of waste and unreasonable use of any individual water user or water supplier subject to this regulation, and are not to affect or otherwise limit any rights to water conserved under applicable law, including without limitation, water conserved consistent with Water Code section 1011;

16. Directive two of the Governor's April 1, 2015 Executive Order directs the State Water Board to consider the relative per capita usage of each urban water supplier's service area and require that areas with high per capita use achieve proportionally greater reductions than areas with low per capita use;
17. On April 7, 2015, the State Water Board issued a draft framework proposing increasing levels of required water reduction based upon residential per capita per day use (R-GPCD) for the proposed regulation, and solicited public comments. The Board received over 300 comments on the framework, primarily relating to the levels of required water reduction;
18. On April 18, the State Water Board issued draft regulatory language for public comment based on the April 7 framework and the comments received. The draft regulatory language reflected careful consideration of all comments including those directed at the levels of required reduction. Again, the Board received close to 300 comments;
19. On April 28, 2015, the State Water Board issued a final version of draft regulatory language for comment, followed on April 29 by a formal public notice that it would consider the adoption of the emergency regulation at the Board's regularly-scheduled May 5 and 6, 2015 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations;
20. As discussed above, the State Water Board is adopting the emergency regulation because of the continuing emergency drought conditions, the need for prompt action to prevent the waste and unreasonable use of water and to promote conservation, and the specific actions called for in the Governor's April 1, 2015 Executive Order; and
21. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulation adopted by this resolution, and local agencies retain the enforcement discretion in enforcing the regulation to the extent authorized. Local agencies are encouraged to develop their own progressive enforcement practices to promote conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, section 866 and re-adopts sections 863, 864, and 865, as appended to this resolution as an emergency regulation;

2. State Water Board staff will submit the regulation to OAL for final approval;
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or the Executive Director's designee may make such changes;
4. This regulation shall remain in effect for 270 days after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulation due to continued drought conditions as described in Water Code section 1058.5;
5. The State Water Board directs staff to provide the Board with monthly updates on the implementation of the emergency regulation and its effect. These updates shall include information regarding the progress of the Building Standards Commission, Department of Housing and Community Development, and other state agencies in the adoption and implementation of emergency regulations or other requirements that implement increased outdoor irrigation efficiency for new construction. These regulations and other requirements will extend existing efficiency standards for new construction to the outdoor environment and ensure that California's new homes are constructed to meet the growing demand with the most efficient standards;
6. The State Water Board directs staff to condition funding upon compliance with the emergency regulation, to the extent feasible;
7. The State Water Board directs staff to work with DWR and the Save Our Water campaign to disseminate information regarding the emergency regulation; and
8. The State Water Board directs staff to update the electronic reporting portal to include data fields for the new reporting required by the emergency regulation.

THEREFORE BE IT FURTHER RESOLVED THAT:

9. The State Water Board shall work with DWR, the Public Utilities Commission, and other agencies to support urban water suppliers' actions to implement rates and pricing structures to incent additional conservation, as required by directive eight in the Governor's April 1, 2015 Executive Order. The Fourth District Court of Appeal's recent Decision in *Capistrano Taxpayer Association Inc. v. City of San Juan Capistrano* (G048969) does not foreclose the use of conservation-oriented rate structures;
10. The State Water Board calls upon water suppliers to:
  - a. ensure that adequate personnel and financial resources exist to implement conservation requirements not only for 2015, but also for another year of drought should it occur. Water suppliers that face budget shortfalls due to reduced sales should take immediate steps to raise necessary revenues in a way that actively promotes continued conservation;
  - b. expedite implementation of new conservation programs by minimizing internal review periods and utilizing emergency authorities, as appropriate;

- c. consider the relative water use and conservation practices of their customers and target those with higher water use to achieve proportionally greater reductions than those with low use;
  - d. minimize financial impacts to low-income customers;
  - e. preserve safe indoor water supplies in areas with very low R-GPCD and where necessary to protect public health and safety;
  - f. promote low-water use methods of preserving appropriate defensible space in fire-prone areas, consistent with local fire district requirements;
  - g. educate customers on the preservation of trees;
  - h. promote on-site reuse of water; and
  - i. promptly notify staff of the supplier's need for an alternate method of compliance pursuant to resolved paragraph 16.
11. The State Water Board calls upon all businesses within California's travel and tourism sectors to inform visitors of California's dire drought situation and actions visitors should take to conserve water;
  12. The State Water Board commends wholesale water agencies that have set aggressive conservation targets for their retail water suppliers;
  13. The State Water Board commends water suppliers that have made investments to boost drought-resistant supplies, such as advanced treated recycled water and desalination. Those investments help to make communities more resilient in the face of drought;
  14. The State Water Board commends the many water suppliers that have already surpassed their 20x2020 conservation targets. Long-term conservation efforts are critical to maintaining economic and social well-being, especially in light of the impacts of climate change on California's hydrology;
  15. During this drought emergency, heightened conservation that extends urban resilience is necessary. The State Water Board's focus is primarily on immediate reductions in outdoor water use. Some short-term conservation efforts, such as landscape conversions and installation of efficient appliances, will also support long-term conservation objectives, and are encouraged wherever possible;
  16. The State Water Board recognizes that some commercial and industrial customers, while accounting for a significant portion of total use in a service area, have already taken steps to significantly reduce their water consumption and cannot further reduce their use without substantial impacts. However, the Board also recognizes that in many areas there are significant opportunities for reductions in water use by industries and commercial enterprises that have yet to take action, especially those with large areas of non-functional turf. The Board directs staff to respond promptly upon receipt of any request for alternate enforceable methods of compliance. If the supplier believes the conservation standard is unachievable due to firm commercial and industrial water use

and residential use reductions that would affect public health and safety, it should provide any supporting information or documentation for an alternate method of compliance; and

17. Some water suppliers have called for further refinement of the tiers to reflect a range of factors that contribute to water use, including but not limited to temperature, lot size, and income. Others have called for an approach that provides greater recognition for early investments in conservation, the development of local, drought resistant water supplies, and health and safety needs. These suggestions and many others are important considerations in the development of a more comprehensive, and long term, conservation framework. The State Water Board directs staff to work with stakeholders on a thoughtful process to devise options for extended and expanded emergency regulations should the drought continue into 2016.

### CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 5, 2015.

AYE: Chair Felicia Marcus  
Vice Chair Frances Spivy-Weber  
Board Member Tam M. Doduc  
Board Member Steven Moore  
Board Member Dorene D'Adamo

NAY: None

ABSENT: None

ABSTAIN: None



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Jeanine Townsend  
Clerk to the Board

# ADOPTED TEXT OF EMERGENCY REGULATION

## Article 22.5. Drought Emergency Water Conservation.

### Sec. 863. Findings of Drought Emergency.

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) On April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February, 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;

(4) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;

(5) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and

(6) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to prevent waste and unreasonable use of water and to further promote conservation.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, and 275, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

### Sec. 864. End-User Requirements in Promotion of Water Conservation.

(a) To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) 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;

(3) The application of potable water to driveways and sidewalks; and

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;

(5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;

(6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;

(7) The irrigation with potable water of ornamental turf on public street medians; and

(8) The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

(b) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

(c) Immediately upon this subdivision taking effect, all commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 865, shall either:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week; or

(2) Reduce potable water usage supplied by sources other than a water supplier by 25 percent for the months of June 2015 through February 2016 as compared to the amount used from those sources for the same months in 2013.

(d) The taking of any action prohibited in subdivision (a) or the failure to take any action required in subdivisions (b) or (c), 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.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, 275, 350, and 10617, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

#### Sec. 865. Mandatory Actions by Water Suppliers.

(a) As used in this section:

(1) “Distributor of a public water supply” has the same meaning as under section 350 of the Water Code, except it does not refer to such distributors when they are functioning solely in a wholesale capacity, but does apply to distributors when they are functioning in a retail capacity.

(2) “R-GPCD” means residential gallons per capita per day.

- (3) "Total potable water production" means all potable water that enters into a water supplier's distribution system, excluding water placed into storage and not withdrawn for use during the reporting period, or water exported outside the supplier's service area.
- (4) "Urban water supplier" means a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(b) In furtherance of the promotion of water conservation each urban water supplier shall:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user's exclusive control.

(2) Prepare and submit to the State Water Resources Control Board by the 15<sup>th</sup> of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, and the number of days that outdoor irrigation is allowed, and monthly commercial, industrial and institutional sector use. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

(c)(1) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's April 1, 2015 Executive Order, each urban water supplier shall reduce its total potable water production by the percentage identified as its conservation standard in this subdivision. Each urban water supplier's conservation standard considers its service area's relative per capita water usage.

(2) Each urban water supplier whose source of supply does not include groundwater or water imported from outside the hydrologic region in which the water supplier is located, and that has a minimum of four years' reserved supply available may, submit to the Executive Director for approval a request that, in lieu of the reduction that would otherwise be required under paragraphs (3) through (10), the urban water supplier shall reduce its total potable water production by 4 percent for each month as compared to the amount used in the same month in 2013. Any such request shall be accompanied by information showing that the supplier's sources of supply do not include groundwater or water imported from outside the hydrologic region and that the supplier has a minimum of four years' reserved supply available.

(3) Each urban water supplier whose average July-September 2014 R-GPCD was less than 65 shall reduce its total potable water production by 8 percent for each month as compared to the amount used in the same month in 2013.

(4) Each urban water supplier whose average July-September 2014 R-GPCD was 65 or more but less than 80 shall reduce its total potable water production by 12 percent for each month as compared to the amount used in the same month in 2013.

(5) Each urban water supplier whose average July-September 2014 R-GPCD was 80 or more but less than 95 shall reduce its total potable water production by 16 percent for each month as compared to the amount used in the same month in 2013.

(6) Each urban water supplier whose average July-September 2014 R-GPCD was 95 or more but less than 110 shall reduce its total potable water production by 20 percent for each month as compared to the amount used in the same month in 2013.

(7) Each urban water supplier whose average July-September 2014 R-GPCD was 110 or more but less than 130 shall reduce its total potable water production by 24 percent for each month as compared to the amount used in the same month in 2013.

(8) Each urban water supplier whose average July-September 2014 R-GPCD was 130 or more but less than 170 shall reduce its total potable water production by 28 percent for each month as compared to the amount used in the same month in 2013.

(9) Each urban water supplier whose average July-September 2014 R-GPCD was 170 or more but less than 215 shall reduce its total potable water production by 32 percent for each month as compared to the amount used in the same month in 2013.

(10) Each urban water supplier whose average July-September 2014 R-GPCD was 215 or more shall reduce its total potable water production by 36 percent for each month as compared to the amount used in the same month in 2013.

(d)(1) Beginning June 1, 2015, each urban water supplier shall comply with the conservation standard specified in subdivision (c).

(2) Compliance with the requirements of this subdivision shall be measured monthly and assessed on a cumulative basis.

(e)(1) Each urban water supplier that provides potable water for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (b), may subtract the amount of water provided for commercial agricultural use from its potable water production total, provided that any urban water supplier that subtracts any water provided for commercial agricultural use from its total potable water production shall:

(A) Impose reductions determined locally appropriate by the urban water supplier, after considering the applicable urban water supplier conservation standard specified in subdivision (c), for commercial agricultural users meeting the definition of Government Code section 51201, subdivision (b) served by the supplier;

(B) Report its total potable water production pursuant to subdivision (b)(2) of this section, the total amount of water supplied for commercial agricultural use, and shall identify the reduction imposed on its commercial agricultural users and each recipient of potable water for commercial agricultural use;

(C) Certify that the agricultural uses it serves meet the definition of Government Code section 51201, subdivision (b); and

(D) Comply with the Agricultural Water Management Plan requirement of paragraph 12 of the April 1, 2015 Executive Order for all commercial agricultural water served by the supplier that is subtracted from its total potable water production.



(2) Submitting any information pursuant to subdivision (e)(1)(B) or (C) of this section that is found to be materially false by the board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(f)(1) To prevent waste and unreasonable use of water and to promote water conservation, each distributor of a public water supply that is not an urban water supplier shall take one or more of the following actions:

(A) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or

(B) Reduce by 25 percent reduction its total potable water production relative to the amount produced in 2013.

(2) Each distributor of a public water supply that is not an urban water supplier shall submit a report by December 15, 2015, on a form provided by the Board, that either confirms compliance with subdivision (f)(1)(A) or identifies total potable water production, by month, from June through November, 2015, and total potable water production, by month, for June through November 2013.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

#### Sec. 866. Additional Conservation Tools.

(a)(1) To prevent the waste and unreasonable use of water and to promote conservation, when a water supplier does not meet its conservation standard required by section 865 the Executive Director, or the Executive Director's designee, may issue conservation orders requiring additional actions by the supplier to come into compliance with its conservation standard.

(2) A decision or order issued under this article 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 California Water Code.

(b) The Executive Director, or his designee, may issue an informational order requiring water suppliers, or commercial, industrial or institutional properties that receive any portion of their supply from a source other than a water supplier subject to section 865, to submit additional information relating to water production, water use or water conservation. The failure to provide the information requested within 30 days or any additional time extension granted is a violation subject to civil liability of up to \$500 per day for each day the violation continues pursuant to Water Code section 1846.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 100, 102, 104, 105, 174, 186, 187, 275, 350, 1051, 1122, 1123, 1825, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Urban Water Suppliers and Regulatory Framework Tiers to Achieve 25% Use Reduction

Supplier Name	Total Water Production		Total Water Saved (Jun-14 - Feb-15, compared to 2013, gallons)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Westborough Water District	257,568,499	213,776,790	43,791,709	17%	40.6	2	8%
Arcata City of	499,104,000	495,047,000	4,057,000	1%	43.5	2	8%
San Francisco Public Utilities Commission	20,365,410,000	18,717,900,000	1,647,510,000	8%	45.4	2	8%
Santa Cruz City of	2,527,700,000	1,933,400,000	594,300,000	24%	47.3	2	8%
California Water Service Company South San Francisco	2,075,673,590	1,907,534,254	168,139,336	8%	48.8	2	8%
California-American Water Company Monterey District	2,903,844,543	2,590,336,368	313,508,175	11%	51.3	2	8%
California Water Service Company East Los Angeles	3,998,522,861	3,819,956,279	178,566,582	4%	51.4	2	8%
California-American Water Company San Diego District	2,795,094,888	2,578,195,144	216,899,744	8%	51.9	2	8%
Cambria Community Services District	166,216,813	95,513,570	70,703,243	43%	54.3	2	8%
East Palo Alto, City of	409,886,088	454,911,335	-45,025,247	-11%	55.6	2	8%
Park Water Company	2,833,164,110	2,598,821,539	234,342,571	8%	55.6	2	8%
San Bruno City of	929,865,974	849,620,197	80,245,777	9%	55.7	2	8%
Daly City City of	1,888,066,301	1,622,632,784	265,433,517	14%	58.8	2	8%
North Coast County Water District	809,332,364	713,333,361	95,999,003	12%	59.5	2	8%
Golden State Water Company Florence Graham	1,246,577,219	1,227,482,326	19,094,894	2%	59.7	2	8%
Golden State Water Company Bell-Bell Gardens	1,279,423,043	1,208,354,847	71,068,196	6%	60.8	2	8%
Coastside County Water District	565,550,000	524,430,000	41,120,000	7%	61.9	2	8%
Hayward City of	4,474,967,937	3,957,222,483	517,745,455	12%	62.1	2	8%
Grover Beach City of	352,828,667	208,202,769	144,625,897	41%	62.3	2	8%
Redwood City City of	2,525,846,774	2,179,170,327	346,676,447	14%	63.4	2	8%
Compton City of	1,858,895,919	1,837,323,747	21,572,172	1%	63.6	2	8%
Soquel Creek Water District	1,046,626,000	826,889,000	219,737,000	21%	64.2	2	8%
Seal Beach City of	905,215,264	856,337,550	48,877,714	5%	64.7	2	8%
Inglewood City of	2,457,964,645	2,284,776,001	173,188,643	7%	65.1	3	12%
Goleta Water District	3,523,431,480	3,053,227,871	470,203,609	13%	65.5	3	12%
Oxnard City of	5,742,131,037	5,086,123,686	656,007,351	11%	66.6	3	12%
Paramount City of	1,628,999,712	1,623,382,034	5,617,679	0%	67.0	3	12%
California Water Service Company King City	428,820,478	403,729,918	25,090,560	6%	67.7	3	12%
Golden State Water Company Southwest	7,303,405,789	6,894,299,322	409,106,467	6%	68.2	3	12%
Golden State Water Company Bay Point	512,238,443	452,672,802	59,565,641	12%	69.2	3	12%
San Luis Obispo City of	1,387,716,506	1,278,706,170	109,010,336	8%	69.9	3	12%
Morro Bay City of	316,836,255	281,236,756	35,599,499	11%	70.0	3	12%
South Gate City of	2,066,696,383	2,017,629,675	49,066,708	2%	70.1	3	12%
Vernon City of	1,907,061,769	1,788,380,162	118,681,607	6%	70.6	3	12%
Huntington Park City of	1,171,761,731	1,128,423,492	43,338,240	4%	71.3	3	12%
Golden State Water Company Norwalk	1,214,317,928	1,131,519,080	82,798,848	7%	72.2	3	12%
Milpitas City of	2,719,687,979	2,424,775,231	294,912,748	11%	72.3	3	12%
Estero Municipal Improvement District	1,137,677,797	1,077,438,670	60,239,127	5%	72.8	3	12%

Urban Water Suppliers and Regulatory Framework Tiers to Achieve 25% Use Reduction

Supplier Name	Total Water Production		Total Water Saved (Jun-14 - Feb-15, compared to 2013, gallons)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Golden State Water Company S San Gabriel	664,867,252	637,528,317	27,338,935	4%	73.6	3	12%
Sweetwater Authority	5,185,495,337	4,886,767,783	298,727,554	6%	75.0	3	12%
City of Big Bear Lake, Dept of Water & Power	610,520,000	590,469,860	20,050,140	3%	75.8	3	12%
La Palma City of	545,401,972	497,342,471	48,059,501	9%	75.9	3	12%
Marina Coast Water District	1,063,425,908	946,396,368	117,029,540	11%	76.0	3	12%
Lompoc City of	1,253,200,000	1,106,800,000	146,400,000	12%	76.6	3	12%
San Lorenzo Valley Water District	416,952,583	335,050,267	81,902,316	20%	77.9	3	12%
Santa Ana City of	9,729,076,397	9,323,684,636	405,391,760	4%	78.3	3	12%
Port Hueneme City of	500,546,894	456,100,759	44,446,135	9%	78.9	3	12%
Santa Fe Springs City of	1,526,056,730	1,408,567,739	117,488,991	8%	80.1	4	16%
Crestline Village Water District	185,010,871	167,499,027	17,511,844	9%	80.3	4	16%
McKinleyville Community Service District	344,448,000	300,869,000	43,579,000	13%	80.5	4	16%
Montebello Land and Water Company	859,407,071	791,398,619	68,008,451	8%	80.5	4	16%
Sweetwater Springs Water District	208,544,913	177,491,272	31,053,641	15%	80.8	4	16%
Santa Barbara City of	3,348,530,727	2,632,951,217	715,579,509	21%	80.9	4	16%
Rohnert Park City of	1,267,000,000	1,124,000,000	143,000,000	11%	81.0	4	16%
Lake Arrowhead Community Services District	440,648,885	386,238,213	54,410,671	12%	81.5	4	16%
Valley County Water District	2,033,127,821	1,853,913,772	179,214,049	9%	81.6	4	16%
San Diego City of	47,355,303,598	46,452,597,390	902,706,208	2%	82.0	4	16%
Mountain View City of	2,967,854,797	2,531,213,885	436,640,912	15%	82.5	4	16%
Golden State Water Company Artesia	1,402,138,690	1,348,796,812	53,341,879	4%	83.4	4	16%
California Water Service Company Dominguez	8,444,765,582	8,077,205,172	367,560,410	4%	83.7	4	16%
Greenfield, City of	573,049,890	501,684,126	71,365,764	12%	83.8	4	16%
Long Beach City of	14,658,100,592	13,842,168,619	815,931,973	6%	83.8	4	16%
Dublin San Ramon Services District	2,779,417,000	1,959,505,000	819,912,000	29%	84.7	4	16%
Golden State Water Company Culver City	1,415,824,450	1,344,756,254	71,068,196	5%	84.8	4	16%
Sunnyvale City of	4,612,426,949	3,920,970,221	691,456,728	15%	85.2	4	16%
California Water Service Company Salinas District	4,612,101,098	4,065,974,106	546,126,992	12%	86.0	4	16%
Lynwood City of	1,264,349,156	1,237,371,916	26,977,240	2%	86.3	4	16%
Santa Rosa City of	5,454,466,874	4,447,473,373	1,006,993,501	18%	86.7	4	16%
Hawthorne City of	1,070,747,789	1,135,592,223	-64,844,434	-6%	86.7	4	16%
California Water Service Company Mid Peninsula	3,986,792,209	3,551,780,554	435,011,655	11%	87.4	4	16%
San Gabriel Valley Water Company	9,747,519,587	9,124,165,807	623,353,780	6%	88.3	4	16%
Alameda County Water District	10,539,100,000	8,458,900,000	2,080,200,000	20%	88.3	4	16%
Santa Clara City of	5,338,900,000	4,749,500,000	589,400,000	11%	88.3	4	16%
Menlo Park City of	1,058,240,665	769,095,397	289,145,268	27%	88.6	4	16%
Millbrae City of	668,885,610	603,267,242	65,618,369	10%	89.2	4	16%
Petaluma City of	2,407,770,000	2,071,485,000	336,285,000	14%	89.6	4	16%

Urban Water Suppliers and Regulatory Framework Tiers to Achieve 25% Use Reduction

Supplier Name	Total Water Production		Total Water Saved (Jun-14 - Feb-15, compared to 2013, gallons)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Hi-Desert Water District	744,117,577	733,074,472	11,043,105	1%	90.2	4	16%
Burlingame City of	1,288,363,748	1,075,113,151	213,250,598	17%	90.4	4	16%
Los Angeles Department of Water and Power	139,452,680,105	130,343,503,463	9,109,176,642	7%	90.9	4	16%
Vallejo City of	4,410,308,000	4,020,375,000	389,933,000	9%	91.3	4	16%
San Buenaventura City of	4,446,346,994	3,813,888,925	632,458,069	14%	91.3	4	16%
Pico Rivera City of	1,267,056,981	1,099,162,034	167,894,948	13%	91.6	4	16%
Scotts Valley Water District	311,979,632	253,857,835	58,121,797	19%	91.6	4	16%
Irvine Ranch Water District	15,406,744,246	15,015,266,341	391,477,904	3%	91.7	4	16%
Santa Maria City of	3,370,607,161	3,257,210,864	113,396,297	3%	93.0	4	16%
Windsor, Town of	963,136,985	817,896,531	145,240,453	15%	93.0	4	16%
California Water Service Company Redwood Valley	108,182,674	82,440,411	25,742,263	24%	93.3	4	16%
American Canyon, City of	915,968,361	777,155,653	138,812,708	15%	93.5	4	16%
Golden State Water Company West Orange	4,000,477,969	3,830,090,258	170,387,711	4%	94.2	4	16%
East Bay Municipal Utilities District	52,390,500,000	46,127,500,000	6,263,000,000	12%	94.2	4	16%
Crescent City City of	583,110,000	710,650,000	-127,540,000	-22%	94.5	4	16%
Martinez City of	1,027,679,751	871,695,210	155,984,540	15%	95.5	5	20%
Pomona City of	5,817,361,333	5,468,536,077	348,825,256	6%	95.9	5	20%
San Jose City of	5,294,000,000	4,707,000,000	587,000,000	11%	96.0	5	20%
Bellflower-Somerset Mutual Water Company	1,350,031,789	1,268,477,694	81,554,095	6%	96.2	5	20%
California Water Service Company Hermosa/Redondo	2,984,799,071	2,983,495,666	1,303,406	0%	96.4	5	20%
Azusa City of	5,165,530,597	4,670,763,054	494,767,543	10%	97.3	5	20%
California Water Service Company Stockton	6,808,665,567	6,318,910,872	489,754,695	7%	97.6	5	20%
El Segundo City of	1,692,179,532	1,788,496,457	-96,316,925	-6%	97.9	5	20%
Westminster City of	3,064,371,990	2,956,971,359	107,400,630	4%	98.0	5	20%
Carpinteria Valley Water District	1,160,826,158	1,028,941,051	131,885,107	11%	98.2	5	20%
Lomita City of	591,013,026	547,632,425	43,380,600	7%	98.2	5	20%
Norwalk City of	559,456,000	511,830,000	47,626,000	9%	98.6	5	20%
Mesa Water District	4,434,609,825	4,283,056,327	151,553,499	3%	99.0	5	20%
Moulton Niguel Water District	7,135,207,799	6,864,125,480	271,082,319	4%	99.2	5	20%
Santa Monica City of	3,462,200,000	3,321,100,000	141,100,000	4%	99.2	5	20%
Rowland Water District	2,857,000,142	2,756,214,295	100,785,846	4%	99.2	5	20%
Livermore City of Division of Water Resources	1,642,615,000	1,199,514,000	443,101,000	27%	100.1	5	20%
Fountain Valley City of	2,438,968,604	2,305,516,153	133,452,452	5%	100.2	5	20%
Watsonville City of	2,045,660,752	1,803,744,576	241,916,176	12%	100.3	5	20%
Lathrop, City of	1,149,290,000	990,960,000	158,330,000	14%	100.3	5	20%
Pittsburg City of	2,481,549,000	2,226,323,000	255,226,000	10%	100.4	5	20%
El Monte City of	328,279,000	312,936,000	15,343,000	5%	100.6	5	20%
Tahoe City Public Utilities District	372,523,331	326,265,848	46,257,483	12%	100.9	5	20%

Urban Water Suppliers and Regulatory Framework Tiers to Achieve 25% Use Reduction

Supplier Name	Total Water Production		Total Water Saved (Jun-14 - Feb-15, compared to 2013, gallons)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Mid-Peninsula Water District	823,925,361	712,822,442	111,102,919	13%	101.4	5	20%
Mammoth Community Water District	499,483,000	447,407,000	52,076,000	10%	102.9	5	20%
San Gabriel County Water District	1,612,133,643	1,485,957,453	126,176,190	8%	102.9	5	20%
Helix Water District	8,454,736,636	8,067,103,778	387,632,858	5%	103.6	5	20%
Whittier City of	2,041,957,743	2,084,064,264	-42,106,521	-2%	104.2	5	20%
Great Oaks Water Company Incorporated	2,641,791,567	2,210,783,322	431,008,244	16%	104.2	5	20%
Hollister City of	832,612,930	742,476,980	90,135,950	11%	104.4	5	20%
Calexico City of	1,524,360,000	1,440,570,000	83,790,000	5%	104.6	5	20%
Lakewood City of	2,086,631,973	1,856,580,866	230,051,107	11%	105.0	5	20%
Oceanside City of	6,988,111,948	6,765,555,423	222,556,525	3%	105.1	5	20%
San Jose Water Company	36,046,000,000	31,608,300,000	4,437,700,000	12%	105.7	5	20%
Valley of the Moon Water District	800,300,880	646,691,259	153,609,621	19%	106.5	5	20%
Escondido City of	4,625,134,351	4,059,907,513	565,226,838	12%	106.7	5	20%
Fairfield City of	5,435,000,000	4,853,000,000	582,000,000	11%	106.7	5	20%
Downey City of	4,090,256,554	3,834,059,128	256,197,426	6%	106.9	5	20%
Glendale City of	6,839,188,070	6,346,086,881	493,101,189	7%	107.1	5	20%
Otay Water District	8,209,272,756	7,888,634,952	320,637,804	4%	107.1	5	20%
Marin Municipal Water District	7,006,662,670	5,966,662,221	1,040,000,448	15%	107.4	5	20%
Camarillo City of	2,747,943,839	2,399,416,293	348,527,546	13%	107.5	5	20%
California-American Water Company Sacramento District	8,801,191,649	7,285,565,423	1,515,626,225	17%	107.8	5	20%
Adelanto city of	1,091,834,544	993,603,394	98,231,150	9%	108.5	5	20%
Anaheim City of	16,337,538,847	15,992,788,037	344,750,810	2%	108.6	5	20%
Ukiah City of	678,601,000	551,722,000	126,879,000	19%	108.6	5	20%
Huntington Beach City of	7,506,541,568	7,116,888,432	389,653,136	5%	109.0	5	20%
Napa City of	3,605,871,891	3,247,435,321	358,436,570	10%	109.2	5	20%
Lakeside Water District	1,064,566,388	977,942,044	86,624,343	8%	109.3	5	20%
Padre Dam Municipal Water District	2,952,148,758	2,752,858,026	199,290,733	7%	109.4	5	20%
Crescenta Valley Water District	1,200,433,997	1,043,760,838	156,673,159	13%	109.4	5	20%
Torrance City of	3,906,665,343	3,703,464,394	203,200,950	5%	111.0	6	24%
Big Bear City Community Services District	266,135,894	256,898,007	9,237,888	3%	111.0	6	24%
Vista Irrigation District	4,896,569,394	4,632,303,886	264,265,507	5%	111.1	6	24%
Perris, City of	437,809,090	430,597,020	7,212,070	2%	111.9	6	24%
Pismo Beach City of	434,216,578	359,495,587	74,720,991	17%	113.1	6	24%
Vallecitos Water District	4,390,033,350	4,037,168,840	352,864,510	8%	116.1	6	24%
Soledad, City of	581,571,300	531,785,500	49,785,800	9%	116.7	6	24%
Manhattan Beach City of	1,219,661,891	1,153,188,200	66,473,691	5%	116.7	6	24%
Palo Alto City of	3,180,440,852	2,685,999,460	494,441,392	16%	116.8	6	24%
Gilroy City of	2,328,666,000	1,995,678,000	332,988,000	14%	117.5	6	24%

Urban Water Suppliers and Regulatory Framework Tiers to Achieve 25% Use Reduction

Supplier Name	Total Water Production		Total Water Saved (Jun-14 - Feb-15, compared to 2013, gallons)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Humboldt Community Service District	610,120,000	573,669,000	36,451,000	6%	117.9	6	24%
Alhambra City of	2,575,148,433	2,329,573,763	245,574,669	10%	118.3	6	24%
Golden State Water Company S Arcadia	908,701,874	851,189,098	57,512,777	6%	118.5	6	24%
Orchard Dale Water District	589,289,272	550,757,340	38,531,931	7%	118.6	6	24%
Buena Park City of	3,777,921,445	3,441,805,698	336,115,747	9%	118.9	6	24%
Golden State Water Company Placentia	1,868,334,327	1,778,757,770	89,576,557	5%	118.9	6	24%
Pico Water District	1,029,001,320	960,057,631	68,943,690	7%	119.1	6	24%
Delano City of	2,386,120,000	2,229,650,000	156,470,000	7%	119.4	6	24%
El Centro City of	1,978,323,000	1,910,544,000	67,779,000	3%	119.5	6	24%
Pleasanton City of	4,439,552,000	3,099,891,000	1,339,661,000	30%	119.8	6	24%
Woodland City of	2,938,159,020	2,454,292,204	483,866,816	16%	119.8	6	24%
El Toro Water District	2,331,141,109	2,239,576,858	91,564,251	4%	119.9	6	24%
San Fernando City of	839,719,127	786,931,196	52,787,931	6%	120.3	6	24%
Suburban Water Systems San Jose Hills	7,160,122,399	6,833,016,444	327,105,955	5%	120.3	6	24%
Sunny Slope Water Company	1,052,785,122	950,022,234	102,762,888	10%	120.5	6	24%
California Water Service Company Livermore	2,781,467,781	1,909,163,511	872,304,270	31%	120.5	6	24%
Laguna Beach County Water District	872,082,691	867,064,579	5,018,112	1%	121.0	6	24%
Fortuna City of	303,008,000	276,986,000	26,022,000	9%	121.2	6	24%
Amador Water Agency	899,761,000	773,623,400	126,137,600	14%	121.5	6	24%
South Coast Water District	1,639,847,306	1,549,814,557	90,032,749	5%	121.7	6	24%
Alco Water Service	1,156,954,000	1,028,617,000	128,337,000	11%	124.2	6	24%
Monte Vista Water District	2,603,464,922	2,359,464,115	244,000,807	9%	125.0	6	24%
Golden State Water Company Barstow	1,595,531,512	1,445,509,515	150,021,997	9%	125.4	6	24%
California Water Service Company Marysville	575,127,769	496,597,575	78,530,194	14%	125.5	6	24%
Coachella City of	1,395,900,000	1,294,010,000	101,890,000	7%	125.5	6	24%
Brea City of	2,826,761,129	2,727,376,444	99,384,685	4%	125.9	6	24%
Colton, City of	2,519,711,330	2,487,549,794	32,161,536	1%	126.3	6	24%
Chino City of	3,332,449,959	3,123,999,542	208,450,416	6%	126.7	6	24%
Santa Margarita Water District	7,105,190,366	6,932,489,109	172,701,256	2%	126.8	6	24%
Reedley City of	1,302,000,000	1,109,000,000	193,000,000	15%	126.9	6	24%
Ontario City of	8,782,999,363	8,499,508,622	283,490,741	3%	126.9	6	24%
Valencia Water Company	7,817,224,611	6,780,899,767	1,036,324,844	13%	127.0	6	24%
Groveland Community Services District	127,297,632	96,625,396	30,672,236	24%	127.5	6	24%
Eureka City of	860,874,000	799,778,000	61,096,000	7%	128.1	6	24%
North Marin Water District	2,457,000,000	1,986,810,000	470,190,000	19%	129.1	6	24%
City of Newman Water Department	559,946,000	448,854,000	111,092,000	20%	129.2	6	24%
Tuolumne Utilities District	1,441,240,862	992,152,425	449,088,437	31%	129.3	6	24%
Golden State Water Company Simi Valley	1,830,698,487	1,657,215,187	173,483,300	9%	129.9	6	24%

Urban Water Suppliers and Regulatory Framework Tiers to Achieve 25% Use Reduction

Supplier Name	Total Water Production		Total Water Saved (Jun-14 - Feb-15, compared to 2013, gallons)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Twentynine Palms Water District	666,765,336	641,552,256	25,213,080	4%	130.5	7	28%
Eastern Municipal Water District	22,059,815,756	21,154,600,492	905,215,264	4%	130.7	7	28%
South Pasadena City of	1,045,005,526	935,193,595	109,811,931	11%	131.0	7	28%
California Water Service Company Oroville	830,595,287	682,007,037	148,588,251	18%	131.6	7	28%
Healdsburg City of	540,150,000	446,810,000	93,340,000	17%	131.9	7	28%
Burbank City of	4,712,137,486	4,362,205,638	349,931,847	7%	132.2	7	28%
Arroyo Grande City of	776,210,684	654,635,517	121,575,167	16%	132.4	7	28%
San Juan Capistrano City of	2,040,416,466	1,962,283,810	78,132,655	4%	133.3	7	28%
Garden Grove City of	6,584,316,860	6,185,605,054	398,711,806	6%	133.6	7	28%
Del Oro Water Company	369,631,917	306,051,990	63,579,927	17%	134.3	7	28%
Humboldt Bay Municipal Water District	146,056,000	148,820,000	-2,764,000	-2%	134.5	7	28%
Tracy City of	4,529,625,694	3,497,663,768	1,031,961,925	23%	134.6	7	28%
Riverside City of	17,427,511,870	15,956,944,380	1,470,567,490	8%	135.3	7	28%
West Kern Water District	4,045,106,581	3,679,048,346	366,058,235	9%	135.4	7	28%
Fullerton City of	7,215,373,767	6,969,105,034	246,268,733	3%	136.8	7	28%
Lincoln Avenue Water Company	613,030,807	557,668,649	55,362,157	9%	137.2	7	28%
La Habra City of Public Works	2,397,728,848	2,535,032,864	-137,304,016	-6%	137.5	7	28%
Newport Beach City of	4,220,349,478	3,924,557,845	295,791,633	7%	137.8	7	28%
Carlsbad Municipal Water District	4,342,002,850	4,259,269,173	82,733,677	2%	138.6	7	28%
Pasadena City of	8,349,297,631	7,614,975,148	734,322,483	9%	139.0	7	28%
Truckee-Donner Public Utilities District	1,264,764,466	1,144,274,188	120,490,278	10%	139.4	7	28%
Contra Costa Water District	8,855,338,380	7,547,370,752	1,307,967,628	15%	139.9	7	28%
Shasta Lake City of	309,004,338	258,461,000	50,543,338	16%	140.2	7	28%
Suburban Water Systems Whittier/La Mirada	5,584,910,982	5,234,793,399	350,117,583	6%	141.1	7	28%
Antioch City of	4,642,068,000	4,042,923,000	599,145,000	13%	141.9	7	28%
South Tahoe Public Utilities District	1,641,227,000	1,550,474,000	90,753,000	6%	141.9	7	28%
Sonoma City of	583,798,675	494,362,234	89,436,441	15%	142.7	7	28%
San Gabriel Valley Fontana Water Company	10,907,224,816	10,188,722,419	718,502,397	7%	142.9	7	28%
West Sacramento City of	3,567,747,274	2,941,460,832	626,286,443	18%	143.0	7	28%
Tehachapi, City of	582,624,632	536,291,818	46,332,814	8%	143.7	7	28%
Davis City of	3,023,400,000	2,527,400,000	496,000,000	16%	143.9	7	28%
Benicia City of	1,543,102,018	1,217,315,761	325,786,257	21%	143.9	7	28%
California Water Service Company Dixon, City of	382,549,575	346,705,918	35,843,657	9%	144.3	7	28%
Sunnyslope County Water District	694,319,032	596,249,460	98,069,572	14%	144.6	7	28%
Roseville City of	8,448,024,096	6,930,859,852	1,517,164,244	18%	145.1	7	28%
Elk Grove Water Service	1,982,552,982	1,615,618,816	366,934,166	19%	145.3	7	28%
Paso Robles City of	1,705,474,000	1,511,094,000	194,380,000	11%	146.1	7	28%
Elsinore Valley Municipal Water District	6,567,437,756	6,285,445,931	281,991,825	4%	146.3	7	28%

Urban Water Suppliers and Regulatory Framework Tiers to Achieve 25% Use Reduction

Supplier Name	Total Water Production		Total Water Saved (Jun-14 - Feb-15, compared to 2013, gallons)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Sacramento City of	28,979,000,000	23,440,000,000	5,539,000,000	19%	146.4	7	28%
Walnut Valley Water District	5,119,451,770	4,877,344,159	242,107,610	5%	146.4	7	28%
Rialto City of	2,544,482,555	2,596,683,954	-52,201,399	-2%	146.8	7	28%
Diablo Water District	1,487,225,000	1,338,770,000	148,455,000	10%	147.7	7	28%
Patterson City of	1,040,156,104	948,595,320	91,560,784	9%	148.3	7	28%
San Dieguito Water District	1,583,703,106	1,621,176,020	-37,472,914	-2%	148.4	7	28%
Orange City of	7,732,617,288	7,437,395,896	295,221,393	4%	148.7	7	28%
California Water Service Company Kern River Valley	222,882,376	201,376,182	21,506,194	10%	148.9	7	28%
San Bernardino City of	11,535,034,614	10,722,937,586	812,097,028	7%	149.1	7	28%
Suisun-Solano Water Authority	1,038,300,000	918,300,000	120,000,000	12%	150.0	7	28%
Cerritos City of	2,219,233,953	1,991,297,621	227,936,332	10%	153.6	7	28%
Sanger City of	1,552,776,000	1,422,246,000	130,530,000	8%	153.7	7	28%
Fresno City of	36,603,191,424	30,513,707,650	6,089,483,774	17%	154.2	7	28%
Monrovia City of	1,885,000,000	1,673,000,000	212,000,000	11%	154.6	7	28%
Covina City of	1,500,350,310	1,393,914,200	106,436,110	7%	154.7	7	28%
Lake Hemet Municipal Water District	2,880,852,466	2,579,961,258	300,891,208	10%	154.9	7	28%
Stockton City of	8,304,530,000	7,263,300,000	1,041,230,000	13%	155.0	7	28%
Jurupa Community Service District	6,546,170,411	6,107,698,865	438,471,545	7%	155.5	7	28%
Ventura County Waterworks District No. 8	5,424,122,854	4,896,895,245	527,227,609	10%	156.1	7	28%
Tustin City of	2,984,049,613	2,895,189,929	88,859,684	3%	156.5	7	28%
California-American Water Company Los Angeles District	5,579,752,754	5,179,473,602	400,279,151	7%	156.8	7	28%
San Clemente City of	2,270,663,084	2,331,434,375	-60,771,291	-3%	157.7	7	28%
Chino Hills City of	3,952,965,804	3,587,674,904	365,290,900	9%	157.8	7	28%
Rubidoux Community Service District	1,400,190,000	1,335,510,000	64,680,000	5%	157.9	7	28%
Arvin Community Services District	740,072,884	667,768,501	72,304,383	10%	157.9	7	28%
Rosamond Community Service District	719,200,000	712,000,000	7,200,000	1%	158.1	7	28%
Golden State Water Company San Dimas	3,063,589,946	2,950,649,842	112,940,105	4%	159.0	7	28%
Apple Valley Ranchos Water Company	4,101,713,205	3,942,264,436	159,448,769	4%	159.8	7	28%
Hanford City of	3,229,776,700	2,793,029,816	436,746,884	14%	160.0	7	28%
Santa Paula City of	1,218,270,506	1,081,725,724	136,544,782	11%	160.2	7	28%
Morgan Hill City of	2,262,311,000	1,786,089,000	476,222,000	21%	161.3	7	28%
North Tahoe Public Utility District	350,120,000	332,141,000	17,979,000	5%	161.7	7	28%
Atascadero Mutual Water Company	1,291,000,000	1,056,900,000	234,100,000	18%	163.0	7	28%
Thousand Oaks City of	3,106,634,920	2,792,709,655	313,925,265	10%	163.7	7	28%
Victorville Water District	4,985,852,685	4,486,322,447	499,530,238	10%	164.4	7	28%
Fillmore City of	482,079,202	446,216,000	35,863,202	7%	165.6	7	28%
Nipomo Community Services District	665,258,273	527,032,098	138,226,175	21%	165.6	7	28%
Ramona Municipal Water District	1,087,105,531	1,049,746,665	37,358,866	3%	165.9	7	28%



Urban Water Suppliers and Regulatory Framework Tiers to Achieve 25% Use Reduction

Supplier Name	Total Water Production		Total Water Saved (Jun-14 - Feb-15, compared to 2013, gallons)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Ceres City of	1,985,969,000	1,848,968,000	137,001,000	7%	166.1	7	28%
El Dorado Irrigation District	10,044,044,386	7,600,810,386	2,443,234,000	24%	166.2	7	28%
Newhall County Water District	2,611,216,927	2,326,139,289	285,077,638	11%	166.5	7	28%
California Water Service Company Willows	364,301,895	318,682,696	45,619,200	13%	168.6	7	28%
East Valley Water District	5,405,695,956	4,782,879,831	622,816,125	12%	169.4	7	28%
Joshua Basin Water District	409,078,118	382,604,644	26,473,473	6%	169.5	7	28%
Imperial, City of	687,420,000	671,127,000	16,293,000	2%	171.6	8	32%
Manteca City of	3,844,580,000	3,212,645,000	631,935,000	16%	172.0	8	32%
Ventura County Waterworks District No 1	2,688,665,294	2,241,890,403	446,774,892	17%	172.0	8	32%
Dinuba City of	1,126,830,000	977,550,000	149,280,000	13%	172.3	8	32%
Madera City of	2,268,235,000	2,115,715,000	152,520,000	7%	173.5	8	32%
California Water Service Company Los Altos/Suburban	3,714,706,268	3,136,645,836	578,060,431	16%	173.8	8	32%
Hesperia Water District City of	3,676,581,651	3,538,094,794	138,486,856	4%	174.6	8	32%
Castaic Lake Water Agency Santa Clarita Water Division	7,358,051,073	6,493,567,237	864,483,836	12%	174.8	8	32%
Brentwood City of	3,038,220,000	2,663,210,000	375,010,000	12%	174.9	8	32%
San Jacinto City of	756,372,530	651,046,816	105,325,714	14%	176.1	8	32%
La Verne City of	2,094,159,141	1,955,656,970	138,502,171	7%	176.5	8	32%
Rincon Del Diablo Municipal Water District	1,766,766,437	1,514,883,284	251,883,153	14%	179.2	8	32%
Mission Springs Water District	2,072,832,166	1,979,439,888	93,392,277	5%	179.4	8	32%
Banning City of	2,219,758,574	2,058,002,667	161,755,907	7%	179.4	8	32%
Brawley City of	1,842,390,000	1,088,690,000	753,700,000	41%	179.5	8	32%
Cucamonga Valley Water District	12,916,078,335	12,778,430,872	137,647,463	1%	180.0	8	32%
Calaveras County Water District	1,468,843,000	1,200,100,000	268,743,000	18%	180.1	8	32%
Phelan Pinon Hills Community Services District	635,139,826	675,206,517	-40,066,691	-6%	181.6	8	32%
Porterville City of	3,123,277,400	2,849,237,200	274,040,200	9%	182.0	8	32%
Sacramento County Water Agency	9,991,675,171	8,451,666,395	1,540,008,776	15%	184.3	8	32%
California-American Water Ventura District	4,397,006,571	3,988,454,052	408,552,519	9%	184.6	8	32%
Blythe City of	806,370,000	811,680,000	-5,310,000	-1%	186.1	8	32%
Yreka, City of	593,290,000	519,800,000	73,490,000	12%	186.4	8	32%
Palmdale Water District	5,291,175,472	5,010,063,446	281,112,026	5%	187.2	8	32%
Yuba City City of	4,215,490,000	3,629,080,000	586,410,000	14%	188.2	8	32%
California Water Service Company Selma	1,492,399,536	1,239,212,977	253,186,559	17%	189.2	8	32%
Western Municipal Water District of Riverside	5,887,379,311	5,683,989,367	203,389,944	3%	189.2	8	32%
Riverbank City of	860,786,846	737,503,990	123,282,856	14%	191.2	8	32%
California Water Service Company Visalia	8,033,215,230	7,144,292,537	888,922,693	11%	191.7	8	32%
Hemet City of	1,116,063,947	1,045,970,047	70,093,900	6%	192.8	8	32%
Turlock City of	5,571,505,100	4,909,059,441	662,445,659	12%	193.9	8	32%
Corona City of	8,699,410,000	8,297,070,000	402,340,000	5%	194.3	8	32%

Urban Water Suppliers and Regulatory Framework Tiers to Achieve 25% Use Reduction

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	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Trabuco Canyon Water District	764,121,596	767,705,962	-3,584,366	0%	194.9	8	32%
Triunfo Sanitation District / Oak Park Water Service	687,285,830	597,937,369	89,348,461	13%	195.6	8	32%
Lamont Public Utility District	993,121,000	914,688,000	78,433,000	8%	197.4	8	32%
California Water Service Company Bakersfield	18,863,864,960	16,841,305,153	2,022,559,807	11%	197.6	8	32%
Lemoore City of	1,967,044,000	1,783,354,000	183,690,000	9%	198.9	8	32%
Golden State Water Company Orcutt	1,941,781,239	1,705,636,709	236,144,529	12%	199.8	8	32%
Vacaville City of	4,536,829,418	3,868,833,993	667,995,425	15%	199.9	8	32%
Citrus Heights Water District	3,723,178,405	3,023,575,391	699,603,014	19%	201.4	8	32%
Poway City of	2,984,245,124	2,893,299,991	90,945,133	3%	201.7	8	32%
Livingston City of	1,870,481,000	1,810,513,000	59,968,000	3%	204.2	8	32%
Los Angeles County Public Works Waterworks District 40	12,870,711,018	11,980,791,220	889,919,798	7%	205.5	8	32%
Galt City of	1,302,667,000	1,052,546,000	250,121,000	19%	207.1	8	32%
Placer County Water Agency	7,686,123,771	6,395,079,193	1,291,044,578	17%	207.2	8	32%
Lee Lake Water District	760,491,304	738,717,756	21,773,548	3%	208.1	8	32%
San Bernardino County Service Area 70	457,322,702	431,251,330	26,071,373	6%	209.6	8	32%
California Water Service Company Chico District	6,759,462,002	5,680,893,778	1,078,568,223	16%	210.4	8	32%
Linda County Water District	971,706,000	880,037,000	91,669,000	9%	211.0	8	32%
West Valley Water District	5,029,549,361	4,747,557,536	281,991,825	6%	212.3	8	32%
Golden State Water Company Claremont	2,873,781,490	2,604,204,605	269,576,886	9%	213.2	8	32%
Folsom City of	5,476,678,514	4,592,545,306	884,133,208	16%	213.7	8	32%
Sierra Madre City of	616,142,059	546,575,118	69,566,941	11%	214.5	8	32%
Tulare, City of	4,805,328,900	4,324,313,800	481,015,100	10%	214.8	8	32%
Indio City of	5,340,000,000	5,006,100,000	333,900,000	6%	215.7	9	36%
Oakdale City of	1,417,000,000	1,139,000,000	278,000,000	20%	215.9	9	36%
Fallbrook Public Utility District	3,340,661,415	3,012,268,347	328,393,068	10%	217.3	9	36%
Kerman, City of	880,465,000	769,624,000	110,841,000	13%	217.9	9	36%
Exeter City of	600,332,681	535,287,408	65,045,273	11%	218.8	9	36%
Georgetown Divide Public Utilities District	512,901,000	410,416,000	102,485,000	20%	219.7	9	36%
Yorba Linda Water District	5,380,523,933	5,128,021,662	252,502,271	5%	220.2	9	36%
Rubio Canyon Land and Water Association	561,116,157	508,002,375	53,113,783	9%	220.8	9	36%
Sacramento Suburban Water District	9,630,759,000	8,318,514,000	1,312,245,000	14%	222.5	9	36%
Corcoran City of	1,162,447,000	950,206,000	212,241,000	18%	223.7	9	36%
Norco City of	2,009,949,357	1,856,691,656	153,257,702	8%	224.2	9	36%
Golden State Water Company Cordova	4,051,962,495	3,483,514,680	568,447,814	14%	224.5	9	36%
Monterey Park City of	649,960,000	594,880,000	55,080,000	8%	224.9	9	36%
Winton Water & Sanitary District	432,243,000	400,904,000	31,339,000	7%	228.3	9	36%
Montecito Water District	1,577,349,003	836,688,709	740,660,294	47%	228.9	9	36%
Camrosa Water District	2,469,015,365	2,141,221,863	327,793,502	13%	229.3	9	36%

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	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Wasco City of	1,096,680,000	952,170,000	144,510,000	13%	231.1	9	36%
Olivenhain Municipal Water District	5,326,497,766	5,149,755,952	176,741,814	3%	232.4	9	36%
Upland City of	5,523,683,657	5,024,215,355	499,468,301	9%	234.9	9	36%
Clovis City of	6,737,008,000	6,080,852,000	656,156,000	10%	235.2	9	36%
Beverly Hills City of	2,984,049,613	2,900,957,499	83,092,114	3%	235.9	9	36%
Lodi City of Public Works Department	3,904,230,000	3,932,720,000	-28,490,000	-1%	235.9	9	36%
Los Angeles County Public Works Waterworks District 29	2,383,427,229	2,356,081,777	27,345,452	1%	236.0	9	36%
Loma Linda City of *	1,379,990,569	1,323,839,525	56,151,044	4%	236.0	9	36%
Shafter City of	1,350,000,000	1,154,000,000	196,000,000	15%	236.5	9	36%
Fruitridge Vista Water Company	1,000,084,300	823,053,400	177,030,900	18%	238.3	9	36%
Paradise Irrigation District	1,721,400,000	1,355,900,000	365,500,000	21%	240.8	9	36%
Glendora City of	3,108,798,089	3,089,127,284	19,670,805	1%	242.0	9	36%
Carmichael Water District	2,598,570,000	2,107,250,000	491,320,000	19%	242.5	9	36%
Rainbow Municipal Water District	3,976,593,060	3,760,749,074	215,843,985	5%	243.0	9	36%
Modesto, City of	15,589,770,183	13,698,086,925	1,891,683,258	12%	245.9	9	36%
Pinedale County Water District	267,792,348	224,289,932	43,502,416	16%	247.1	9	36%
Lincoln City of	2,592,190,000	2,158,050,000	434,140,000	17%	251.0	9	36%
California Water Service Company Bear Gulch	3,623,142,017	3,228,861,790	394,280,227	11%	252.5	9	36%
Los Banos, City of	2,053,870,000	1,905,101,000	148,769,000	7%	253.0	9	36%
Redding City of	7,109,010,000	5,934,100,000	1,174,910,000	17%	253.8	9	36%
Riverside Highland Water Company	971,591,200	889,248,544	82,342,656	8%	253.8	9	36%
California Water Service Company Palos Verdes	5,184,622,055	4,979,661,507	204,960,548	4%	255.4	9	36%
Olivehurst Public Utility District	1,161,641,529	959,245,393	202,396,137	17%	256.0	9	36%
San Bernardino County Service Area 64	758,722,238	679,807,540	78,914,699	10%	257.8	9	36%
Anderson, City of	572,342,000	498,676,000	73,666,000	13%	260.0	9	36%
Rio Vista, city of	641,312,000	606,333,000	34,979,000	5%	260.9	9	36%
Golden State Water Company Ojai	564,830,864	487,636,661	77,194,203	14%	261.0	9	36%
Indian Wells Valley Water District	1,861,884,000	1,789,365,000	72,519,000	4%	263.5	9	36%
Yucaipa Valley Water District	2,981,840,000	2,837,629,000	144,211,000	5%	265.1	9	36%
Casitas Municipal Water District	777,155,653	678,096,820	99,058,834	13%	265.7	9	36%
Nevada Irrigation District	2,750,729,000	2,339,997,000	410,732,000	15%	267.8	9	36%
Beaumont-Cherry Valley Water District	3,172,199,486	3,139,252,648	32,946,838	1%	269.7	9	36%
East Niles Community Service District	2,504,168,216	2,213,508,744	290,659,473	12%	271.8	9	36%
Fair Oaks Water District	3,068,959,978	2,450,034,519	618,925,459	20%	274.1	9	36%
Discovery Bay Community Services District	986,000,000	808,000,000	178,000,000	18%	276.3	9	36%
Rio Linda - Elverta Community Water District	770,017,391	629,595,315	140,422,076	18%	278.1	9	36%
East Orange County Water District	247,060,552	225,554,358	21,506,194	9%	278.2	9	36%
Bakersfield City of	11,705,594,680	10,744,390,565	961,204,114	8%	279.9	9	36%

Urban Water Suppliers and Regulatory Framework Tiers to Achieve 25% Use Reduction

Supplier Name	Total Water Production		Total Water Saved (Jun-14 - Feb-15, compared to 2013, gallons)	Percent Saved (Jun-14 - Feb-15, compared to 2013)	Jul-Sep 2014 R- GPCD	Tier	Conservation Standard
	2013 (Jun - Feb)	2014/15 (Jun-14 - Feb-15)					
Valley Center Municipal Water District	6,829,813,325	6,798,466,417	31,346,907	0%	291.2	9	36%
Red Bluff City of	904,393,249	764,891,212	139,502,037	15%	294.3	9	36%
California Water Service Company Antelope Valley	186,061,165	216,691,199	-30,630,034	-16%	296.7	9	36%
Merced City of	6,872,130,000	6,271,910,000	600,220,000	9%	298.8	9	36%
Bakman Water Company	1,032,655,497	893,235,946	139,419,551	14%	302.2	9	36%
Las Virgenes Municipal Water District	5,714,163,209	5,470,784,778	243,378,431	4%	304.8	9	36%
Oildale Mutual Water Company	2,485,920,537	2,317,129,497	168,791,039	7%	306.4	9	36%
California City City of	1,192,746,563	1,264,824,899	-72,078,336	-6%	307.0	9	36%
Atwater City of	2,358,960,000	1,821,770,000	537,190,000	23%	308.1	9	36%
Redlands City of	7,033,861,488	6,969,114,810	64,746,679	1%	313.2	9	36%
Ripon City of	1,431,002,833	1,223,409,134	207,593,699	15%	316.1	9	36%
Arcadia City of	4,352,404,027	4,033,916,843	318,487,185	7%	318.5	9	36%
Hillsborough Town of	877,331,034	658,647,771	218,683,262	25%	324.5	9	36%
Quartz Hill Water District	1,430,054,382	1,276,190,597	153,863,785	11%	326.9	9	36%
Madera County	891,468,716	660,496,910	230,971,806	26%	328.1	9	36%
Orange Vale Water Company	1,274,470,101	1,008,190,832	266,279,269	21%	332.3	9	36%
Kingsburg, City of	1,009,319,000	825,793,000	183,526,000	18%	332.5	9	36%
California Water Service Company Westlake	2,085,449,133	1,928,388,745	157,060,388	8%	336.7	9	36%
Rancho California Water District	16,377,618,572	16,074,902,597	302,715,976	2%	349.1	9	36%
Susanville City of	560,250,000	602,070,000	-41,820,000	-7%	382.7	9	36%
Bella Vista Water District	3,596,422,200	1,864,847,717	1,731,574,483	48%	386.3	9	36%
Valley Water Company	999,093,060	898,861,161	100,231,899	10%	401.2	9	36%
Golden State Water Company Cowan Heights	703,676,157	691,163,462	12,512,695	2%	401.6	9	36%
Desert Water Agency	8,823,730,792	8,310,188,943	513,541,849	6%	416.0	9	36%
South Feather Water and Power Agency	1,435,400,000	1,292,100,000	143,300,000	10%	466.1	9	36%
Coachella Valley Water District	28,323,853,249	27,188,261,025	1,135,592,223	4%	475.1	9	36%
San Juan Water District	3,594,268,324	2,773,624,539	820,643,785	23%	476.8	9	36%
Vaughn Water Company	3,206,837,858	2,989,389,519	217,448,339	7%	507.0	9	36%
Serrano Water District	829,682,903	749,230,186	80,452,717	10%	539.2	9	36%
Santa Fe Irrigation District	2,820,156,121	2,869,480,251	-49,324,131	-2%	604.7	9	36%
Myoma Dunes Mutual Water Company	757,700,108	707,153,944	50,546,164	7%	613.7	9	36%



# Fact Sheet

## Extending the Emergency Water Conservation Regulation

### New Regulatory Changes to Achieve Statewide Reductions in Urban Potable Water Usage

On November 13, 2015, Governor Edmund G. Brown Jr. issued [Executive Order B-36-15](#) calling for an extension of urban water use restrictions until October 31, 2016, should drought conditions persist. Given the severity of the water deficits over the past four years many of California's reservoirs and groundwater basins remain depleted and the need for continued water conservation persists. The November executive order directs the State Water Resources Control Board (State Water Board) to consider modifying the restrictions on water use and incorporate insights gained from the existing restrictions.

The State Water Board's adoption of [Resolution No. 2015-0032](#) and its May 2015 Emergency Regulation addressed specific provisions of [Executive Order B-29-15](#), including mandating a 25 percent statewide reduction in potable urban water use between June 2015 and February 2016. To reach the statewide 25 percent reduction mandate and consistent with Executive Order B-29-15, the Emergency Regulation identified a conservation tier for each urban water supplier, between four percent and 36 percent, based on residential per capita water use for the months of July - September 2014. As directed under Resolution No. 2015-0032, State Water Board staff worked with stakeholders to develop and consider a range of factors that contribute to water use, including climate, growth and investment in drought-resilient supplies, to devise options for refining the new extended emergency regulation.

The new Emergency Regulation extends the requirements of the May 2015 Emergency Regulation and offers modest adjustments to help to respond to some of the reasonable concerns suppliers have raised to the State Water Board since it first considered the May 2015 Emergency Regulation.

#### What's Next

Executive Order B-36-15 directs the State Water Board to extend restrictions to achieve a statewide reduction in urban potable water usage through October 2016, based on drought conditions known through January 2016. A significant portion of the state's rainfall and snowpack occurs in February and March. The State Water Board directed staff to monitor



and evaluate available data on precipitation, snowpack, reservoir storage levels, and other factors and report back to the Board in March and April, 2016 and, if conditions warrant, promptly bring a proposal before the State Water Board to adjust or eliminate the Emergency Regulation, no later than the second regularly-scheduled May 2016 Board meeting.

Staff will also engage with the Department of Water Resources and other stakeholders to develop a proposed framework for enhanced urban water conservation, efficiency and resilience and report back to the Board on options for transitioning to a more resilience-based approach for the future by May 1, 2016.

If snowpack, reservoir and other water supply conditions don't warrant any modifications to the emergency regulation when staff reports back to the Board, the State Water Board expects suppliers and their customers will save more than one million acre-feet of water, or about as much water as is currently in Lake Oroville, in response to the regulation. This savings will be in addition to the 1.2 million acre-feet the State is on track to have saved from June 2015 through February 2016.

Information on the February 2, 2016 Emergency Regulation is on the State Water Board's [webpage](#).

## **New Emergency Regulation - Key Provisions**

The February 2016 Emergency Regulation essentially extends the existing May 2015 Emergency Regulation and maintains many of the same requirements.

### ***Changes to the May 2015 Emergency Regulation Include:***

- Credits and adjustments to urban water suppliers' conservation standards that consider the differences in climate affecting different parts of the state; growth experienced by urban areas; and significant investments that have been made to create new, local, drought-resilient sources of potable water supply;
- Penalties for homeowners' associations or community service organizations impeding homeowners from reducing or eliminating the watering of vegetation or lawns during a declared drought emergency, as described in existing Civil Code provisions; and
- Updates to compliance and reporting timelines.

## **Conservation Standard for Urban Water Suppliers**

As statewide drought conditions persist, all water suppliers need to continue to meet their individual conservation standards. Since June 2015, cumulative statewide conservation has eclipsed the 25 percent target. Everyone must continue to conserve, especially if the need for conservation continues through the warmer months when outdoor landscape irrigation typically increases. Often, but not always, water suppliers with higher per capita users are located in areas where the majority of water use is directed to outdoor irrigation due to lot size, climate and other factors; thus outdoor irrigation continues to present the greatest opportunity for the highest reductions. The new Emergency Regulation maintains the current

tiers of required water reductions, though with additional adjustments in response to stakeholders' equity concerns.

### Overview of Conservation Tiers

The conservation standards for all large urban water suppliers continue to be based on increasing levels of residential gallons per capita per day (R-GPCD) water use. This approach considers the relative per capita water usage of each water suppliers' service area and requires that those areas with high per capita use achieve proportionally greater reductions than those with low use, while lessening the disparities in reduction requirements between agencies that have similar levels of water consumption but fall on different sides of dividing lines between tiers. Suppliers have been assigned a revised conservation standard that ranges between eight percent and 36 percent based on their R-GPCD for the months of July - September, 2014. These three months reflect the amount of water used for summer outdoor irrigation, which provides the greatest opportunity for conservation savings. The new Emergency Regulation also continues the reserved four percent conservation tier for those suppliers meeting specific criteria relating to not experiencing drought conditions.

Urban water suppliers (serving more than 3,000 customers or delivering more than 3,000 acre feet of water per year), which account for more than 90 percent of urban water use, have previously been assigned a conservation standard, as shown in the following table:

**How to Submit a Conservation Standard Adjustment**

Submittals for adjustments to an urban water supplier's conservation standard may be submitted through the new on-line reporting tool at the [DRINC Portal](#). The tool will be available the week of February 8, 2016 and will remain open through March 15, 2016. Submissions received after March 15, 2016 will not be reviewed. Please review the Fact Sheet on Adjustments and Credits [[Link](#)] on submission deadlines and effective dates for adjustments and credits.

Tier	July-Sept. 2014 R-GPCD		# of Suppliers in Range	Conservation Standard
	From	To		
1	reserved		4	4%
2	0	64.9	27	8%
3	65	79.9	22	12%
4	80	94.9	42	16%
5	95	109.9	61	20%
6	110	129.9	45	24%
7	130	169.9	81	28%
8	170	214.9	62	32%
9	215	612.0	67	36%

## Adjustments to the Conservation Standards

The new Emergency Regulation allows urban water suppliers to update their conservation standards under certain situations, as explained below.

### 1. Climate Adjustment

The new Emergency Regulation allows a climate adjustment that, where applicable, reduces a water supplier’s conservation standard by up to four percentage points for those water suppliers located in the warmer regions of the State. The climate adjustment is based on each urban water supplier’s average service area evapotranspiration (ETo) for the months of July through September, as compared to the statewide average for the same months. Statewide average ETo is calculated by the State Water Board as the arithmetic mean of all statewide ETo data for those months. The adjustment ranges from a two to four percentage point decrease in an urban water supplier’s conservation standard as follows:

Deviation of Urban Water Supplier Service Area’s ETo from the Statewide Average ETo	Reduction in Conservation Standard
>20%	4%
10 to 20%	3%
5 to <10%	2%

The State Water Board has calculated default climate adjustments for all suppliers, which are available on this [draft list](#). The default climate adjustments use the average service area average July - September ETo, as determined by the California Irrigation Management Information System (CIMIS) [Mapped ETo Zone](#) for which the supplier’s service area has the greatest overlap. If a supplier chooses to use the default climate adjustment, no further action is needed.

In lieu of using the default service area ETo, each urban water supplier has the opportunity to refine its service area ETo by using data from CIMIS stations within its service area, or, if no CIMIS station exists within the supplier’s service area, a weather station of comparable accuracy, meeting the period of record requirements noted below.

To qualify for the in-lieu climate adjustment the supplier shall submit the following data to the Board by March 15, 2016, but may submit it by February 22, 2016 for potential application to the supplier’s March 2016 conservation standard: for each station: station ID; station location; and monthly average evapotranspiration, in inches per month, for July, August, and September for either the most recent five-year period of record or the most recent three-year continuous period of record. The table below provides an example of the climate adjustment calculation, using the default service area average ETo.



Example Calculation of In-Lieu Climate Adjustment	
Original Conservation Standard	36 %
Supplier Reports:	
Service Area Average ETo July	9.92 inches
Service Area Average ETo Aug.	8.68 inches
Service Area Average ETo Sept.	6.6 inches
State Water Board Provided Value:	
Statewide Average ETo July-Sept.	6.34 inches
Calculated by State Water Board:	
Service Area Average ETo July-Sept. = $(9.92 + 8.68 + 6.6) / 3$	8.4 inches
Service Area % Deviation from Average ETo = $(8.4 - 6.34) / 6.34$	0.32 or 32 %
Climate Adjustment	- 4 %
<b>Adjusted Conservation Standard</b>	<b>32 %</b>

## 2. Growth Adjustment

The new Emergency Regulation provides a mechanism to adjust urban water supplier conservation standards to account for water efficient growth since 2013. The adjustment is calculated as the product of the supplier's conservation standard and the supplier's reasonable percentage change in total potable water production since 2013, using a specific formula to calculate the percentage change, rounded to the nearest whole percentage point.

To qualify for the growth adjustment a supplier has to provide, at a minimum, the following data to the State Water Board by March 15, 2016, but may submit it by February 22, 2016 for potential application to a the supplier's March 2016 conservation standard: the number of new permanent residents added since January 1, 2013; and the number of new commercial, industrial and institutional (CII) connections added since January 1, 2013; and the average volume of water served to each CII account from February 1, 2015 to October 31, 2015.

The volume of water added due to growth is calculated as the sum of:

1. Number of new permanent residents added since 2013 multiplied by the average residential water use per person during February through October 2015. and
3. Number of new CII connections added since 2013 multiplied by the average CII water use per connection during February through October 2015.

The table that follows provides an example of the growth adjustment calculation.

Example Calculation of Growth Adjustment	
Original Conservation Standard	36 %
Supplier Reports:	
Number of New Permanent Residents Added since Jan. 1, 2013	6,000 people
Number of New CII Connections Added since Jan. 1, 2013	700 connections
Average CII Water Use per CII Connection Feb. - Oct. 2015	900,000 gallons/connection
Pulled from Feb. - Oct. 2015 Reports, as Submitted by Jan. 1, 2016 (by State Water Board):	
Residential Gallons per Capita per Day (R-GPCD) Feb. - Oct. 2015	100 gallons/people-day
Baseline Total Water Production Feb. - Oct. 2013	16,000,000,000 gallons
Calculated by State Water Board:	
Volume of Water Attributed to New Permanent Residents = [6,000 people] * [100 gallons/people-day] * [270 days]	162,000,000 gallons
Volume of Water Attributed to New CII Connections = [700 connections] * [900,000 gallons/connection]	630,000,000 gallons
Total Volume of Water Attributed to Growth since 2013 = [162,000,000 gallons] + [630,000,000 gallons]	792,000,000 gallons
Percent Change in Potable Water Production Due to Growth since 2013 = [792,000,000 gallons] / [16,000,000,000 gallons]	0.05 or 5 %
<b>Adjusted Conservation Standard</b> = 36% * [1 - 0.05]	<b>34 %</b>

### 3. New Local Drought-Resilient Supply Credit

Under the new Emergency Regulation, any urban water supplier that obtains at least one percent of its total potable water production from a qualifying new local, drought-resilient water supply, or contracts for, or otherwise financially invests in, water from a new local, drought-resilient source of supply, developed since 2013 is eligible for up to an eight percentage point reduction to its conservation standard. Urban water suppliers are eligible for a one percentage point reduction to their conservation standard, up to an eight percentage point maximum reduction, for each percent of the urban water supplier's total potable water production that comes from a qualifying new local, drought-resilient water supply. Where a supplier financially invests in a shared new, local, drought-resilient source of supply but does not actually receive water from that source--instead freeing that water up for another supplier to use--the agency that does not actually receive the water may also be eligible for this credit. In no case will the total amount of credits exceed what would have been available had all suppliers received credit only for water actually received.

To qualify for the drought-resilient source credit a supplier needs to submit its certification to the State Water Board by March 15, 2016. This credit will be applied to a supplier's March 2016 conservation standard. The table below provides an example of the local drought-resilient supply credit calculation.

Example Calculation of New, Local, Drought-Resilient Water Supply Credit	
Original Conservation Standard	36 %
Supplier Reports:	
Total Annual Potable Water Production from a Drought Resilient-Source of Supply (Developed after Jan. 1, 2013)	1,120,000,000 gallons
Pulled from Jan. - Dec. 2015 Reports, as Submitted by Jan. 15, 2016 (by State Water Board):	
Baseline Total Water Production Jan. - Dec. 2013	16,000,000,000 gallons
Calculated by State Water Board:	
% Total Potable Water Production from a Drought-Resilient Source of Supply = $[1,120,000,000 \text{ gallons}] / [16,000,000,000 \text{ gallons}]$	0.07 or 7 %
<b>Adjusted Conservation Standard</b> = 36% - 7%	<b>29 %</b>

The maximum reduction in a water supplier's conservation standard through combined climate, growth and new resilient drought supplies adjustments described above is capped at an eight percentage point reduction from any one supplier's otherwise applicable conservation standard, with no suppliers dropping below an eight percent conservation standard.

The default adjustment for climate will take effect for any qualifying supplier March 1, 2016. Other climate adjustments and growth adjustments may also take effect March 1, 2016 if a supplier has provided all supporting documentation and calculations by February 22, 2016 and State Water Board staff does not require additional information. Submissions for adjustments and credit received by March 15, 2016 will be applied to a supplier's March 2016 conservation standard in April.

Total monthly water production and specific reporting on residential use and enforcement as laid out in the May 2015 Emergency Regulation remains in effect. Performance will be compared to the new adjusted conservation standard, when applicable.

### Commercial Agriculture Exclusion

The new Emergency Regulation continues to allow urban water suppliers to subtract water delivered for commercial agriculture from total potable water production if the supplier meets certain conditions and submits the agricultural water use certification to the State Water Board.

## **Self-Supplied Commercial, Industrial and Institutional (CII) Users**

The new Emergency Regulation continues to require self-supplied CII users to either reduce their usage by 25 percent or restrict outdoor irrigation to no more than two days per week. CII facilities with an independent source of supply (i.e., not served by a water supplier) are still not required to submit a report. However, these facilities should be prepared to demonstrate their compliance with the two day per week watering restriction, or the 25 percent reduction in water use if requested to do so by the State Water Board.

## **Conservation Standard for All Other Water Suppliers**

The new Emergency Regulation continues to require small water suppliers (serving 3,000 or fewer customers) to either achieve a 25 percent conservation standard, or restrict outdoor irrigation to no more than two days per week through October 2016. These suppliers are required to submit a small water supplier report that either (a) identifies total potable water production, by month, from December 2015 through August 2016, or (b) confirms compliance with the maximum two day per week outdoor irrigation restriction. The small water supplier report will be due to the State Water Board by September 15, 2016.

## **End-User Requirements**

The new Emergency Regulation maintains the current prohibitions on water use. These include:

- Irrigation with potable water of ornamental turf on public street medians is prohibited; and
- Irrigation with potable water outside of newly-constructed homes and buildings not in accordance with emergency regulations or other requirements established in the California Building Standards Code is prohibited.
- Using potable water to wash sidewalks and driveways;
- Allowing runoff when irrigating with potable water;
- Using hoses with no shutoff nozzles to wash cars;
- Using potable water in decorative water features that do not recirculate the water;
- Irrigating outdoors during and within 48 hours following measureable rainfall; and
- Restaurants from serving water to their customers unless the customer requests it.

Additionally, hotels and motels must offer their guests the option to not have their linens and towels laundered daily, and prominently display this option in each guest room.

It continues to be very important that while these provisions are in effect existing trees remain healthy and do not present a public safety hazard. Trees and other non-turf vegetation within street medians may continue to be watered. Information on how to maintain trees while reducing outdoor water use is available at: [www.saveourwater.com/trees](http://www.saveourwater.com/trees).

## **Compliance Assessment**

The State Water Board continues to assess compliance on a cumulative basis, using suppliers' monthly reported data. Each month, State Water Board staff reassess compliance based on the supplier's cumulative savings since June 2015. Cumulative tracking means that

conservation savings are be added together from one month to the next and compared to the amount of water used during the same months in 2013.

The State Water Board continues to use informational orders to request information from suppliers not meeting their conservation standards and, as appropriate, conservation orders that direct specific actions to correct non-compliance. Both tools are tailored to the emergency circumstances that the State finds itself in as a result of continuing drought conditions. Violation of an informational order or conservation order carries a penalty of up to \$500 per day. Existing orders issued pursuant to or in response to violations of the May 2015 emergency regulation remain in effect.

The State Water Board continues to work with water suppliers that are not meeting their targets to implement actions to get them back on track. These actions could include changes to rates and pricing, restrictions on outdoor irrigation, public outreach, rebates and audit programs, leak detection and repair and other measures. The State Water Board may use its enforcement tools to ensure that water suppliers are on track to meet their conservation standards at any point during the 270 days that the emergency regulation is in effect.

The alternative compliance process the State Water Board identified in Resolution No. 2015-0032 will continue.

## **Conclusion**

No one knows how the future will unfold. While the State may return to “normal,” or even to above average hydrologic water conditions in 2016 or 2017, such an outcome is far from certain, nor is it certain that one year of average or above-average water conditions will relieve the State from these historic drought conditions. Continued water conservation is imperative. Moving forward, the State Water Board is committed to working with water suppliers on implementing the Emergency Regulation, assessing water conditions throughout the spring, and adapting requirements as appropriate based on water supply conditions.

The State is meeting the Governor’s 25 percent cumulative statewide conservation goal because Californians have risen to the occasion. As the State Water Board acts on the Governor’s Executive Order B-36-15, it will consider the lessons learned from the implementation of the current executive order and make adjustments to the Emergency Regulation as needed. The State Water Board will also begin to work with other agencies and stakeholders to develop longer term measures to ensure water continues to be conserved and used efficiently.

*(This fact sheet was last updated on February 9, 2016)*

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2016-0007**

**TO ADOPT AN EMERGENCY REGULATION FOR  
STATEWIDE URBAN WATER CONSERVATION**

WHEREAS:

1. On April 25, 2014, Governor Edmund G. Brown Jr. issued an executive order ([April 2014 Proclamation](#)) to strengthen the State's ability to manage water and habitat effectively in drought conditions, and called on all Californians to redouble their efforts to conserve water. The April 2014 Proclamation finds that the continuous severe drought conditions present urgent challenges across the State, including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater contamination, and additional water scarcity, if drought conditions continue into 2015. It orders that any provision of the governing document, architectural or landscaping guidelines, or policies of a common interest development will be void and unenforceable to the extent it has the effect of prohibiting compliance with the water-saving measures contained in this directive, or any conservation measure adopted by a public agency or private water company. The April 2014 Proclamation also suspends the environmental review required by the California Environmental Quality Act to allow the emergency regulation and other actions to take place as quickly as possible;
2. The April 2014 Proclamation refers to the [Governor's Proclamation No. 1-17-2014](#), issued on January 17, 2014, declaring a drought State of Emergency to exist in California due to severe drought conditions (January 2014 Proclamation). The January 2014 Proclamation finds that dry conditions and lack of precipitation present urgent problems to drinking water supplies and cultivation of crops, which put farmers' long-term investments at risk. The conditions also threaten the survival of animals and plants that rely on California's rivers, including many species in danger of extinction. The January 2014 Proclamation also calls on all Californians to reduce their water usage by 20 percent;
3. On December 22, 2014, in light of the continued lack of rain, Governor Brown issued [Executive Order B-28-14](#), which extends the California Environmental Quality Act suspension through May 31, 2016 for Water Code section 13247 and certain activities identified in the January 2014 and April 2014 proclamations;
4. On April 1, 2015, Governor Brown issued [Executive Order B-29-15](#) that directs the State Water Board to impose restrictions on urban water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems; along with other directives;

5. On May 5, 2015, the State Water Resources Control Board (State Water Board) adopted [Board Resolution No. 2015-0032](#) and an Emergency Regulation to address specific provisions of [Executive Order B-29-2015](#) that included a mandatory 25 percent statewide reduction in potable urban water use between June 2015 and February 2016. To implement the Executive Order, the Emergency Regulation placed each urban water supplier in a conservation tier, ranging between 4 and 36 percent, based residential per capita water use for the months of July – September 2014. Resolution No. 2015-0032 also directed staff to work with stakeholders to further develop and consider a range of factors that contribute to water use, including but not limited to climate, growth, investment in local, drought resilient supplies, and others for adjustment to the current emergency regulation should it need to be extended into 2016;
6. On November 13, 2015, Governor Brown issued [Executive Order B-36-15](#) calling for an extension of urban water use restrictions until October 31, 2016, should drought conditions persist through January 2016. This Executive Order also directs the State Water Board to consider modifying the restrictions to address uses of potable and non-potable water, as well as to incorporate insights gained from the existing restrictions;
7. As of January 15, 2016, the state has experienced some much-needed snow and rainfall in December and January; However, surface and groundwater storage remains depleted, precipitation has been inconsistent, and snowpack is about average, and the full hydrologic water conditions for 2016 will not be known until April 2016;
8. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports”;
9. On July 15, 2014, the State Water Board adopted an emergency regulation to support water conservation ([Resolution No. 2014-0038](#)), and that regulation became effective July 28, 2014 upon approval by the Office of Administrative Law (OAL);
10. On March 17, 2015, the State Water Board amended and readopted the emergency regulation to support water conservation ([Resolution No. 2015-0013](#)), which became effective March 27, 2015 upon approval by OAL;
11. On May 5, 2015, the State Water Board amended and readopted the emergency regulation to support water conservation ([Resolution No. 2015-0032](#)), which became effective May 18, 2015 upon approval by OAL and expires February 13, 2016;
12. State Water Board estimates that suppliers and their customers will save more than one million acre-feet of water in response to the extended regulation. This savings will be in addition to the 1.2 million acre-feet the State is on track to have saved from June 2015 through February 2016;

13. Under the May 5, 2015 emergency regulation, urban water suppliers, large and small, have reduced statewide potable water usage more than 25 percent compared to 2013, through the significant efforts of the suppliers and their customers;
14. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes will survive while receiving a decreased amount of water;
15. Although urban water suppliers have placed restrictions on outdoor watering, the State Water Board continues to receive reports of excessive outdoor water use, and not all suppliers have achieved their conservation standards under the May 5, 2015 emergency regulation;
16. Water conservation is the easiest, most efficient and most cost-effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this summer is water available later in the season or next year, reducing the likelihood of even more severe water shortages should the drought continue;
17. Education and enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated;
18. Public information and awareness is critical to achieving conservation goals, and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>);
19. Many California communities are facing social and economic hardship due to this drought. The rest of us can make adjustments to our water use, including landscape choices that conserve even more water;
20. The California Constitution declares, at article X, section 2, that the water resources of the state must be put to beneficial use in a manner that is reasonable and not wasteful. Relevant to the current drought conditions, the California Supreme Court has clarified that “what may be a reasonable beneficial use, where water is present in excess of all needs, would not be a reasonable beneficial use in an area of great scarcity and great need. What is a beneficial use at one time may, because of changed conditions, become a waste of water at a later time.” (*Tulare Dist. v. Lindsay Strathmore Dist.* (1935) 3 Cal.2d 489, 567.) In support of water conservation, the legislature has, through Water Code section 1011, deemed reductions in water use due to conservation as equivalent to reasonable beneficial use of that water. Accordingly, this regulation is in furtherance of article X, section 2 during this drought emergency. This temporary emergency regulation is not to be used in any future administrative or judicial proceedings as evidence or finding of waste and unreasonable use of any individual water user or water supplier subject to this regulation, and are not to affect or otherwise limit any rights to water conserved under applicable law, including without limitation, water conserved consistent with Water Code section 1011;



21. Directive two of the Governor's April 1, 2015 Executive Order directs the State Water Board to consider the relative per capita usage of each urban water supplier's service area and require that areas with high per capita use achieve proportionally greater reductions than areas with low per capita use;
22. On December 21, 2015, the State Water Board issued a draft framework proposing modest adjustments to the May 5 emergency regulation structure, keeping the increasing levels of required water reduction based upon residential per capita per day use (R-GPCD), and adding several credits that reduce a supplier's required water reduction based on certain conditions. The State Water Board solicited public comments on the proposed framework and received over 200 comments, primarily relating to the levels and types of credits and consideration of updated drought conditions in April 2016, at which time more information will be available on 2016 snowpack and reservoir levels;
23. On January 15, 2016 the State Water Board issued draft regulatory language for public comment based on the December 21, 2015 framework and the comments received. The draft regulatory language reflected careful consideration of all comments including those directed at the levels of required reduction. The draft regulatory language extends the May 2015 emergency regulation, that otherwise would expire on February 13, 2016, and provides modest equity credits and adjustments to address geographic climate differences, new growth, and investments made in new, local, drought resilient potable water supplies;
24. On January 22, 2016, the State Water Board initiated the formal emergency rulemaking process by issuing public notice that it would consider the adoption of the emergency regulation at the Board's regularly-scheduled February 2, 2016 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations;
25. As discussed above, the State Water Board is adopting the extended emergency regulation as directed by the Governor in Executive Order B-36-15 based on the need for prompt action to prevent the waste and unreasonable use of water and to promote conservation because the May 15 emergency regulation is set to expire on February 13, 2016, emergency drought conditions still exist, and stakeholders have requested reasonable and modest adjustments to the existing emergency regulation; and
26. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulation adopted by this resolution, and local agencies retain the enforcement discretion in enforcing the regulation to the extent authorized. Local agencies are encouraged to develop their own progressive enforcement practices to promote conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board readopts California Code of Regulations, title 23, sections 863, 864, 865 and 866, as appended to this resolution as an emergency regulation;
2. State Water Board staff will submit the regulation to OAL for final approval;
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or the Executive Director's designee may make such changes;
4. This regulation shall remain in effect for 270 days after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulation due to continued drought conditions as described in Water Code section 1058.5;
5. In consideration of the fact that Executive Order B-36-15 directs the State Water Board to extend restrictions to achieve statewide reductions in urban potable water usage if drought conditions persist through January 2016, and the fact that in many years a significant portion of the state's rainfall and snowpack occur in February and March, the State Water Board directs staff to monitor and evaluate available data on precipitation, snowpack, reservoir storage levels, and other factors and report back to the Board in March and April, 2016 and, if conditions warrant, bring a proposal for rescission or adjustment of this regulation to the Board no later than the second regularly-scheduled May 2016 Board meeting;
6. The State Water Board directs staff to provide the Board with monthly updates on the implementation of the emergency regulation and its effect;
7. The State Water Board directs staff to condition funding upon compliance with the emergency regulation, to the extent feasible;
8. The State Water Board directs staff to work with DWR and the Save Our Water campaign to disseminate information regarding the emergency regulation; and
9. The State Water Board directs staff to update the electronic reporting portal to include data fields for reporting required by the emergency regulation.

THEREFORE BE IT FURTHER RESOLVED THAT:

10. The State Water Board shall work with DWR, the Public Utilities Commission, and other agencies to support urban water suppliers' actions to implement rates and pricing structures to incent additional conservation, as required by directive eight in the Governor's April 1, 2015 Executive Order. The Fourth District Court of Appeal's recent Decision in *Capistrano Taxpayer Association Inc. v. City of San Juan Capistrano* (G048969) does not foreclose the use of conservation-oriented rate structures;

11. The State Water Board calls upon water suppliers to:
  - a. ensure that adequate personnel and financial resources exist to implement conservation requirements not only for 2016, but also for another year of drought should it occur. Water suppliers that face budget shortfalls due to reduced sales should take immediate steps to raise necessary revenues in a way that actively promotes continued conservation;
  - b. expedite implementation of new conservation programs by minimizing internal review periods and utilizing emergency authorities, as appropriate;
  - c. consider the relative water use and conservation practices of their customers and target those with higher water use to achieve proportionally greater reductions than those with low use;
  - d. minimize financial impacts to low-income customers;
  - e. preserve safe indoor water supplies in areas with very low R-GPCD and where necessary to protect public health and safety;
  - f. promote low-water use methods of preserving appropriate defensible space in fire-prone areas, consistent with local fire district requirements;
  - g. educate customers on the preservation of trees;
  - h. promote on-site reuse of water; and
  - i. promptly notify staff of the supplier's need for an alternate method of compliance pursuant to resolved paragraph 18.
12. The State Water Board calls upon all businesses within California's travel and tourism sectors to inform visitors of California's drought situation and actions visitors should take to conserve water;
13. The State Water Board calls upon all homeowners' associations to support and cooperate with water suppliers' and their residents' efforts to conserve water in community apartment projects, condominium projects, planned developments, and stock cooperatives statewide;
14. The State Water Board commends wholesale water agencies that have set aggressive conservation targets for their retail water suppliers and who have invested heavily in subsidizing efficiency measures such as turf and toilet rebates, recycled water production, and other potable water augmentation measures;
15. The State Water Board commends water suppliers that have made investments to boost drought-resistant supplies, such as advanced treated recycled water and desalination. Those investments help to make communities more resilient in the face of drought and the Board is committed to moving towards a more resilience based approach to emergency water conservation and in any permanent measures going forward;

16. The State Water Board commends the many water suppliers that have taken steps and made systemic changes that have led to them surpassing their 20x2020 conservation targets as well as their emergency conservation targets. Long-term conservation efforts are critical to maintaining economic and social well-being, especially in light of the impacts of climate change on California's hydrology;
17. During this drought emergency, heightened conservation that extends urban resilience is necessary. The State Water Board's focus is primarily on immediate reductions in outdoor water use. Some short-term conservation efforts, such as landscape conversions and installation of efficient appliances, will also support long-term conservation objectives, and are encouraged wherever possible;
18. The State Water Board recognizes that some commercial and industrial customers, while accounting for a significant portion of total use in a service area, have already taken steps to significantly reduce their water consumption and cannot further reduce their use without substantial impacts. However, the Board also recognizes that in many areas there are significant opportunities for reductions in water use by industries and commercial enterprises that have yet to take action, especially those with large areas of non-functional turf. The Board directs staff to respond promptly upon receipt of any request for alternate enforceable methods of compliance. If the supplier believes the conservation standard is unachievable due to firm commercial and industrial water use and residential use reductions that would affect public health and safety, it should provide any supporting information or documentation for an alternate method of compliance;
19. Some water suppliers have called for further refinement of the tiers and have called for an approach that provides greater recognition for early investments in conservation; the development of local, drought resistant water supplies that include banked groundwater; regional compliance mechanisms; differing regional water supply conditions; climate; and health and safety needs. These suggestions and many others have been considered in the context of the current drought emergency, will inform any revisions to these emergency regulations during the spring as the 2016 water supply information becomes more complete, and are separately important considerations for the development of a more comprehensive long-term conservation framework. The State Water Board directs staff to continue working with stakeholders on further refinement of these emergency water conservation regulations to be considered in tandem with an assessment of where the current winter precipitation leaves us; and
20. The California Water Action Plan calls for making conservation a way of life, increasing regional water self-reliance, and expanding storage capacity, among other actions. Long term water security will depend on implementing a range of actions and the State Water Board recognizes that these actions must advance in a complementary manner such that one action does not impede the progress of another. The State Water Board recognizes that conservation requirements implemented in response to critical drought conditions differ from those actions needed to optimize urban water use efficiency and build resilience over the long-term. Resilience to drought requires a combination of water efficiency and the development of new sustainable supplies, such as recycling, stormwater capture and re-use, local storage to capture water in wet years for use in dry years, and other actions. However, the effect of climate change on California weather patterns and snowpack will undoubtedly put increased pressure on the water supply and pose greater risk for extreme weather conditions, including longer and more severe

droughts. It is imperative that State agencies and water suppliers have the information and mechanisms needed to best respond to critical drought emergencies and that all sources of urban water be used efficiently over the long-term. Staff is directed to engage the Department of Water Resources in developing a proposed framework for enhanced urban water conservation, efficiency and resilience. Staff is directed to report back to the Board on options for transitioning to a more resilience-based approach to dealing with the future by May 1 after continuing conversations with stakeholders and the Department of Water Resources.

### CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 2, 2016.

AYE: Chair Felicia Marcus  
Vice Chair Frances Spivy-Weber  
Board Member Steven Moore

NAY: None

ABSENT: Board Member Tam M. Doduc  
Board Member Dorene D'Adamo

ABSTAIN: None



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Jeanine Townsend  
Clerk to the Board

# ADOPTED TEXT OF EMERGENCY REGULATION

## Article 22.5. Drought Emergency Water Conservation.

### Sec. 863. Findings of Drought Emergency.

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) On April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February, 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;

(4) On November 13, 2015, the Governor issued an Executive Order that directs the State Board to, if drought conditions persist through January 2016, extend until October 31, 2016 restrictions to achieve a statewide reduction in potable usage;

(45) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist; and

~~(5) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and~~

(6) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to prevent waste and unreasonable use of water and to further promote conservation.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, and 275, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

### Sec. 864. End-User Requirements in Promotion of Water Conservation.

(a) To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) 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;

(3) The application of potable water to driveways and sidewalks; and

- (4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;
- (5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;
- (6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
- (7) The irrigation with potable water of ornamental turf on public street medians; and
- (8) The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

(b) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

(c) Immediately upon this subdivision taking effect, all commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 865, shall either:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week; or

(2) Reduce potable water usage supplied by sources other than a water supplier by 25 percent for the months of June 2015 through ~~February~~ October 2016 as compared to the amount used from those sources for the same months in 2013.

(d) The taking of any action prohibited in subdivision (a) or (e), or the failure to take any action required in ~~subdivisions~~ subdivision (b) or (c), 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.

(e)(1) To prevent the waste and unreasonable use of water and to promote water conservation, any homeowners' association or community service organization or similar entity is prohibited from:

(A) Taking or threatening to take any action to enforce any provision of the governing documents or architectural or landscaping guidelines or policies of a common interest development where that provision is void or unenforceable under section 4735, subdivision (a) of the Civil Code; or

(B) Imposing or threatening to impose a fine, assessment, or other monetary penalty against any owner of a separate interest for reducing or eliminating the watering of vegetation or lawns during a declared drought emergency, as described in section 4735, subdivision (c) of the Civil Code.

(2) As used in this subdivision:

(A) "Architectural or landscaping guidelines or policies" includes any formal or informal rules other than the governing documents of a common interest development.

(B) "Homeowners' association" means an "association" as defined in section 4080 of the Civil Code.

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

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

(E) “Governing documents” has the same meaning as in section 4150 of the Civil Code.

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

(3) If a disciplinary proceeding or other proceeding to enforce a rule in violation of subdivision (e)(1) is initiated, each day the proceeding remains pending shall constitute a separate violation of this regulation.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 4080, 4100, 4110, 4150, 4185, and 4735, Civil Code; Sections 102, 104, 105, 275, 350, and 10617, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

#### Sec. 865. Mandatory Actions by Water Suppliers.

(a) As used in this section:

(1) “Distributor of a public water supply” has the same meaning as under section 350 of the Water Code, except it does not refer to such distributors when they are functioning solely in a wholesale capacity, but does apply to distributors when they are functioning in a retail capacity.

(2) “R-GPCD” means residential gallons per capita per day.

(3) “Total potable water production” means all potable water that enters into a water supplier’s distribution system, excluding water placed into storage and not withdrawn for use during the reporting period, or water exported outside the supplier’s service area.

(4) “Urban water supplier” means a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(b) In furtherance of the promotion of water conservation each urban water supplier shall:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user’s exclusive control.

(2) Prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, and the number of days that outdoor irrigation is allowed, and monthly commercial, industrial and institutional sector use.



The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

(c)(1) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's ~~April~~ November 13, 2015 Executive Order, each urban water supplier shall reduce its total potable water production by the percentage identified as its conservation standard in this subdivision. Each urban water supplier's conservation standard considers its service area's relative per capita water usage.

(2) Each urban water supplier whose source of supply does not include groundwater or water imported from outside the hydrologic region in which the water supplier is located, and that has a minimum of four years' reserved supply available may, submit to the Executive Director for approval a request that, in lieu of the reduction that would otherwise be required under paragraphs (3) through (10), the urban water supplier shall reduce its total potable water production by 4 percent for each month as compared to the amount used in the same month in 2013. Any such request shall be accompanied by information showing that the supplier's sources of supply do not include groundwater or water imported from outside the hydrologic region and that the supplier has a minimum of four years' reserved supply available.

(3) Each urban water supplier whose average July-September 2014 R-GPCD was less than 65 shall reduce its total potable water production by 8 percent for each month as compared to the amount used in the same month in 2013.

(4) Each urban water supplier whose average July-September 2014 R-GPCD was 65 or more but less than 80 shall reduce its total potable water production by 12 percent for each month as compared to the amount used in the same month in 2013.

(5) Each urban water supplier whose average July-September 2014 R-GPCD was 80 or more but less than 95 shall reduce its total potable water production by 16 percent for each month as compared to the amount used in the same month in 2013.

(6) Each urban water supplier whose average July-September 2014 R-GPCD was 95 or more but less than 110 shall reduce its total potable water production by 20 percent for each month as compared to the amount used in the same month in 2013.

(7) Each urban water supplier whose average July-September 2014 R-GPCD was 110 or more but less than 130 shall reduce its total potable water production by 24 percent for each month as compared to the amount used in the same month in 2013.

(8) Each urban water supplier whose average July-September 2014 R-GPCD was 130 or more but less than 170 shall reduce its total potable water production by 28 percent for each month as compared to the amount used in the same month in 2013.

(9) Each urban water supplier whose average July-September 2014 R-GPCD was 170 or more but less than 215 shall reduce its total potable water production by 32 percent for each month as compared to the amount used in the same month in 2013.

(10) Each urban water supplier whose average July-September 2014 R-GPCD was 215 or more shall reduce its total potable water production by 36 percent for each month as compared to the amount used in the same month in 2013.

(d)(1) Beginning June 1, 2015, each urban water supplier shall comply with the conservation standard specified in subdivision (c), as modified by subdivision (f).

(2) Compliance with the requirements of this subdivision shall be measured monthly and assessed on a cumulative basis through October 2016.

(e)(1) Each urban water supplier that provides potable water for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (b), may subtract the amount of water provided for commercial agricultural use from its potable water production total, provided that any urban water supplier that subtracts any water provided for commercial agricultural use from its total potable water production shall:

(A) Impose reductions determined locally appropriate by the urban water supplier, after considering the applicable urban water supplier conservation standard specified in subdivision (c), for commercial agricultural users meeting the definition of Government Code section 51201, subdivision (b) served by the supplier;

(B) Report its total potable water production pursuant to subdivision (b)(2) of this section, the total amount of water supplied for commercial agricultural use, and shall identify the reduction imposed on its commercial agricultural users and each recipient of potable water for commercial agricultural use;

(C) Certify that the agricultural uses it serves meet the definition of Government Code section 51201, subdivision (b); and

(D) Comply with the Agricultural Water Management Plan requirement of paragraph 12 of the April 1, 2015 Executive Order for all commercial agricultural water served by the supplier that is subtracted from its total potable water production.

(2) Submitting any information pursuant to subdivision (e)(1)(B), (C), (D) or (E) of this section that is found to be materially false by the ~~board~~ Board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(f) In consideration of the differences in climate affecting different parts of the state, growth experienced by urban areas and significant investments that have been made by some suppliers towards creating new, local, drought-resilient sources of potable water supply, an urban water supplier's conservation standard identified in subdivision (c) shall be reduced by an amount, not to exceed eight (8) percentage points total, as follows:

(1) For an urban water supplier whose service area evapotranspiration (ETo) for the months of July through September exceeds the statewide average evapotranspiration, as determined by the Board, for the same months by five (5) percent or more, the supplier's conservation standard identified in subdivision (c) shall be reduced:

(A) By two (2) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by five (5) percent or more but less than ten (10) percent;

(B) By three (3) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by ten (10) percent or more but less than twenty (20) percent;

(C) By four (4) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by twenty (20) percent or more.

(D) Statewide average evapotranspiration is calculated as the arithmetic mean of all urban water suppliers' service area default evapotranspiration values for the months of July through September. Default service area evapotranspiration will be based on the California Irrigation Management System (CIMIS) ETo Zones Map zone for which the supplier's service area has the greatest area of overlap. In lieu of applying its default

service area evapotranspiration, a supplier may use specific data from CIMIS stations within its service area that have at least a five-year period of record, or a three year continuous period of record, to identify a more specifically-applicable evapotranspiration for its service area. If no CIMIS station exists within the supplier's service area, a weather station of comparable accuracy, meeting the preceding period of record requirements, may be used. To qualify for the in-lieu climate adjustment the supplier shall submit the following data to the Board by March 15, 2016 for each station: station ID; station location; and monthly average evapotranspiration, in inches per month, for July, August, and September for either the five-year period of record or the three-year continuous period of record.

(2) To account for water efficient growth experienced in the state since 2013, urban water suppliers' conservation standards shall be reduced by the product of the percentage change in potable water production since 2013 and the percentage reduction in potable water use required pursuant to subdivision (c), rounded to the nearest whole percentage point. Change in potable water production since 2013 shall be calculated as the sum of the following:

(A) The number of additional permanent residents served since January 1, 2013, multiplied the average residential water use per person for that supplier's service area during the months of February through October, 2015, in gallons; and

(B) The number of new commercial, industrial and institutional connections since January 1, 2013, multiplied by the average commercial, industrial and institutional water use per connection for that supplier's service area during the months of February through October, 2015, in gallons.

(C) To qualify for the growth credit the supplier shall submit to the Board the following data by March 15, 2016: the number of additional permanent residents served since January 1, 2013; the area of new residential landscaping, in square feet, served by a supplier's service connections since January 1, 2013; and the number of new commercial, industrial and institutional connections since January 1, 2013.

(3) For an urban water supplier that supplies, contracts for, or otherwise financially invests in, water from a new local, drought-resilient source of supply, the use of which does not reduce the water available to another legal user of water or the environment, the conservation standard identified in subdivision (c) shall be reduced:

(A) By one (1) percentage point if the supplier's qualifying source of supply is one (1) percent or more but less than two (2) percent of the supplier's total potable water production;

(B) By two (2) percentage points if the supplier's qualifying source of supply is two (2) percent or more but less than three (3) percent of the supplier's total potable water production;

(C) By three (3) percentage points if the supplier's qualifying source of supply is three (3) percent or more but less than four (4) percent of the supplier's total potable water production;

(D) By four (4) percentage points if the supplier's qualifying source of supply is four (4) percent or more but less than five (5) percent of the supplier's total potable water production;

(E) By five (5) percentage points if the supplier's qualifying source of supply is five (5) percent or more but less than six (6) percent of the supplier's total potable water production;

(F) By six (6) percentage points if the supplier's qualifying source of supply is six (6) percent or more but less than seven (7) percent of the supplier's total potable water production;

(G) By seven (7) percentage points if the supplier's qualifying source of supply is seven (7) percent or more but less than eight (8) percent of the supplier's total potable water production;

(H) By eight (8) percentage points if the supplier's qualifying source of supply is eight (8) percent or more of the supplier's total potable water production;

(I) To qualify for this reduction the supplier must certify, and provide documentation to the Board upon request, demonstrating the percent of its total potable water production that comes from a local, drought-resilient source of supply developed after 2013, the supplier's investment in that local, drought-resilient source of supply, and that the use of that supply does not reduce the water available to another legal user of water or the environment. To qualify for this reduction a supplier shall submit the required certification to the Board by March 15, 2016;

(J) Certifications that do not meet the requirements of subdivision (f)(3)(I), including certifications for which documentation does not support that the source of supply is a local, drought-resilient source of supply, the use of which does not reduce the water available to another legal user of water or the environment, will be rejected. Submitting a certification or supporting documentation pursuant to subdivision (f)(3)(F) that is found to be materially false by the Board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(4) No supplier's conservation standard shall drop below eight (8) percent as a consequence of the reductions identified in this subdivision. No reduction pursuant to this subdivision shall be applied to any urban water supplier whose conservation standard is four (4) percent based on subdivision (c)(2).

(fg)(1) To prevent waste and unreasonable use of water and to promote water conservation, each distributor of a public water supply that is not an urban water supplier shall take one or more of the following actions:

(A) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or

(B) Reduce by 25 percent reduction its total potable water production relative to the amount produced in 2013.

(2) Each distributor of a public water supply that is not an urban water supplier shall submit a report by ~~December 15, 2015~~ September 15, 2016, on a form provided by the Board, that either confirms compliance with subdivision (fg)(1)(A) or identifies total potable water production, by month, from ~~June~~ December 2015 through ~~November~~ August, 2015 2016, and total potable water production, by month, for the same months in 2013.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 866. Additional Conservation Tools.

(a)(1) To prevent the waste and unreasonable use of water and to promote conservation, when a water supplier does not meet its conservation standard required by section 865 the Executive Director, or the Executive Director's designee, may issue conservation orders requiring additional actions by the supplier to come into compliance with its conservation standard.

(2) A decision or order issued under this article by the ~~board~~Board or an officer or employee of the ~~board~~Board is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the California Water Code.

(b) The Executive Director, or his designee, may issue an informational order requiring water suppliers, or commercial, industrial or institutional properties that receive any portion of their supply from a source other than a water supplier subject to section 865, to submit additional information relating to water production, water use or water conservation. The failure to provide the information requested within 30 days or any additional time extension granted is a violation subject to civil liability of up to \$500 per day for each day the violation continues pursuant to Water Code section 1846.

(c) Orders issued under previous versions of this subdivision shall remain in effect and shall be enforceable as if adopted under this version.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 100, 102, 104, 105, 174, 186, 187, 275, 350, 1051, 1122, 1123, 1825, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

**Prohibition of Activities and Mandatory Actions During Drought Emergency – Informative Digest (Emergency Regulation Digest (Gov. Code , § 11346.1, subd. (b))**

**FINDING OF EMERGENCY**

The State Water Resources Control Board (State Water Board or Board) finds that an emergency exists due to severe drought conditions and that adoption of the proposed emergency regulation is necessary to address the emergency and extend and adjust current restrictions until rain and snowfall place the State in the position where the existing restrictions are no longer necessary, or could be further tempered. California continues to face significant drought resulting in severe impacts to California's water supplies and its ability to meet all of the demands for water in the State.

On January 17, 2014, Governor Edmund G. Brown, Jr. declared a drought state of emergency. On April 25, 2014, the Governor signed an Executive Order (April 2014 Proclamation) stating, among other things, "*...that severe drought conditions continue to present urgent challenges: water shortages in communities across the state, greatly increased wildfire activity, diminished water for agricultural production, degraded habitat for many fish and wildlife species, threat of saltwater contamination of large fresh water supplies conveyed through the Sacramento-San Joaquin Bay Delta, and additional water scarcity if drought conditions continue into 2015.*"

On December 22, 2014, Governor Brown issued [Executive Order B-28-14](#), which extended the suspension of the California Environmental Quality Act for certain activities contained in the January 2014 and April 2014 Proclamations, including the State Water Board adoption of emergency regulations pursuant to Water Code section 1058.5, through May 31, 2016. On March 17, 2015, the Board adopted an expanded emergency conservation regulation prohibiting certain irrigation practices, restricting certain commercial activities, and ordering all urban water suppliers to implement mandatory restrictions on outdoor irrigation. The emergency regulation orders larger urban water suppliers; i.e., those providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually, excluding wholesalers; to provide monthly data on water production, enforcement, and outdoor water conservation measures being implemented.

On April 1, 2015, Governor Brown signed Executive Order B-29-15, directing the State Water Board to impose restrictions to achieve a statewide 25 percent reduction in potable urban water usage through February 2016, as compared to the amount used in 2013. The Governor instructed the State Water Board to consider the relative per capita water usage of each supplier's service area and to require those areas with high per capita use to achieve proportionally greater reductions than those with low use. The order mandates that the Governor's January 17, 2014 Proclamation, April 25, 2014 Proclamation, Executive Order B-26-14, and Executive Order B-28-14 remain in full force and effect, except as modified.

## **Emergency Regulations Digest (Gov. Code , § 11346.1, subd. (b))**

Executive Order B-29-15 also directs the State Water Board to require that commercial, industrial, and institutional properties implement water efficiency measures consistent with the reduction targets. The order instructs the State Water Board to prohibit irrigation with potable water of ornamental turf on public street medians, and to prohibit irrigation of landscapes with potable water outside newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission.

On November 13, 2015, Governor Brown issued Executive Order B-36-15 (EO B-36-15) calling for an extension of urban water use restrictions until October 31, 2016, should drought conditions persist through January 2016. The urban water use restrictions in effect as of May 18, 2015, expire February 13, 2016 without this extension. Additionally, this Executive Order also directs the State Water Board to consider modifying the restrictions to address uses of potable and non-potable water, as well as to incorporate insights gained from the existing restrictions.

While the state has experienced some much-needed snow and rainfall in December and January, surface storage remains at or near historic lows, precipitation has been inconsistent, and snowpack is about average as of January 15, 2016.

### **Authority for Emergency Regulations**

Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations during a period when the Governor has issued a proclamation of emergency based upon drought conditions. The State Water Board may adopt regulations under such circumstances to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.”

Emergency regulations adopted under Water Code section 1058.5 may remain in effect for up to 270 days. Per Water Code section 1058.5, subdivision (b), any findings of emergency the State Water Board makes in connection with the adoption of an emergency regulation under the section are not subject to review by OAL.

Government Code section 11346.1, subdivision (a)(2) requires that, at least five working days prior to submission of the proposed emergency action to OAL, the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency regulations to OAL, OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code Section 11349.6.

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The information contained within this finding of emergency provides the information necessary to support the State Water Board's emergency rulemaking under Water Code section 1058.5 and also meets the emergency regulation criteria of Government Code section 11346.1 and the applicable requirements of section 11346.5.

### **Evidence of Emergency**

The U.S. Drought Monitor as of January 12, 2016 classifies 97 percent the state of California as experiencing drought, with 88 percent designated as severe, extreme, and exceptional drought. This compares to 94 percent designated as severe, extreme, and exceptional drought a year ago on the same date. It shows slight improvement and highlights that the emergency continues.

Last year the warm and relatively dry weather conditions eliminated the snowpack in California's mountains and that led to greater reliance on already low reservoirs and groundwater. Consequently, the 2015-16 water year started with significant water deficits from which we have yet to recover, as shown below:

#### **Reservoirs**

Major California water reservoirs are storing far less water than they were at the same time last year. Current storage levels in key reservoirs, as of January 13, 2016, reflect this trend. Shasta Lake, California's and the Central Valley Project's (CVP) largest reservoir, is at 34 percent of its 4.5 million acre-feet (MAF) capacity (52 percent of its historical average for this date). Lake Oroville, the State Water Project's (SWP) principal reservoir, is at 30 percent of its 3.5 MAF capacity (48 percent of its historical average for this date). Folsom Reservoir is at 28 percent of its 1 MAF capacity (56 percent of average for this date). New Melones Reservoir is at 14 percent of its 2.4 MAF capacity (24 percent of average for this date). New Don Pedro Reservoir is at 36 percent of its 2 MAF capacity (54 percent of average for this date). While these levels have been and will hopefully continue to rise, significant rainfall will be needed to offset the past years of drought conditions.

#### **Precipitation and Snowpack**

According to the Department of Water Resources (DWR), in normal years, the snowpack supplies about 30 percent of California's water needs as it melts in the spring and early summer. As of January 13, 2016, northern portions of the state, where major reservoirs are located, percentages of precipitation and snow water content were close to or slightly above average for that date: Sacramento Region cumulative precipitation was 97 percent of average (8-Station Index) and Northern Sierra snow water content was 107 percent of average, while Central and Southern Sierra precipitation was 117 and 112 percent of average, and snow water content was 105 and 112 percent of average, respectively. While these levels are encouraging, there are still large deficits to make up.



### **Groundwater**

During dry years, groundwater contributes up to 46 percent (or more) of the statewide annual supply (DWR, [www.water.ca.gov/groundwater](http://www.water.ca.gov/groundwater), accessed on January 20, 2016). Even an extremely wet winter will not raise groundwater levels to pre-drought elevations after four consecutive dry years. Groundwater impacts include overdraft, loss of storage, seawater intrusion, land subsidence, depletion of interconnected surface waters, and water quality degradation. From January 2014 to November 2015 the number of households reporting water supply shortages (e.g., dry wells) doubled from 1,500 reported incidents to over 3,000 and anecdotal information suggests higher numbers.

In most years, California receives about half of its precipitation in the months of December, January and February, with much of that precipitation falling as snow in the Sierra. As noted above, while precipitation and current snow water content readings are higher than last year, the major water reservoirs are storing far less water this year than their late-December historical averages. Local, state, and federal water agencies across California continue to have limited supplies due to the drought, with few exceptions.

Entering the rainy season with a strong El Niño suggests the possibility of high precipitation. To date, high precipitation has occurred in limited regions of California. Recent predictions indicate a strong El Niño is expected to gradually weaken through spring 2016, and transition to El Niño–Southern Oscillation (ENSO)-neutral during late spring or early summer. Only a handful of large winter storms can make the difference between a wet year and a dry one, meaning we simply do not know what hydrologic conditions will exist at the end of March. It is imperative that we continue to conserve, while we monitor conditions and adapt requirements as appropriate based on water supply conditions.

### **Need for the Regulation**

To address the on-going severity of the drought emergency, Governor Brown issued [Executive Order B-36-15](#) and directed the State Water Board to extend urban water use restrictions until October 31, 2016, should drought conditions persist through January 2016. Immediate action is needed to prevent a lapse in the current water conservation restrictions, to meet the Governor’s directive, to prevent the waste and unreasonable use of water, and to conserve remaining water supplies until existing restrictions are no longer necessary. Data collected by the State Water Board under the existing emergency regulation demonstrate that urban water conservation efforts since June 2015 have eclipsed the 25 percent statewide target, through the significant efforts of the suppliers and their customers. The May 2015 Emergency Regulation quickly and effectively allowed for implementation and enforcement of mandatory water conservation measures to help preserve the State’s supplies during the ongoing drought emergency. These efforts should continue as they minimize the risk of severe supply shortages while drought conditions persist. The proposed Emergency Regulation

## **Emergency Regulations Digest (Gov. Code , § 11346.1, subd. (b))**

extends and adjusts current restrictions to help prevent the waste and unreasonable use of water and promote water conservation, in a more equitable manner, during a period when the Governor has issued a proclamation of emergency based upon drought conditions.

While the State Water Board is not, through this rulemaking, declaring any particular use or practice a waste or unreasonable use of water, it is necessary, based on the severity of the current drought conditions that all reasonable efforts be taken to prevent the waste or unreasonable use of water. As the California Supreme Court has long held, “what may be a reasonable beneficial use, where water is present in excess of all needs, would not be a reasonable beneficial use in an area of great scarcity and great need. What is a beneficial use at one time may, because of changed conditions, become a waste of water at a later time.” (*Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463, 1479 (*Light*), quoting *Tulare Dist. v. Lindsay Strathmore Dist.* (1935) 3 Cal.2d 489, 567.) The Supreme Court has further clarified that “although, as we have said, what is a reasonable use of water depends on the circumstances of each case, such an inquiry cannot be resolved *in vacuo* isolated from statewide considerations of transcendent importance. Paramount among these we see the ever increasing need for the conservation of water in this state, an inescapable reality of life quite apart from its express recognition in [Article X, Section 2.]” (*Light, supra*, 226 Cal.App.4th at 1479, quoting *Joslin v. Marin Mun. Water Dist.* (1967) 67 Cal. 2d 132, 138.)

### **Description and Effect of Proposed Regulation**

The proposed Emergency Regulation would essentially extend the existing May 2015 Emergency Regulation and maintain many of the same requirements that apply currently.

Continuing requirements cover: a prohibition on certain irrigation practices; an order that all urban water suppliers, as defined, reduce their total potable water production by a defined percentage; an order that other distributors of public water supply, as defined, reduce potable water consumption; and an order for all self-supplied commercial, industrial, institutional water users to reduce potable water usage; and reporting requirements and tools to ensure compliance.

Proposed changes to the May 2015 Emergency Regulation (see [Fact Sheet: Extending the Emergency Water Conservation Regulation, January 15, 2016](#)) primarily focus on:

1. Credits and adjustments to urban water suppliers’ conservation standards that consider the differences in climate affecting different parts of the state; growth experienced by urban areas; and significant investments that have been made by some suppliers toward creating new, local, drought-resilient sources of potable water supply.

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2. Penalties for homeowners' associations or community service organizations impeding homeowners from reducing or eliminating the watering of vegetation or lawns during a declared drought emergency, as described in existing Civil Code provisions.
3. Further defining what agricultural uses may be subtracted from a supplier's potable water production total.
4. Updates to compliance and reporting timelines.

All of these requirements are intended to safeguard urban water supplies in the event of continued drought, minimize the potential for waste and unreasonable use of water, and achieve a statewide potable water usage reduction ordered by Governor Brown. It is both reasonable and prudent to maintain urban water supplies to the maximum extent feasible to provide local agencies with the necessary flexibility to meet the health and safety needs of Californians during the drought emergency, and provide for reasonable modest equity adjustments in response to insights gained in response to stakeholder input.

California has been subject to multi-year droughts in the past. Climate science indicates that the Southwestern United States is becoming drier, increasing the likelihood of severe and prolonged droughts. Drought conditions have necessitated curtailment of surface water diversions, and many groundwater basins around the state are already in overdraft conditions that will likely worsen due to groundwater pumping this summer, if reservoirs remain low. Many water supply systems face a present or threatened risk of inadequate supply. Should drought conditions persist into 2017, more water supply systems will experience shortages, presenting a great risk to the health and safety of the people supplied by those systems. Maintaining urban water supplies through enhanced conservation will reduce the risks to health and safety, and the negative impacts to the State's economy.

Each of the specific prohibitions on water uses and other end user requirements are necessary to promote water conservation to maintain adequate supplies during the drought emergency, which cannot be done if water is being used in a wasteful or unreasonable manner. These requirements affect practices that use excessive amounts of water or where more efficient and less wasteful alternatives are available. These practices are particularly unreasonable during a drought due to the need to conserve limited water supplies to meet health and safety needs. Exceptions to meet immediate health and safety concerns or to comply with state or federal permit requirements are available, however.

A prohibition on the irrigation with potable water of ornamental turf on public street medians remains necessary to promote water conservation, minimize the potential for waste and unreasonable use, and address the drought emergency. Irrigating ornamental turf on street medians with potable water cannot be considered necessary or reasonable during such severe drought conditions. Ornamental turf on street medians does not provide for domestic use, sanitation, or fire protection, which are the primary needs that public water supply distributors must meet during drought periods.

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(Wat. Code, § 354). It is not the intent of this rule, however, to prohibit reasonable targeted water application to trees to protect their health. Healthy urban trees provide multiple health and safety benefits, such as providing shade and reducing the urban heat island effect, thereby reducing the impacts from extreme heat days.

The proposed regulation continues to prohibit irrigation with potable water of landscapes outside of newly constructed homes and in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission (BSC), the agency responsible for building standards. This prohibition promotes water conservation, minimizes the potential for waste and unreasonable use, and addresses the drought emergency by requiring technologies that reduce runoff, overspray and evaporation. The rule encourages new construction to plan for this drought and for future droughts by installing water efficient irrigation systems. Because efficient irrigation outside new uses less potable water than many current practices, this prohibition regarding new construction provides an opportunity for reduction of potentially wasteful practices.

Reducing potable water use supplied by urban water suppliers continues to be necessary to promote conservation, minimize the potential for waste and unreasonable use, and address the drought emergency. Mandatory restrictions have proven to be effective at reducing water use as shown through implementation of the May 5 Emergency Regulation. This approach allows suppliers discretion as to how they meet their reduction targets. It gives urban water suppliers flexibility to work with their customers and identify and make reductions from the least essential and the most wasteful practices and areas, like outdoor ornamental landscape irrigation, while protecting paramount uses, like domestic water supply, sanitation, and fire protection.

The proposed regulation continues to include a compliance relief mechanism for the handful of urban water suppliers with significant commercial agricultural operations within their service area. Each urban water supplier that provides potable water for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (b) may subtract the amount of water supplied for commercial agricultural use from its potable water production total, provided that the supplier complies with the Agricultural Water Management Plan requirement of paragraph 12 of the Governor's April 1, 2015 Executive Order. To add clarity to the definition of agricultural water, under the proposed Emergency Regulation suppliers will be allowed to subtract the water delivered for commercial agriculture from total potable water production only for those users that produced at least \$1,000 of revenue in the previous year, or who would have but for circumstances beyond their control, and agriculture water must exclude water used on ornamental landscapes. Some agricultural properties have extensive ornamental landscaping and these landscapes need to conserve potable water as do their urban counterparts.

Grouping urban water suppliers based on residential gallons per capita per day (R-GPCD) water usage, and setting different conservation standards for each grouping based on that relative use, promotes water conservation and equity by ensuring that those with the highest levels of residential per capita water usage make greater

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reductions. A tier structure also promotes equity by recognizing past conservation gains. Communities that already reduced their R-GPCD to low levels are rewarded with lower conservation standards. The proposed Emergency Regulation continues to provide the handful of communities not experiencing surface water shortage to apply for a lower conservation standard. Finally, the new credits and adjustments may reduce a supplier's conservation standard by up to eight percent. As before, all Californians still need to do their part to bring their water use to reasonable levels that reflect the severity of this drought.

Smaller urban water suppliers and self-supplied commercial, industrial and institutional users continue to be required to do their part to meet the Governor's call for a statewide reduction in potable urban water use and reduce potentially wasteful or unreasonable uses of water during this drought emergency. It is necessary and appropriate that these suppliers and users either reduce potable water usage by 25 percent or reduce outdoor watering of ornamental landscapes to no more than two days per week. The alternative limit on outdoor water use is anticipated to promote largely equivalent levels of conservation as the 25 percent performance standard because outdoor irrigation accounts on average for 44 percent of urban water use, because outdoor irrigation is generally more discretionary than other types of use, and because studies have shown that urban landscapes are often over-watered. It is important to note that in some areas of the state, irrigation of outdoor ornamental landscapes can account for as much as 80 percent of the water use. Limiting the number of days per week of outdoor irrigation increases conservation and reduces the likelihood of over-irrigation and visible runoff. Giving these smaller suppliers and self-supplied users two different options allows them to identify and make reductions from the least essential and the most wasteful practices considering their general size and financial limitations compared to larger suppliers. Similar to the May 2015 emergency regulation, there is a one-time reporting requirement for small water supplies.

The proposed regulation continues to include a requirement that urban water suppliers with more than 3,000 service connections provide monthly information to the State Water Board on: potable water production figures, estimates of R-GPCD, details of outdoor use restrictions, local compliance and enforcement actions, and information on commercial, industrial and institutional water use. This is necessary so that the State Water Board can track the effectiveness of the proposed regulation and urban water conservation actions and take enforcement action where appropriate. Such monitoring reports will document the effectiveness of existing conservation efforts and inform whether further actions are necessary to address the drought emergency.

This extended emergency regulation contains modest adjustments and it offers credits to individual urban water suppliers in three possible ways: a climate adjustment for suppliers located in hotter climates; water-efficient urban growth; and new, local, drought resilient water supplies. The statewide effect of these changes is expected to be modest and still result in a 20-25 percent savings. Changes to slightly reduce the conservation standards of urban water suppliers located in drier climates would help save trees that improve air quality, shade homes, provide wildlife habitat and enhance

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quality of life. Changes to allow adjustments for growth would provide equity for existing water customers. Changes to allow for reduced conservation standards where new, local, resilient supplies have been established would acknowledge investments made in these resources specifically for times like these.

### **Estimate of Water Savings from Proposed Regulation**

The Governor's April 1, 2015 Executive Order called for a statewide 25 percent reduction in potable urban water use as compared to 2013. Based on aggregated monthly reports from California's 411 urban water suppliers, 2013 urban potable water use for the 90 percent of the population served by an urban water supplier was approximately 5.2 million acre feet statewide. While the Board does not have comparable data on the 10 percent of the population served by small water suppliers, and water use by self-supplied commercial, institutional, and industrial users, it is assumed that their use is equivalent to the population served. Accordingly, total 2013 urban water use is estimated at approximately 5.8 million acre-feet. Therefore, a 25 percent reduction in such use would equate to savings of approximately 1.45 million acre-feet of water. However, since the Board's is uncertain of the usage and savings likely to be achieved by small water suppliers and self-supplied commercial, institutional, and industrial users, the Board had been using 1.2 million acre-feet as a conservative savings estimate based solely upon reductions by urban water suppliers for the period the current emergency regulation is in effect. Proposed credits and adjustments will reduce conservation requirements for certain suppliers and the Board now estimates statewide water savings will range from 20 to 25 percent with total water saving still over 1 million acre-feet.

The State Water Board expects that most water savings would continue to come from reduction in or elimination of irrigation of ornamental landscapes with potable water, which normally is estimated to consume around 44 percent of statewide urban use. The requirement that urban water suppliers meet their specified conservation standard would, in some cases, entail restrictions on use by other customer classes, including residential indoor use or commercial, industrial and/or institutional uses. Giving suppliers the flexibility to identify where and how they can best achieve their required savings maximizes their ability to do so by targeting the least essential and most wasteful practices, as different communities have different water needs and values.

At the time that the State Water Board adopted the existing water conservation emergency regulation, many California urban water suppliers were already implementing significant water conservation measures. As compared to 2013, and based on the most recent data submitted pursuant to the existing emergency water conservation regulation, current conservation efforts have already led to a 26.3 percent reduction in total potable urban water use through November 2015, as compared to the same months in 2013. Current conservation efforts are effective and should continue until the current drought emergency ends. Some communities have made greater conservation gains than others and are currently meeting their specified conservation

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standard, but it is expected that all suppliers will do their part to achieve the statewide savings.

Many studies have analyzed the response of urban populations to mandatory use restrictions imposed during drought conditions. Multiple studies conclude that mandatory use restrictions are more effective than voluntary conservation measures because areas that have imposed mandatory use restrictions have achieved greater use reductions than areas that imposed only voluntary measures, controlling for other variables. The amount of conservation achievable through mandatory restrictions varies. Studies show conservation savings of up to 29 percent. For example, a study conducted on the effects of water demand management policies of eight California water agencies during the period from 1989-1996, which included three years of drought (1989-1991), found that rationing and use restrictions were correlated with use reductions of 19 percent and 29 percent, respectively. The study's authors concluded:

In general, relatively moderate (5-15%) reductions in aggregate demand can be achieved through modest price increases and "voluntary" alternative [Demand-Side Management] policy instruments, such as public information campaigns. However, to achieve larger reductions in demand (greater than 15%), policymakers will likely need to consider either relatively large price increases, more stringent mandatory policy instruments (such as use restrictions), or a package of policy instruments.

A recent study from UCLA on use reductions in Los Angeles during the 2007-2009 drought reached similar conclusions:

Our results indicate that mandatory restrictions are most effective at reducing water consumption for [Single-Family Residential] households. The greatest impact of measures resulted from the combination of mandatory watering restrictions and the price increase, which led to a water reduction of 23% in July/August 2009, while voluntary restrictions led to only a 6% reduction in water use.

In addition, a study of Virginia's severe 2002 drought found that mandatory use restrictions, coupled with an aggressive information and enforcement campaign, led to a 22 percent reduction in use. At the time of adoption of the existing emergency regulation, the State Water Board anticipated up to a 20 percent reduction in outdoor water use, totaling 0.48 million acre-feet, as calculated below.

- Total urban water use for outdoor irrigation: 3.9 MAF
- Urban water use for outdoor irrigation affected by the proposed regulation:  
 $3.9 \times 0.62 = 2.4$  MAF
- Estimated conservation savings from adoption of the proposed regulation:  
 $2.4 \times 0.2 = 0.48$  MAF

Data collected pursuant to the May 2015 emergency regulation, reflecting its requirements, support the findings that a statewide mandatory conservation program using a statewide tiered approach is effective at achieving additional water savings as compared to local voluntary approaches. Approximately 1 MAF of water has been

## **Emergency Regulations Digest (Gov. Code , § 11346.1, subd. (b))**

saved between June 2015 and November 2015 (most recent data available); this savings equates to 26.3 percent cumulative statewide water savings as compared to the same months in 2013. Preliminary review of the data contained in the required smaller supplier reports supports that the smaller suppliers, those serving 3,000 or fewer customers and 3,000 or fewer acre-feet of water per year, have achieved similar percentage savings by implementing the current emergency regulation.

Using similar methodology and taking into consideration the proposed changes to supplier conservation standards, some that may slightly reduce water savings, if approved, the State Water Board expects the larger urban water suppliers and their customers will save more than one million acre-feet of water between March and October 2016, as compared with the same months in 2013, with additional and likely proportionately commensurate savings by the smaller suppliers and their customers.

### **Additional Benefits of Proposed Regulation**

The State Water Board has determined that additional benefits will be realized should it adopt the proposed updated regulation. These benefits include the following:

- Continuity of the existing water conservation program and all its benefits during a declared drought emergency until the emergency is lifted.
- Incentives to eliminate ornamental turf will generate additional economic activity, such as investments in drought-tolerant landscaping.
- Increased water quality in receiving waters due to lower runoff volumes.
- More effective tracking of total urban water use.
- Reduced potential for severe economic disruption due to water shortages if 2016 is another dry year.
- Reduced potential for waste and unreasonable use of water.
- Increased drought awareness and shared sense of responsibility among urban water users as well as out-of-state guests at California hotels, motels, restaurants and bars.
- Improved equity with adjustments based on climate, growth, and new, local drought-resilient water supplies.
- Penalties for homeowners' associations or community service organization that block, stifle or threaten homeowners from reducing or eliminating water of vegetation or lawns during a declared drought emergency will support all of the above benefits.



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These benefits will offset some of the fiscal impacts to water suppliers when benefits and costs are viewed from a statewide perspective. Therefore, these benefits provide additional justification for adopting the proposed regulations.

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## **Informative Digest**

### **Summary of Existing Laws and Regulations**

Readoption of the May 2015 emergency regulation, to take effect no later than February 12, 2016, ensures that current restrictions remain in effect without any lapse until rain and snowfall are sufficient to place the state in a condition where the current restrictions are no longer necessary, or until 270 days from the regulation’s effective date, whichever comes first. Absent the existing emergency regulation, there is no statewide prohibition on specific water uses to promote conservation. There is also no law or regulation requiring urban water suppliers to make specific potable water use reductions or report the amount of water they produce to the state. The proposed emergency regulation extends the May 2015 emergency regulation that constituted the first statewide directive to urban water users to undertake specific actions to respond to the drought emergency and the first statewide directive that set enforceable conservation performance standards for urban water suppliers; consequently, the proposed emergency regulation is consistent and compatible with existing regulations on this subject. Additionally, homeowners’ associations for common interest

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developments currently are statutorily barred from prohibiting low-water use landscaping or artificial turf and from fining residents who reduce their outdoor irrigation during drought emergencies. (Civ. Code, § 4735, see also *id.*, §§ 4080, 4100, 4110, 4150, and 4185.) The Governor’s April 25, 2014 Executive Order similarly declared “any provision of the governing document, architectural or landscaping guidelines, or policies of a common interest development ... void and unenforceable to the extent it has the effect of prohibiting compliance with the water-saving measures contained in this directive, or any conservation measure adopted by a public agency or private water company....” (Proclamation of a Continued State of Emergency, April 25, 2014, Ordering ¶ 4.) The proposed regulation neither differs from nor conflicts with an existing comparable federal statute or regulation.

### **Description and Effect of Proposed Regulation**

The proposed emergency amendment and readoption of section 863 sets forth the State Water Resources Control Board’s (State Water Board) findings of a drought emergency. The proposed emergency amendment and readoption of section 864 directs individuals and homeowners’ associations statewide to refrain from engaging in certain activities and contains other commercial sector restrictions to promote conservation to meet the drought emergency. The proposed emergency amendment and readoption of section 865 directs urban water suppliers to meet specified conservation standards and to report information to the State Water Board. The proposed emergency adoption of section 866 provides the State Water Board with additional emergency enforcement tools to ensure that water suppliers and users are on track to achieve their required savings throughout the effective period of the regulation.

### **Proposed Emergency Regulation Section 863**

Proposed section 863 sets forth the State Water Board’s findings of drought emergency, noting the Governor’s adoption of multiple emergency proclamations pertaining to drought conditions, the persistence of drought conditions, the dry nature of the preceding four years, and the likelihood that drought conditions will continue, even with increased precipitation in 2015-16, given the severe water deficit of the preceding years.

### **Proposed Emergency Regulation Section 864**

Proposed section 864 maintains the current prohibitions on several activities, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency, to promote conservation. The section maintains prohibitions on: the application of water to outdoor landscapes in a manner that causes visible runoff; the use of a hose to wash an automobile except where the hose is equipped with a shut-off nozzle; the application of water to hardscapes, the use of potable water in non-recirculating ornamental fountains; the application of potable water to outdoor landscapes during or within 48-hours after measurable rainfall; the irrigation of ornamental turf on public street medians with potable water; and the irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or microspray systems. This section also

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extends the prohibition on serving water except when requested in restaurants and bars and requires the operators of hotels and motels to offer patrons the option of not having their towels and linens washed daily. Under this section, commercial, industrial and institutional users not served by either type of water supplier regulated by section 865 must either limit the number of days they water outdoor turf and ornamental landscapes to no more than two days per week or reduce their total potable water production by 25 percent as compared to 2013. Finally, this section proposes penalties for homeowners' associations or community service organizations impeding homeowners from reducing or eliminating the watering of vegetation or lawns during a declared drought emergency, as described in existing Civil Code provisions.

### **Proposed Emergency Regulation Section 865**

Proposed section 865, like existing section 865, directs urban water suppliers to meet specified conservation standards and to report specific information to the State Water Board. Section 865 continues conservation standards for all urban water suppliers to be allocated across nine tiers of increasing levels of R-GPCD water use. This approach considers the relative per capita water usage of each water suppliers' service area and requires that those areas with high per capita use achieve proportionally greater reductions than those with low use, while lessening the disparities in reduction requirements between agencies that have similar levels of water consumption but fall on different sides of dividing lines between tiers. Suppliers have been assigned a conservation standard that ranges between eight percent and 36 percent based on their R-GPCD for the months of July - September, 2014. These three months reflect the amount of water used for summer outdoor irrigation, which provides the greatest opportunity for conservation savings. The proposed Emergency Regulation continues the reserved four percent conservation tier for those suppliers meeting specific criteria relating to not experiencing drought conditions.

Proposed section 865, unlike existing section 865, allows urban water suppliers to update their conservation standards under certain situations: qualifying urban water suppliers are allowed a climate adjustment that can reduce their conservation standard by up to four percentage points for those water suppliers located in the warmer regions of the State; a growth adjustment provides a mechanism to adjust urban water supplier conservation standards to account for water efficient growth since 2013; and a credit for new local drought resilient supply provides a mechanism to adjust qualifying urban water suppliers' conservation standards between four and eight percentage points.

Proposed section 865 continues to provide compliance relief mechanism for the handful of urban water suppliers with significant commercial agricultural operations in their service area. It also defines what agricultural uses may be subtracted from a supplier's potable water production total.

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Finally, this section also requires smaller urban water suppliers, defined as any distributor of a public water supply, whether publicly or privately owned and including a mutual water company, but not meeting the definition of urban water suppliers in water code section 10617, to either limit the number of days that outdoor watering of turf and ornamental landscapes is allowed to no more than two days per week or to reduce their total potable water production by 25 percent as compared to 2013. Similar to the May 2015 emergency regulation, small suppliers must submit a one-time report.

### **Proposed Emergency Regulation Section 866**

Proposed section 866 provides the State Water Board with continued emergency enforcement tools to ensure that water suppliers and users are on track to achieve their required savings throughout the effective period of the regulation. The State Water Board would continue to assess compliance on a cumulative basis, using suppliers' monthly reported data. Each month, State Water Board staff will reassess compliance based on the supplier's cumulative savings since June 2015. Cumulative tracking means that conservation savings will be added together from one month to the next and compared to the amount of water used during the same months in 2013. A conservation order would remain an enforceable order by the Board requiring the recipient to take specified actions immediately. An informational order issued by the Board would continue to require the recipient to submit additional information relating to water production, water use or water conservation. Both conservation orders and informational orders issued by the Board would remain subject to reconsideration by the Board. Violations would be subject to enforcement pursuant to Water Code section 1846. Either of these types of orders issued under a prior version of the regulation, along with any cease and desist orders and administrative civil liabilities issued or initiated under a prior version of the regulation, would continue to remain valid and enforceable.

### **Authority and Reference Citations**

For Section 863

Authority: Wat. Code, § 1058.5.

References: Cal. Const., Art., X § 2; Wat. Code, §§ 102, 104, 105, 275; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

For Section 864

Authority: Wat. Code, § 1058.5.

References: Cal. Const., Art., X § 2; Civil Code, §§ 4080, 4100, 4110, 4150, 4185, and 4735; Wat. Code, §§ 102, 104, 105, 275, 350, 10617; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

## **Emergency Regulations Digest (Gov. Code , § 11346.1, subd. (b))**

For Section 865

Authority: Wat. Code, § 1058.5.

References: Cal. Const., Art., X § 2; Wat. Code, §§ 102, 104, 105, 275, 350, 1846, 10617, 10632; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

For Section 866

Authority: Wat. Code, § 1058.5.

References: Cal. Const., Art., X § 2; Wat. Code, §§ 100, 102, 104, 105, 174, 186, 187, 275, 350, 1051, 1122, 1123, 1825, 1846, 10617, 10632; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

### **Mandate on Local Agencies or School Districts**

The State Water Board has determined that adoption of sections 863 and 864 does not impose a new mandate on local agencies or school districts. The sections are generally applicable law.

The State Water Board has further determined that adoption of section 865 and 866 does not impose a new mandate on local agencies or school districts, because the local agencies affected by the section have the authority to levy service charges, fees, or assessments sufficient to pay for the mandate program or increased level of service. (See Gov. Code, § 17556, subd. (d); *Connell v. Sup. Ct.* (1997) 59 Cal.App.4th 382.)

### **Suspension of California Environmental Quality Act**

On April 24, 2014, the Governor issued an executive order addressing the drought emergency, which, among other things, suspended the California Environmental Quality Act (CEQA) as applied to the State Water Resources Control Board's adoption of emergency regulations to "prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation, and to require curtailment of diversions when water is not available under the diverter's priority of right."

On December 22, 2014, Governor Brown issued Executive Order B-28-14, which extended the suspension of CEQA and Water Code section 13247 contained in the January 17, 2014 and April 25 Proclamation through May 31, 2016. On November 13, 2015 the Governor again extended this suspension by Executive Order B-36-15. The proposed emergency regulation falls under this suspension.

## **Public Agency and Government Fiscal Impact Analysis**

### **Summary**

Ongoing and increased urban water conservation will result in reduced water use by the customer, which in turn will result in reduced water sales and lost revenue for urban water suppliers. This loss in revenue will be a function of the amount of water conserved (and therefore not sold) and the unit price that water would have sold for. California Urban Water Supplier water rates are primarily comprised of a fixed and a variable component. The variable portion of the rate is based on the volume of water used by the customer and generally the fixed portion does not change with use. The variable portion of the rate therefore represents the unit cost of lost revenue.

Urban water suppliers in California are comprised of governmental agencies, investor owned utilities that are regulated by the California Public Utilities Commission, and privately owned mutual water companies. Costs to investor owned utilities and mutual water companies need not be considered for the purposes of estimating the costs of the proposed regulation on local agencies. It is estimated that water suppliers that are local agencies will incur approximately 85 percent of the total costs to urban water suppliers.

In addition to lost revenue from reduced water sales, urban water suppliers will also incur costs associated with enhanced conservation and administrative programs and activities such as water production reporting as required by the proposed emergency regulation. Local governments may also see lower tax revenues from impacts the regulation may have on commercial, industrial and institutional users, but it is not anticipated that suppliers will focus on activities that would have tax revenue impacts if there are other water uses that can be reduced without such impacts. There are not anticipated to be any other nondiscretionary costs or savings imposed on local agencies besides the costs and revenue losses identified in this document.

Implementation of the proposed updated emergency regulation will result in additional workload for the State Water Board. Based on experience implementing the existing emergency regulation, the State Water Board estimates that two additional PYs (at a cost of \$254,000) will be needed to implement the updated emergency regulation. There is no separate cost or savings in federal funding to the state.

### **Fiscal Impacts: Water Supplier Revenue Losses and Compliance Costs**

Fiscal impacts presented below are estimated impacts attributable to implementation of the proposed regulation after accounting for what water suppliers likely would have saved if the drought were to continue but the current regulation was not extended as proposed.

Fiscal impacts are comprised of net revenue losses and compliance costs. The net revenue loss is equal to the product of the amount of required water savings and the water price less variable cost. Compliance costs cover added expenses incurred from reporting requirements, and implementation and administration of conservation



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programs, including enforcement, that would not have occurred without the proposed regulation.

The net fiscal impacts would be absorbed by water suppliers as fiscal deficits in the short run, but would ultimately be passed along to water customers through higher service charges and rates. In the near-term, the analysis assumes water suppliers do not immediately adjust their rates in response to the decrease in water sales.<sup>1</sup>

This analysis, prepared for the State Water Board by M.Cubed and RMann Economics, provides an estimate of fiscal impacts for three alternative regulatory scenarios.

- **Scenario 1: Existing Conservation Requirement.** Under this scenario, the Board leaves unchanged water supplier conservation requirements. The current regulation is extended to require existing conservation requirements for the remainder of February 2016 through October 31, 2016.
- **Scenario 2: Existing Conservation Standards with Credits Capped at 4% (Framework Proposal).** Under this scenario, the Board adopts the credits proposed by its staff with the provision that the total credit any individual supplier can receive is capped at 4 percentage points. The current regulation is extended to require existing conservation requirements for the remainder of February 2016 through October 31, 2016.
- **Scenario 3: Existing Conservation Standards with Credits Capped at 8%.** Under this scenario, the Board adopts the credits proposed by its staff with the provision that the total credit any individual supplier can receive is capped at 8 percentage points. The current regulation is extended to require existing conservation requirements for the remainder of February 2016 through October 31, 2016.

### Data and Calculations

The baseline for this analysis is the effective water conservation percentage for each urban supplier for the period February 1 to October 31, 2016. The effective water conservation percentage is equal to the state-mandated conservation percentage (including any credits) less the expected water savings percentage in the absence of the proposed regulation. The expected water savings percentage in the absence of the proposed regulation is taken as the percentage difference in water consumption for the periods February 1 to October 31, 2013 and February 1 to October 31, 2014. If a water supplier's expected water savings percentage in the absence of the proposed regulation

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<sup>1</sup> This assumption is consistent with findings from a survey of retail water suppliers conducted by ACWA and CMUA, which found that only eight percent of surveyed water suppliers adjusted their rates in direct response to the drought. The overwhelming majority reported they would adjust their rates according to already adopted plans and schedules. Eventually, however, water suppliers will have to adjust their rates to recoup the revenue losses associated with the proposed regulation in order to restore their balance sheets.

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exceeds its state-mandated percentage, then its effective water conservation percentage is set to zero in the analysis.

Table 1 summarizes results for the entire State. Under Scenario 1, where the existing conservation requirements are extended until October 31, 2016, fiscal impacts are estimated at \$673 million, of which \$572 million would accrue to local governmental entities and \$101 million would accrue to investor-owned and mutual water companies. Approximately 90 percent of the fiscal impact is associated with lost sales revenue. The remaining impact is associated with expenditures by water suppliers to comply with the conservation requirements. Net water saved under Scenario 1 is projected to be approximately 850,000 acre-feet (AF).<sup>2</sup>

Both Scenario 2 and 3 result in smaller fiscal impacts, but also less net water saved. Under these two scenarios, which give climate, growth, and drought supply credits to water suppliers, estimated fiscal impacts are approximately \$100 million less. Water savings under Scenarios 2 and 3 are 130,000 to 140,000 AF less than under Scenario 1, respectively.

It is important to reiterate that the fiscal impact estimates shown in Table 1 are not measuring the total revenue losses and costs water suppliers are expected to incur during the drought. First, the estimates in Table 1 only cover the period February 1 to October 31, 2016, not the full duration of the drought. Second, the fiscal impact estimates are net of the water savings realized over the corresponding period in 2014, which is used as a proxy measure of what water suppliers would likely save assuming the drought continues and the current regulation is not extended. Third, the estimated revenue losses are net of avoided variable costs of production. Gross revenue losses are \$200 to \$250 per AF greater.

The underlying assumptions used in this analysis and the prior analysis of the current regulation result in revenue loss estimates that closely match revenue losses reported by water suppliers surveyed by the Association of California Water Agencies (ACWA) and the California Municipal Utilities Association (CMUA). The Board's prior analysis for the current regulation estimated the average loss in gross revenue per AF would range between \$850 and \$975 per AF. The median loss per AF reported by the ACWA/CMUA survey respondents was \$780 per AF and the mean loss was \$960 per AF.

The fiscal impacts to local government shown in Table 1 are non-reimbursable costs under Government Codes 17500 et seq. Local revenue losses, which comprise about 90 percent of the fiscal impact, are not reimbursable under state law. Costs incurred by public water agencies to comply with the proposed regulation extension also are not

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<sup>2</sup> This amount represents net water savings attributable to the proposed extension of the current regulation after accounting for savings water suppliers would be likely to realize if the current regulation is not extended and the drought were to continue; gross savings figures have been suggested in other documents, currently estimated to total approximately 1.1 MAF of water saved pursuant to the January 15, 2016 proposed regulatory text, as compared to the same period in 2013.

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reimbursable under state law because the public water supply agencies have existing authority to recover such costs from their customers.<sup>3</sup>

Table 1: Summary of Fiscal Impacts of Proposed Regulation

	Scenario 1: Current Policy	Scenario 2: Credit up to 4%	Scenario 3: Credit up to 8%
<b>Net Water Saved (taf)<sup>1</sup></b>	848	718	706
<b>Fiscal Impacts in Mil \$</b>			
Net Revenue Losses	\$610	\$523	\$514
Compliance Costs	\$64	\$54	\$53
Total Impact	\$673	\$577	\$567
<b>Fiscal Impact by Local Entity in Mil \$</b>			
Public Water Agencies (local government)	\$572	\$490	\$482
Investor-Owned & Mutual Water Companies	\$101	\$87	\$85
<b>Statewide Fiscal Impact in Dollars</b>			
Per AF	\$794	\$803	\$803
Per Capita	\$19.10	\$16.36	\$16.09
1. This amount represents net water savings attributable to the proposed extension of the current regulation after accounting for savings water suppliers would be likely to realize if the current regulation is not extended and the drought were to continue.			

Source: M.Cubed and RMann Economics (2016) *Proposed Regulatory Framework for Extended Emergency Regulation for Urban Water Conservation Fiscal and Economic Impact Analysis*. See full report for more details.

### **Discussion of Additional Economic Impacts<sup>4</sup>**

In the longer run, the cost of extending the current regulation will be determined by weather conditions in 2016 and 2017. Significant uncertainties are associated with policies predicated on unknown futures. The proposed regulation is intended to address potential vulnerabilities, not probabilistic expectations. While a return to a normal, or above average, hydrologic water conditions may be likely in 2016, such an outcome is far from certain. For this reason, the proposed regulation must be evaluated against the reasonable possibility of continued drought conditions. In such a situation,

<sup>3</sup> Per Government Code Section 17556, subdivision (d), costs incurred by a local agency to comply with a state mandate are not reimbursable if the “local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the mandated program or increased level of service. This subdivision applies regardless of whether the authority to levy charges, fees, or assessments was enacted or adopted prior to or after the date on which the statute or executive order was enacted or issued.”

<sup>4</sup> An economic impacts analysis is not required by Government Code Section 11346.5, subdivision (a)(6). However, the State Water Board has chosen to include this section and the attached economic analysis report to demonstrate the Board’s careful consideration of the full societal impacts of the emergency regulation.

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extending the current regulation would help offset what would likely be even greater economic and fiscal impacts in the event the drought continues. If the drought continues, water saved as a result of the extension of the current regulation will become increasingly valuable. Under these circumstances, estimated 2016 costs would be offset by similar or even greater costs that would be avoided next year. That is, if the drought continues, the proposed regulation will have helped to safeguard the state's future water supplies, thereby forestalling potentially dramatic economic consequences.

An example of the potential challenge facing California comes from Australia, which experienced persistent and severe drought across most of its continent between 2002 and 2012. Lasting 10 years, the "Big Dry" had profound impacts on Australia's economy.<sup>5</sup> Water curtailments imposed early in the drought in 2002-03 cut 1.6 percent from the gross domestic product (GDP) growth rate. Lower production in non-agricultural industries accounted for nearly 40 percent of the slowdown in GDP growth. Employment growth slowed by 0.8 percent, average wages fell by 0.9 percent, and exports dropped by 5 percent. Over the full course of the drought half a percentage point may have been shaved from Australia's GDP growth rate. A half-point reduction in GDP growth is significant; if this were to occur in California, cumulative state output would be reduced by close to half a trillion dollars over the same 10-year span of time. These costs would not necessarily be attributable to regulatory action in response to the drought, however, so much as to the fact that reduced water availability during a severe drought has significant economic impacts.

If wet and moderate temperature conditions return this year and next, the proposed regulation's water saving benefits will be relatively less valuable. However, even in this circumstance some of the proposed regulation's elements will increase water supply resiliency. For example, permanently replacing water-dependent landscaping with drought tolerant plots; retiring less water-efficient appliances and replacing them with water wise ones; and imposing new conservation-oriented water rate structures could serve to structurally reduce water demand and create new tools to address water scarcity as it emerges. As stated by the World Wildlife Fund,

*Tackling water scarcity in such a way that reduces long-term risks to a range of stakeholders can have multiple pay-offs in relation to a range of government policy priorities on poverty reduction, economic growth, food security and trade...*<sup>6</sup>

In addition, imposing statewide conservation requirements will forestall the adverse consequences of allowing agencies and water users to inadequately respond to water scarcity, and "free ride" on the actions of other more prudent agencies and water users. Quantifying the economic costs imposed by free riding on more prudent planning is

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<sup>5</sup> Further discussion of Australia's drought impacts are in Appendix A to this report by M.Cubed, et al., *Executive Order B-29-15 State of Emergency Due to Severe Drought Conditions: Economic Impact Analysis*, Prepared for the State Water Resources Control Board, May 2015.

<sup>6</sup> WWF, "Understanding Water Risks," [http://awsassets.panda.org/downloads/understanding\\_water\\_risk\\_iv.pdf](http://awsassets.panda.org/downloads/understanding_water_risk_iv.pdf), March, 2009.

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beyond the scope of this analysis. However, based on experience from past droughts, the potential impacts next year and in the future from failing to impose prudent planning could be quite large.

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# Executive Department

State of California

## EXECUTIVE ORDER B-37-16 MAKING WATER CONSERVATION A CALIFORNIA WAY OF LIFE

**WHEREAS** California has suffered through a severe multi-year drought that has threatened the water supplies of communities and residents, devastated agricultural production in many areas, and harmed fish, animals and their environmental habitats; and

**WHEREAS** Californians responded to the drought by conserving water at unprecedented levels, reducing water use in communities by 23.9% between June 2015 and March 2016 and saving enough water during this period to provide 6.5 million Californians with water for one year; and

**WHEREAS** severe drought conditions persist in many areas of the state despite recent winter precipitation, with limited drinking water supplies in some communities, diminished water for agricultural production and environmental habitat, and severely-depleted groundwater basins; and

**WHEREAS** drought conditions may persist in some parts of the state into 2017 and beyond, as warmer winter temperatures driven by climate change reduce water supply held in mountain snowpack and result in drier soil conditions; and

**WHEREAS** these ongoing drought conditions and our changing climate require California to move beyond temporary emergency drought measures and adopt permanent changes to use water more wisely and to prepare for more frequent and persistent periods of limited water supply; and

**WHEREAS** increasing long-term water conservation among Californians, improving water use efficiency within the state's communities and agricultural production, and strengthening local and regional drought planning are critical to California's resilience to drought and climate change; and

**WHEREAS** these activities are prioritized in the California Water Action Plan, which calls for concrete, measurable actions that "Make Conservation a California Way of Life" and "Manage and Prepare for Dry Periods" in order to improve use of water in our state.

**NOW, THEREFORE, I, EDMUND G. BROWN JR.,** Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, in particular California Government Code sections 8567 and 8571, do hereby issue this Executive Order, effective immediately.

**IT IS HEREBY ORDERED THAT:**

The orders and provisions contained in my January 17, 2014 Emergency Proclamation, my April 25, 2014 Emergency Proclamation, Executive Orders B-26-14, B-28-14, B-29-15, and B-36-15 remain in full force and in effect except as modified herein.

State agencies shall update temporary emergency water restrictions and transition to permanent, long-term improvements in water use by taking the following actions.

**USE WATER MORE WISELY**

1. The State Water Resources Control Board (Water Board) shall, as soon as practicable, adjust emergency water conservation regulations through the end of January 2017 in recognition of the differing water supply conditions across the state. To prepare for the possibility of another dry winter, the Water Board shall also develop, by January 2017, a proposal to achieve a mandatory reduction in potable urban water usage that builds off of the mandatory 25% reduction called for in Executive Order B-29-15 and lessons learned through 2016.
2. The Department of Water Resources (Department) shall work with the Water Board to develop new water use targets as part of a permanent framework for urban water agencies. These new water use targets shall build upon the existing state law requirements that the state achieve a 20% reduction in urban water usage by 2020. (Senate Bill No. 7 (7th Extraordinary Session, 2009-2010).) These water use targets shall be customized to the unique conditions of each water agency, shall generate more statewide water conservation than existing requirements, and shall be based on strengthened standards for:
  - a. Indoor residential per capita water use;
  - b. Outdoor irrigation, in a manner that incorporates landscape area, local climate, and new satellite imagery data;
  - c. Commercial, industrial, and institutional water use; and
  - d. Water lost through leaks.

The Department and Water Board shall consult with urban water suppliers, local governments, environmental groups, and other partners to develop these water use targets and shall publicly issue a proposed draft framework by January 10, 2017.



3. The Department and the Water Board shall permanently require urban water suppliers to issue a monthly report on their water usage, amount of conservation achieved, and any enforcement efforts.

## **ELIMINATE WATER WASTE**

4. The Water Board shall permanently prohibit practices that waste potable water, such as:
  - Hosing off sidewalks, driveways and other hardscapes;
  - Washing automobiles with hoses not equipped with a shut-off nozzle;
  - Using non-recirculated water in a fountain or other decorative water feature;
  - Watering lawns in a manner that causes runoff, or within 48 hours after measurable precipitation; and
  - Irrigating ornamental turf on public street medians.
5. The Water Board and the Department shall direct actions to minimize water system leaks that waste large amounts of water. The Water Board, after funding projects to address health and safety, shall use loans from the Drinking Water State Revolving Fund to prioritize local projects that reduce leaks and other water system losses.
6. The Water Board and the Department shall direct urban and agricultural water suppliers to accelerate their data collection, improve water system management, and prioritize capital projects to reduce water waste. The California Public Utilities Commission shall order investor-owned water utilities to accelerate work to minimize leaks.
7. The California Energy Commission shall certify innovative water conservation and water loss detection and control technologies that also increase energy efficiency.

## **STRENGTHEN LOCAL DROUGHT RESILIENCE**

8. The Department shall strengthen requirements for urban Water Shortage Contingency Plans, which urban water agencies are required to maintain. These updated requirements shall include adequate actions to respond to droughts lasting at least five years, as well as more frequent and severe periods of drought. While remaining customized according to local conditions, the updated requirements shall also create common statewide standards so that these plans can be quickly utilized during this and any future droughts.
9. The Department shall consult with urban water suppliers, local governments, environmental groups, and other partners to update requirements for Water Shortage Contingency Plans. The updated draft requirements shall be publicly released by January 10, 2017.

10. For areas not covered by a Water Shortage Contingency Plan, the Department shall work with counties to facilitate improved drought planning for small water suppliers and rural communities.

### **IMPROVE AGRICULTURAL WATER USE EFFICIENCY AND DROUGHT PLANNING**

11. The Department shall work with the California Department of Food and Agriculture to update existing requirements for Agricultural Water Management Plans to ensure that these plans identify and quantify measures to increase water efficiency in their service area and to adequately plan for periods of limited water supply.
12. The Department shall permanently require the completion of Agricultural Water Management Plans by water suppliers with over 10,000 irrigated acres of land.
13. The Department, together with the California Department of Food and Agriculture, shall consult with agricultural water suppliers, local governments, agricultural producers, environmental groups, and other partners to update requirements for Agricultural Water Management Plans. The updated draft requirements shall be publicly released by January 10, 2017.

The Department, Water Board and California Public Utilities Commission shall develop methods to ensure compliance with the provisions of this Executive Order, including technical and financial assistance, agency oversight, and, if necessary, enforcement action by the Water Board to address non-compliant water suppliers.

This Executive 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.

**I FURTHER DIRECT** 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.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 9th day of May 2016.

  
EDMUND G. BROWN JR.  
Governor of California

**ATTEST:**

\_\_\_\_\_  
ALEX PADILLA  
Secretary of State



# Fact Sheet

## Staff Proposal for Extended Emergency Regulation for Urban Water Conservation

### Summary

A staff statewide water conservation proposal was released for public comment today that would amend the Feb. 2 emergency water conservation regulations, due to improved water supply conditions around most of the state.

Significant proposed changes include replacing the state developed standards with locally developed conservation standards based upon each agency's specific circumstances. The proposed regulation would require individual urban water suppliers to self-certify the level of available water supplies they have assuming three additional dry years, and the level of conservation necessary to assure adequate supply over that time.

This self-certification would include information provided by regional water distribution agencies (wholesale suppliers) about how regional supplies would fare during three additional dry years. Both urban water suppliers and wholesale suppliers would be required to report the underlying basis for their assertions, and urban water suppliers would be required to continue reporting their conservation levels.

Per the proposal, urban water suppliers will be required to reduce potable water use in a percentage equal to their projected shortfall in the event of three more dry years. In other words, if an individual water district projects it would, under the specified assumptions, have a 10 percent shortfall after the next three years at the current rate of use, their mandatory conservation standard would be 10 percent.

The staff recommendation keeps in place the monthly reporting requirements and specific prohibitions against certain water uses. Those prohibitions include watering down a sidewalk with a hose instead of using a broom or a brush, or overwatering a landscape to where water is running off the lawn, over a sidewalk and into the gutter. As directed by Governor Brown's [Executive Order B-37-16](#), these requirements and prohibitions will also become permanent. Prohibitions against [home owners associations](#) taking action against homeowners during a declared drought remain as well.

The [proposed regulatory package](#) and [technical fact sheet](#) are the result of review of many meetings, written and oral comments from a public workshop on [April 20](#) to receive input on conservation needs through the summer and fall, and lessons learned since the Water Board first adopted drought emergency water conservation regulations.

The workshop was conducted to solicit ideas for adjustments to the current emergency regulations given changes in water supply, storage, and snowpack as compared to last



year's historic statewide deficiencies. This staff proposal will be considered by the Board for comment and adoption on May 18. **The new conservation standards would take effect for June 2016 and remain in effect until the end of January 2017.**

## Improved Water Supply and Conditions; and Conservation – Reason for Change

Winter 2016 saw improved hydrologic conditions in parts of California. More rain and snow fell in Northern California as compared to Central and Southern California; yet, due to California's water storage and conveyance systems, concerns over supply reliability have eased compared to last year throughout urban California. Consequently, the unprecedented mandatory state-driven conservation standards in place over the last ten months can transition to conservation standards based on supply reliability considerations at the local level. However, conservation standards are still needed in case this winter was a short reprieve in a longer drought.

Over the last several months the Board has been monitoring state hydrology, water supply conditions, including local supply reliability, and the conservation levels achieved by the State's 411 urban water suppliers. Hydrologic conditions in parts of California – particularly northern California – have markedly improved relative to 2014 and 2015. Many reservoirs are above historic averages for late spring, and water allocations are up in most cases for the State Water Project.

In addition, the water production reports submitted to the State Water Board have shown that the majority of urban water suppliers have successfully responded to mandatory conservation expectations over the last 20 months. Public awareness of drought conditions and the public's extraordinary response this past ten months should lead to continuing conservation.

Should severe drought conditions return, the Board stands ready to return to stronger conservation mandates if the approach proposed here does not prove successful.

Proposed changes to the drought emergency water conservation regulation would allow suppliers to define an individualized conservation standard on their specific water supply and demand conditions. Each water supplier would be required to evaluate its supply portfolio and self-certify the accuracy of its information while also providing the underlying information and assumptions; the State Water Board would assign each supplier a mandatory conservation standard equal to the percentage deficiency the supplier identifies in its supply under specified assumptions. Additionally, certain statewide requirements on small suppliers and businesses would be lifted.

Governor and Board Actions Achieved Historic Conservation Statewide  
In his April 1, 2015 [Executive Order](#), Governor Brown mandated a 25 percent water use reduction by users of urban water supplies across California.

In May 2015, the State Water Board adopted an emergency regulation requiring a cumulative 25 percent reduction in overall potable urban water use over the following 9 months. The [May 2015 Emergency Regulation](#) uses a sliding scale for setting conservation standards, so that communities that have already reduced their residential gallons per capita per day (R-GPCD) through past conservation had lower mandates than those that had not made such gains since the last major drought. Conservation tiers for urban water suppliers were set between eight percent and 36 percent, based on residential per capita water use for the months of July - September 2014.

During this time, statewide water conservation was [unprecedented](#). In the last 10 months alone, the state realized nearly a 24 percent savings in water use as compared to same period 2013, resulting in some 1.30 million acre-feet of water conserved throughout California, enough to supply 6.5 million people with water for an entire year.

On Feb. 2, 2016, based on Governor Brown's [November 2015 Executive Order](#), the State Water Board approved an updated and extended emergency regulation that continued mandatory reductions through October.

The [February 2016 Emergency Regulation](#) responded to calls for continuing the conservation structure that has spurred savings, while providing greater consideration of some localized factors that influence water needs around the state: climate differences, population growth and significant investments in new local, drought-resilient water supplies such as potable wastewater reuse and desalination. Under the extended regulation, many water suppliers have somewhat lower water conservation standards, although statewide water conservation is expected to continue at high levels.

On May 9, Governor Brown [issued a new Executive Order](#) directing actions aimed at using water wisely, reducing water waste, and improving water use efficiency. The Executive Order, in part, directs the State Water Board to extend the emergency regulations for urban water conservation through the end of January 2017. These revised regulations are set for consideration May 18.

*(This fact sheet was last updated May 9, 2016)*

# PROPOSED TEXT OF EMERGENCY REGULATION

## Article 22.5. Drought Emergency Water Conservation.

### Sec. 863. Findings of Drought Emergency.

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) On April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February, 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;

(4) On November 13, 2015, the Governor issued an Executive Order that directs the State Board to, if drought conditions persist through January 2016, extend until October 31, 2016 restrictions to achieve a statewide reduction in potable usage;

(5) On May 9, 2016, the Governor issued an Executive Order that directs the State Board to adjust and extend its emergency water conservation regulations through the end of January 2017 in recognition of the differing water supply conditions for many communities;

~~(56)~~ The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist; and

~~(67)~~ The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to prevent waste and unreasonable use of water and to further promote conservation.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 102, 104, 105, and 275, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

### Sec. 864. End-User Requirements in Promotion of Water Conservation.

(a) To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) 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;

(3) The application of potable water to driveways and sidewalks;

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;

(5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;

~~(6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;~~

~~(7)~~ The irrigation with potable water of ornamental turf on public street medians; and

~~(8)~~ The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

~~(b) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.~~

~~(e)~~ Immediately upon this subdivision taking effect, all commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 864.5 or 865 of this article, shall target water use reductions commensurate with those required of the nearest urban water supplier under section 864.5 or, if applicable, section 865. ~~shall either:~~

~~——(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week; or~~

~~——(2) Reduce potable water usage supplied by sources other than a water supplier by 25 percent for the months of June 2015 through October 2016 as compared to the amount used from those sources for the same months in 2013.~~

~~(d)~~ The taking of any action prohibited in subdivision (a) or ~~(e)~~, or the failure to take any action required in subdivision (b) or (c), 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.

~~(e)~~(1) To prevent the waste and unreasonable use of water and to promote water conservation, any homeowners' association or community service organization or similar entity is prohibited from:

(A) Taking or threatening to take any action to enforce any provision of the governing documents or architectural or landscaping guidelines or policies of a common interest development where that provision is void or unenforceable under section 4735, subdivision (a) of the Civil Code; or

(B) Imposing or threatening to impose a fine, assessment, or other monetary penalty against any owner of a separate interest for reducing or eliminating the watering of vegetation or lawns during a declared drought emergency, as described in section 4735, subdivision (c) of the Civil Code.

(2) As used in this subdivision:

(A) "Architectural or landscaping guidelines or policies" includes any formal or informal rules other than the governing documents of a common interest development.

(B) "Homeowners' association" means an "association" as defined in section 4080 of the Civil Code.

(C) "Common interest development" has the same meaning as in section 4100 of the Civil Code.

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

(E) "Governing documents" has the same meaning as in section 4150 of the Civil Code.

(F) "Separate interest" has the same meaning as in section 4185 of the Civil Code.

(3) If a disciplinary proceeding or other proceeding to enforce a rule in violation of subdivision (e)(1) is initiated, each day the proceeding remains pending shall constitute a separate violation of this regulation.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, 4150, 4185, and 4735, Civil Code; Sections 102, 104, 105, 275, 350, and 10617, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

#### Sec. 864.5. Self-Certification of Supply Reliability for Three Additional Years of Drought.

(a) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's May 9, 2016 Executive Order, each urban water supplier shall:

(1) Identify and report on a form provided by the Board, no later than June 15, 2016, the conservation standard that the supplier will be required to meet under this section;

(2) Identify and report on a form provided by the Board, no later than June 15, 2016, the data relied upon by the supplier to determine the conservation standard reported pursuant to this subdivision including, but not limited to identification of each source of supply the supplier intends to rely on and the quantity of water available under that source of supply given the assumptions of this section;

(3) Certify, no later than June 15, 2016, that the conservation standard reported pursuant to this subdivision is based on the information and assumptions identified in this section; and

(4) Beginning June 1, 2016, reduce its total potable water production by the percentage identified as its conservation standard in this section each month, compared to the amount used in the same month in 2013.



(b) Each urban water supplier's conservation standard pursuant to this section shall be the percentage by which the supplier's total potable water supply is insufficient to meet the total potable water demand in the third year after this section takes effect under the following assumptions:

(1) The next three years' precipitation is the same as it was in water years 2013-2015;

(2) The supplier's total potable water demand for each of the next three years will be the supplier's average annual total potable water production for the years 2013 and 2014;

(3) The supplier's total potable water supply shall include only water sources of supply available to the supplier that could be used for potable drinking water purposes;

(4) Each urban water supplier's conservation standard shall be calculated as a percentage and rounded to the nearest whole percentage point.

(c) Beginning June 1, 2016, each urban water supplier shall comply with the conservation standard it identifies and reports pursuant to subdivision (a).

(d) Compliance with the conservation standard reported pursuant to subdivision (a) shall be measured monthly and assessed on a cumulative basis through January 2017.

(e) Each urban water wholesaler shall calculate, to the best of its ability, and no later than June 8, 2016, the volume of water that it expects it would deliver to each urban water supplier in each of the next three years under the assumptions identified in subdivision (b), and post that calculation, and the underlying analysis, to a publicly-accessible webpage.

(f) Submitting any information pursuant to this subdivision that the person who submits the information knows or should have known is materially false is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(g) Any urban water supplier that does not comply with this section shall comply with the applicable conservation standard identified in section 865.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

## Sec. 865. Mandatory Actions by Water Suppliers.

(a) As used in this ~~section~~ article:

(1) "Distributor of a public water supply" has the same meaning as under section 350 of the Water Code, except it does not refer to such distributors when they are functioning solely in a wholesale capacity, but does apply to distributors when they are functioning in a retail capacity.

(2) "R-GPCD" means residential gallons per capita per day.

(3) “Total potable water production” means all potable water that enters into a water supplier’s distribution system, excluding water placed into storage and not withdrawn for use during the reporting period, or water exported outside the supplier’s service area.

(4) “Urban water supplier” means a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(5) “Urban water wholesaler” means a wholesaler of water to more than one urban water supplier.

(6) “Water year” means the period from October 1 through the following September 30. Where a water year is designated by year number, the designation is by the calendar year number in which the water year ends.

(b) In furtherance of the promotion of water conservation each urban water supplier shall:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user’s exclusive control.

(2) Prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, the number of days that outdoor irrigation is allowed, and monthly commercial, industrial and institutional sector use. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

(c)(1) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor’s ~~November 13, 2015~~ May 9, 2016 Executive Order, each urban water supplier that does not submit a self-certification in compliance with section 864.5 shall reduce its total potable water production by the percentage identified as its conservation standard in this ~~subdivision~~ section. Each urban water supplier’s conservation standard considers its service area’s relative per capita water usage.

~~(2) Each urban water supplier whose source of supply does not include groundwater or water imported from outside the hydrologic region in which the water supplier is located, and that has a minimum of four years’ reserved supply available, may submit to the Executive Director for approval a request that, in lieu of the reduction that would otherwise be required under paragraphs (3) through (10), the urban water supplier shall reduce its total potable water production by 4 percent for each month as compared to the amount used in the same month in 2013. Any such request shall be accompanied by information showing that the supplier’s sources of supply do not include groundwater or water imported from outside the hydrologic region and that the supplier has a minimum of four years’ reserved supply available.~~

(32) Each urban water supplier whose average July-September 2014 R-GPCD was less than 65 shall reduce its total potable water production by 8 percent for each month as compared to the amount used in the same month in 2013.

(43) Each urban water supplier whose average July-September 2014 R-GPCD was 65 or more but less than 80 shall reduce its total potable water production by 12 percent for each month as compared to the amount used in the same month in 2013.

(54) Each urban water supplier whose average July-September 2014 R-GPCD was 80 or more but less than 95 shall reduce its total potable water production by 16 percent for each month as compared to the amount used in the same month in 2013.

(65) Each urban water supplier whose average July-September 2014 R-GPCD was 95 or more but less than 110 shall reduce its total potable water production by 20 percent for each month as compared to the amount used in the same month in 2013.

(76) Each urban water supplier whose average July-September 2014 R-GPCD was 110 or more but less than 130 shall reduce its total potable water production by 24 percent for each month as compared to the amount used in the same month in 2013.

(87) Each urban water supplier whose average July-September 2014 R-GPCD was 130 or more but less than 170 shall reduce its total potable water production by 28 percent for each month as compared to the amount used in the same month in 2013.

(98) Each urban water supplier whose average July-September 2014 R-GPCD was 170 or more but less than 215 shall reduce its total potable water production by 32 percent for each month as compared to the amount used in the same month in 2013.

(109) Each urban water supplier whose average July-September 2014 R-GPCD was 215 or more shall reduce its total potable water production by 36 percent for each month as compared to the amount used in the same month in 2013.

(d)(1) Beginning June 1, 2015, each urban water supplier that does not submit a self-certification in compliance with section 864.5 shall comply with the conservation standard specified in subdivision (c), with any modifications to the conservation standard pursuant to subdivision (f) applying beginning March 1, 2016.

(2) Compliance with the requirements of this subdivision shall be measured monthly and assessed on a cumulative basis through ~~October 2016~~ January 2017.

(e)(1) Each urban water supplier that provides potable water for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (b), may subtract the amount of water provided for commercial agricultural use from its potable water production total, provided that any urban water supplier that subtracts any water provided for commercial agricultural use from its total potable water production shall:

(A) Impose reductions determined locally appropriate by the urban water supplier, after considering the applicable urban water supplier conservation standard specified in subdivision (c), for commercial agricultural users meeting the definition of Government Code section 51201, subdivision (b) served by the supplier;

(B) Report its total potable water production pursuant to subdivision (b)(2) of this section, the total amount of water supplied for commercial agricultural use, and shall identify the reduction imposed on its commercial agricultural users and each recipient of potable water for commercial agricultural use;

(C) Certify that the agricultural uses it serves meet the definition of Government Code section 51201, subdivision (b); and

(D) Comply with the Agricultural Water Management Plan requirement of paragraph 12 of the April 1, 2015 Executive Order for all commercial agricultural water served by the supplier that is subtracted from its total potable water production.

(2) Submitting any information pursuant to subdivision (e)(1)(B) or (C) of this section that is found to be materially false by the Board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(f) In consideration of the differences in climate affecting different parts of the state, growth experienced by urban areas and significant investments that have been made by some suppliers towards creating new, local, drought-resilient sources of potable water supply, an urban water supplier's conservation standard identified in subdivision (c) shall be reduced by an amount, not to exceed eight (8) percentage points total, as follows:

(1) For an urban water supplier whose service area evapotranspiration (ET<sub>o</sub>) for the months of July through September exceeds the statewide average evapotranspiration, as determined by the Board, for the same months by five (5) percent or more, the supplier's conservation standard identified in subdivision (c) shall be reduced:

(A) By two (2) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by five (5) percent or more but less than ten (10) percent;

(B) By three (3) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by ten (10) percent or more but less than twenty (20) percent;

(C) By four (4) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by twenty (20) percent or more.

(D) Statewide average evapotranspiration is calculated as the arithmetic mean of all urban water suppliers' service area default evapotranspiration values for the months of July through September. Default service area evapotranspiration will be based on the California Irrigation Management System (CIMIS) ET<sub>o</sub> Zones Map zone for which the supplier's service area has the greatest area of overlap. In lieu of applying its default service area evapotranspiration, a supplier may use specific data from CIMIS stations within its service area that have at least a five-year period of record, or a three year continuous period of record, to identify a more specifically-applicable evapotranspiration for its service area. If no CIMIS station exists within the supplier's service area, a weather station of comparable accuracy, meeting the preceding period of record requirements, may be used. To qualify for the in-lieu climate adjustment, the supplier shall submit the following data to the Board by March 15, 2016 for each station: station ID; station location; and monthly average evapotranspiration, in inches per month, for July, August, and September for either the five-year period of record or the three-year continuous period of record.

(2) To account for water efficient growth experienced in the state since 2013, urban water suppliers' conservation standards shall be reduced by the product of the percentage change in potable water production since 2013 and the percentage reduction in potable water use required pursuant to subdivision (c), rounded to the nearest whole percentage point. Change in potable water production since 2013 shall be calculated as the sum of the following:

(A) The number of additional permanent residents served since January 1, 2013, multiplied by the average residential water use per person for that supplier's service area during the months of February through October, 2015, in gallons; and

(B) The number of new commercial, industrial and institutional connections since January 1, 2013, multiplied by the average commercial, industrial and institutional water use per connection for that supplier's service area during the months of February through October, 2015, in gallons.

(C) To qualify for the growth credit the supplier shall submit to the Board the following data by March 15, 2016: the number of additional permanent residents served since January 1, 2013 and the number of new commercial, industrial and institutional connections since January 1, 2013.

(3) For an urban water supplier that supplies, contracts for, or otherwise financially invests in, water from a new local, drought-resilient source of supply, the use of which does not reduce the water available to another legal user of water or the environment, the conservation standard identified in subdivision (c) shall be reduced:

(A) By one (1) percentage point if the supplier's qualifying source of supply is one (1) percent or more but less than two (2) percent of the supplier's total potable water production;

(B) By two (2) percentage points if the supplier's qualifying source of supply is two (2) percent or more but less than three (3) percent of the supplier's total potable water production;

(C) By three (3) percentage points if the supplier's qualifying source of supply is three (3) percent or more but less than four (4) percent of the supplier's total potable water production;

(D) By four (4) percentage points if the supplier's qualifying source of supply is four (4) percent or more but less than five (5) percent of the supplier's total potable water production;

(E) By five (5) percentage points if the supplier's qualifying source of supply is five (5) percent or more but less than six (6) percent of the supplier's total potable water production;

(F) By six (6) percentage points if the supplier's qualifying source of supply is six (6) percent or more but less than seven (7) percent of the supplier's total potable water production;

(G) By seven (7) percentage points if the supplier's qualifying source of supply is seven (7) percent or more but less than eight (8) percent of the supplier's total potable water production;

(H) By eight (8) percentage points if the supplier's qualifying source of supply is eight (8) percent or more of the supplier's total potable water production.

(I) To qualify for this reduction the supplier must certify, and provide documentation to the Board upon request demonstrating, the percent of its total potable water production that comes from a local, drought-resilient source of supply developed after 2013, the supplier's investment in that local, drought-resilient source of supply, and that the use of that supply does not reduce the water available to another legal user of water or the environment. To qualify for this reduction an urban water supplier shall submit the required certification to the Board by March 15, 2016.

(J) Certifications that do not meet the requirements of subdivision (f)(3)(I), including certifications for which documentation does not support that the source of supply is a local, drought-resilient source of supply, the use of which does not reduce the water available to another legal user of water or the environment, will be rejected. Submitting a certification or supporting documentation pursuant to subdivision (f)(3)(I) that is found to be materially false by the Board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(4) No urban water supplier's conservation standard pursuant to this section shall drop below eight (8) percent as a consequence of the reductions identified in this subdivision. ~~No reduction pursuant to this subdivision shall be applied to any urban water supplier whose conservation standard is four (4) percent based on subdivision (e)(2).~~

~~(g)(4)~~ To prevent waste and unreasonable use of water and to promote water conservation, each distributor of a public water supply that is not an urban water supplier shall ~~take one or more of the following actions:~~

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user's exclusive control; and

~~—(A) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or~~

~~—(B) Reduce by 25 percent its total potable water production relative to the amount produced in 2013.~~

~~(2) Each distributor of a public water supply that is not an urban water supplier shall submit~~ Submit a report by ~~September~~ December 15, 2016, on a form provided by the Board, that ~~either confirms compliance with subdivision (g)(1)(A) or identifies total~~ potable water production, by month, from December, 2015 through ~~August~~ November, 2016, ~~and total potable water production, by month, for the same months in 2013, and~~ any actions taken by the supplier to encourage or require its customers to conserve water.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

#### Sec. 866. Additional Conservation Tools.

(a)(1) To prevent the waste and unreasonable use of water and to promote conservation, when a water supplier does not meet its conservation standard required by section 864.5 or section 865 the Executive Director, or the Executive Director's designee, may issue conservation orders requiring additional actions by the supplier to come into compliance with its conservation standard.

(2) A decision or order issued under this article 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.

(b) The Executive Director, or his designee, may issue an informational order requiring water suppliers, or commercial, industrial or institutional properties that receive any portion of their supply from a source other than a water supplier subject to section 864.5 or 865, to submit additional information relating to water production, water use or water conservation. The failure to provide the information requested within 30 days or any additional time extension granted is a violation subject to civil liability of up to \$500 per day for each day the violation continues pursuant to Water Code section 1846.

(c) Orders issued under previous versions of this ~~subdivision~~section shall remain in effect and shall be enforceable as if adopted under this version. Changes in the requirements of this article do not operate to void or excuse compliance with orders issued before those requirements were changed.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 100, 102, 104, 105, 174, 186, 187, 275, 350, 1051, 1122, 1123, 1825, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.





**Exhibit C**  
**SFPUC 2014 Letter Requesting 10% Reduction in Water Use**





**NEWS ADVISORY (Advisory No. 2-14)**

**Contact: Tyrone Jue**  
 415-554-3289; 415-290-0163 (cell)  
 or tjue@sfgwater.org

**FOR IMMEDIATE RELEASE**

**Tuesday, January 28, 2014**

**SFPUC General Manager Harlan Kelly’s Statement on  
 Voluntary, 10% Water Conservation Request**

**SAN FRANCISCO, CA** – San Francisco Public Utilities Commission General Manager Harlan Kelly issued the following statement today regarding a request for customers to voluntarily curtail water use by 10%.

“On Friday, January 31<sup>st</sup>, the San Francisco Public Utilities Commission will ask customers of the Hetch Hetchy Regional Water System to voluntarily curtail water consumption by at least 10%. Over the next few days, I will be working closely with Mayor Ed Lee, San Francisco city departments and our Bay Area wholesale customers to develop strategies to meet this water conservation goal.

I believe voluntary water conservation efforts are the best way to avert mandatory cutbacks and other water restrictions should drought conditions persist.”

A formal announcement and media availability will take place on Friday. Details will be made available in a press advisory the day prior. The SFPUC provides reliable, high quality drinking water to 2.6 million people in San Francisco, San Mateo, Santa Clara and Alameda Counties.

As always, the SFPUC encourages our customers to conserve water. Here are some helpful tips to conserve water around the house.

1. Turn off the faucet when you are brushing your teeth or doing the dishes - save 2 gallons per minute.
2. Take shorter showers. Each minute you cut saves 2.5 gallons. Make sure you or your property owner have installed a high-efficiency showerhead.
3. Operate your clothes and dishwashers with full loads only, even if the machine has an adjustable load setting.
4. Use a broom to clean sidewalks, driveways and pavement instead of using a hose.
5. Reduce outdoor watering needs by planting species appropriate for the Bay Area’s dry climate.
6. Water during the cool part of the day. Reduce evaporation by watering lawns and plants only at night or early morning before dawn.
7. Detect leaks. Do you hear the toilet running or your faucet dripping? Contact the SFPUC or your local water agency for information on locating your water meter and detecting plumbing leaks using meter readings. Conducting a dye-test in toilet tanks can identify costly silent leaks.
8. Install aerators on bathroom and kitchen sinks to reduce indoor water use by about 4%.

**Edwin M. Lee**  
 Mayor  
**Vince Courtney**  
 President  
**Ann Moller Caen**  
 Vice President  
**Francesca Viotor**  
 Commissioner  
**Anson Moran**  
 Commissioner  
**Art Torres**  
 Commissioner  
**Harlan L. Kelly, Jr.**  
 General Manager



9. Many Bay Area water utilities provide a number of efficient conservation plumbing fixtures for free. The SFPUC provides free faucet aerators, low-flow showerheads and garden spray nozzles to San Francisco residents. Pickup in person with proof of address at 525 Golden Gate Avenue, San Francisco – Monday through Friday, 8:00 a.m. – 5:00 p.m.
10. Replace your old toilet, the largest water user inside your home. New high-efficiency toilet models flush at 1.3 gallons or less compared to older models, which use up to 7 gallons per flush. Bay Area water agencies offer cash rebates for the purchase of select high-efficiency toilets.
11. Replace your clothes washer, the second largest water user in your home. High efficiency clothes washers can reduce water and energy use by 40%. Bay Area water agencies offer cash rebates for the purchase of select high-efficiency clothes washers.

Updates and additional information will be available at [sfwater.org/supplyupdate](http://sfwater.org/supplyupdate).

###

**Exhibit D**  
**Hillsborough's 2012-16 Drought Response Ordinances**



**ORDINANCE NO. 717**

**URGENCY ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF  
HILLSBOROUGH FINDING A DROUGHT EMERGENCY AND ADOPTING  
MUNICIPAL CODE SECTION 13.16.060 TO PROHIBIT WATER WASTE**

**WHEREAS**, the Governor of the State of California has issued a proclamation declaring a state of emergency under the California Emergency Services Act based on drought conditions; and,

**WHEREAS**, on July 15, 2014, the State Water Resources Control Board adopted emergency regulations requiring implementation of certain water conservation measures in order to achieve the goal of reducing statewide water consumption by 20%; and,

**WHEREAS**, the Water Resources Control Board regulations require that local retail water agencies implement the water waste control measures set forth in the new regulations within 30 days of adoption or face fines up to \$10,000 per day for noncompliance; and,

**WHEREAS**, Town residents and water customers have substantially reduced water consumption through voluntary efforts, but further reductions are required to mitigate the effects of continuing drought conditions and to implement the regulations issued by the Water Resources Control Board; and,

**WHEREAS**, reducing water waste is one of the simplest and fairest ways for residents and customers to combat the drought conditions and maintain adequate water supplies; and,

**WHEREAS**, the drought has had a substantial impact on Town residents and their property, and these impacts may worsen if water consumption is not reduced substantially; and,

**WHEREAS**, implementing the Water Resources Control Board regulations at an early stage will maximize the benefits from them; and,

**WHEREAS**, the Town's future water allocation is likely to be reduced significantly if water consumption is not reduced now;

**NOW, THEREFORE, THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH  
FINDS AND ORDAINS:**

**Section 1.** Finding of Urgency Conditions. The Council finds and declares that the State of California and the Town of Hillsborough are experiencing severe drought conditions that require immediate and decisive action for the preservation of public peace, health and safety. The Council further finds that the delay in adopting an ordinance to eliminate water waste will reduce the effectiveness of these measures and will further exacerbate the drought conditions. The Council further finds that urgent action is needed to comply with the requirement that the new regulations adopted by the Water Resources Control Board be implemented by local jurisdictions. Accordingly, the Council finds that an urgency ordinance is warranted to address these conditions.

**Section 2.** Amendment of Chapter 13.16 of the Hillsborough Municipal Code. Chapter 13.16 of the Hillsborough Municipal Code is hereby amended to add a new Section 13.16.060 as follows:

**Section 13.16.060. Elimination of Water Waste**

A. The following activities are hereby prohibited and/or limited within the Town of Hillsborough:

i. The outdoor irrigation of ornamental landscapes, grass, lawns, and turf with potable water shall be limited to two days per week or otherwise limited in a manner designed to achieve a comparable reduction in water consumption. Such applications of potable water to ornamental landscapes, grass, lawns, and turf shall be done in a manner that does not create excessive runoff onto adjacent property, non-irrigated areas, private and public walkways or roadways, driveways, parking lots or parking strips, or other hardscape.

ii. The irrigation of landscapes shall occur no earlier than one hour before sunset and no later than one hour after sunrise.

iii. Potable water shall not be applied to driveways, walkways, sidewalks, or parking strips, except where necessary to address an immediate health or safety need or to comply with a term or condition of a permit issued by a state or federal agency.

iv. Potable water shall not be used in outdoor fountains or other decorative water features except where the water is part of a recirculating system.

v. The use of a hose that dispenses potable water to wash a motor vehicle is prohibited, except where the hose is fitted with a shut-off nozzle or device that causes it to cease dispensing water immediately when not in use.

B. The taking of any action in violation of Section 13.16.060A shall be subject to an administrative penalty of up to \$500 for each day in which the violation occurs. Citations for violations may be issued by any member of the Police Department, the Town's Code Enforcement Officer, and any other personnel designated by the City Manager, based on observation of the violation or resulting conditions, such as wet areas outside the allowable irrigation areas. Citations shall be issued to the person or persons named on the Water Department account for that property. If the resident is not present to receive it, a citation may be served by mail or posted on a prominent location on the property. The administrative penalty shall be payable within 10 days to the Town Water Department and, if not paid within 10 days, shall be added to the water user's bi-monthly bill.

C. Any person desiring to contest a citation may file an appeal, which will be heard by the Code Enforcement Panel. As a condition to the filing of the appeal, all outstanding penalties must be paid in full. If the appeal is upheld, the penalty will be refunded.

D. In addition to the administrative penalty, repeated violations of this Section, in excess of three violations in any 30 day period, shall constitute a public nuisance which shall be subject to abatement as provided in Chapter 8.16 of the Municipal Code.

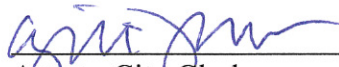


**Section 3.** Public Outreach. Written notice of the regulated and prohibited activities and penalties set forth herein shall be provided to Town residents and non-residential water customers by mail within seven days of adoption. Such notice shall be provided to the addresses maintained by the Water Department. Such notice shall not delay the immediate implementation of the water waste reduction measures herein and alleged failure to receive notice shall not excuse violations of these measures.

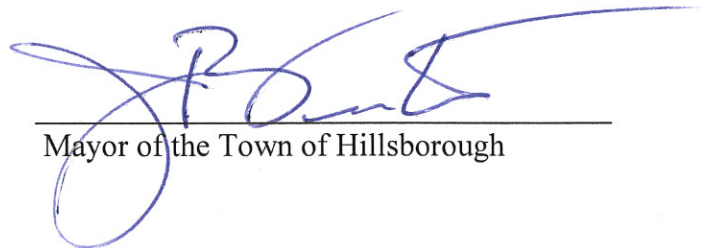
**Section 4.** California Environmental Quality Act (CEQA) Determination. The Council finds and declares that the adoption of the water waste reduction measures herein is categorically exempt from CEQA pursuant to CEQA Guideline 15307 (Actions By Regulatory Agencies For Protection of Natural Resources).

**Section 5.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be unconstitutional or otherwise invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the Town of Hillsborough hereby declares that it would have adopted the remainder of this ordinance, including each section, subsection, sentence, clause, phrase, or portion irrespective of the invalidity of any other article, section, subsection, sentence, clause, phrase, or portion.

**Section 6.** Effective Date. The Council hereby declares that the foregoing is an urgency ordinance necessary for the immediate preservation of the public peace, health and safety of the Town of Hillsborough and its residents and shall take effect immediately upon passage by a four-fifths majority vote of the City Council. This ordinance shall be printed and posted upon the three (3) official bulletin boards of the Town of Hillsborough.



Attest: City Clerk

  
\_\_\_\_\_  
Mayor of the Town of Hillsborough

ORDINANCE NO. 717 of the TOWN OF HILLSBOROUGH introduced on August 11, 2014, and adopted on August 11, 2014, by the following roll call vote of the City Council:

AYES:	Councilmembers	<u>Benton, May, Chuang, Christianson, Royse</u>
NOES:	Councilmembers	<u>None</u>
ABSENT:	Councilmembers	<u>None</u>
ABSTAIN:	Councilmembers	<u>None</u>

**ORDINANCE NO. 724**

**URGENCY ORDINANCE FINDING A CONTINUING DROUGHT EMERGENCY AND AMENDING MUNICIPAL CODE SECTION 13.16.060 TO PROHIBIT WATER WASTE**

**WHEREAS**, on January 17, 2014 the Governor of the State of California issued a proclamation declaring a state of emergency under the California Emergency Services Act based on drought conditions; and,

**WHEREAS**, on July 15, 2014, the State Water Resources Control Board adopted Resolution 2014-0038 requiring emergency implementation of certain water conservation measures in order to achieve the goal of reducing statewide water consumption by 20%; and,

**WHEREAS**, on August 11, 2014, the Town of Hillsborough City Council adopted an urgency ordinance, Ordinance No. 717, adopting Hillsborough Municipal Code Section 13.16.060 to prohibit water waste; and,

**WHEREAS**, Town residents and water customers have reduced water consumption by approximately 22% (compared to 2013) through voluntary efforts and the implementation of water conservation programs, prohibition of water waste, and enforcement; and,

**WHEREAS**, on March 17, 2015, the California State Water Resources Control Board adopted Resolution 2015-0013 declaring that drought conditions persist within California, extending the provisions of Resolution 2014-0038 through April 2016, and enacting additional regulations to further reduce water waste; and,

**WHEREAS**, State Water Resources Control Board regulations require that local retail water agencies implement these additional water waste control measures within 45 days or face fines of up to \$10,000 per day for noncompliance

**WHEREAS**, the drought has had a substantial impact on Town residents and their property, and these impacts may worsen if water consumption is not reduced substantially; and,

**WHEREAS**, the Town's future water allocation is likely to be reduced significantly if water consumption is not reduced now;

**NOW, THEREFORE, THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH FINDS AND ORDAINS:**

**Section 1.** Finding of Urgency Conditions. The Council finds and declares that the State of California and the Town of Hillsborough are continuing to experience severe drought conditions that require immediate and decisive action for the preservation of public peace, health and safety. The Council further finds that delay in adopting an ordinance to further reduce water waste will further exacerbate the drought conditions. The Council further finds that urgent action is needed to comply with the requirement that the new regulations adopted by the Water Resources Control Board be implemented by local jurisdictions by May 1, 2015. Accordingly, the Council finds that an urgency ordinance is warranted to address these conditions.

**Section 2.** Amendment of Section 13.16.060 of the Hillsborough Municipal Code. Section 13.16.060 of the Hillsborough Municipal Code is hereby amended in its entirety to provide as follows:

**Section 13.16.060. Elimination of Water Waste**

A. The following activities are hereby prohibited and/or limited within the Town of Hillsborough:

i. The outdoor irrigation of ornamental landscapes, grass, lawns, and turf with potable water shall be limited to two days per week or otherwise limited in a manner designed to achieve a comparable reduction in water consumption. Such applications of potable water to ornamental landscapes, grass, lawns, and turf shall be done in a manner that does not create excessive runoff onto adjacent property, non-irrigated areas, private and public walkways or roadways, driveways, parking lots or parking strips, or other hardscape.

ii. The irrigation of landscapes shall occur no earlier than one hour before sunset and no later than one hour after sunrise.

iii. Potable water shall not be applied to driveways, walkways, sidewalks, or parking strips, except where necessary to address an immediate health or safety need or to comply with a term or condition of a permit issued by a state or federal agency.

iv. Potable water shall not be used in outdoor fountains or other decorative water features except where the water is part of a recirculating system.

v. The use of a hose that dispenses potable water to wash a motor vehicle is prohibited, except where the hose is fitted with a shut-off nozzle or device that causes it to cease dispensing water immediately when not in use.

vi. Potable water shall not be applied to outdoor landscapes during and within 48 hours of measureable rainfall.

vii. Drinking water shall not be served other than upon request in eating and drinking establishments, including but not limited to restaurants, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.

viii. The Water Department, City Engineer, and/or Public Works Department shall give prompt notice to any water customer whose usage or other information indicates that a leak may exist in a location under the customer's control.

B. The taking of any action in violation of Section 13.16.060A shall be subject to an administrative penalty of up to \$500 for each day in which the violation occurs. Citations for violations may be issued by any member of the Police Department, the Town's Code Enforcement Officer, and any other personnel designated by the City Manager, based on observation of the violation or resulting conditions, such as wet areas outside the allowable irrigation areas. Citations shall be issued to the person or persons named on the Water Department account for that property. If the resident is not present to receive it, a citation may be served by mail or posted on a prominent location on the property. The administrative penalty

shall be payable within 10 days to the Town Water Department and, if not paid within 10 days, shall be added to the water user's bi-monthly bill.

C. Any person desiring to contest a citation may file an appeal, which will be heard by the Code Enforcement Panel. As a condition to the filing of the appeal, all outstanding penalties must be paid in full. If the appeal is upheld, the penalty will be refunded.

D. In addition to the administrative penalty, repeated violations of this Section, in excess of three violations in any 30 day period, shall constitute a public nuisance which shall be subject to abatement as provided in Chapter 8.16 of the Municipal Code.

**Section 3.** California Environmental Quality Act (CEQA) Determination. The Council finds and declares that the adoption of the water waste reduction measures herein is categorically exempt from CEQA pursuant to CEQA Guideline 15307 (Actions By Regulatory Agencies For Protection of Natural Resources).

**Section 4.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be unconstitutional or otherwise invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the Town of Hillsborough hereby declares that it would have adopted the remainder of this ordinance, including each section, subsection, sentence, clause, phrase, or portion irrespective of the invalidity of any other article, section, subsection, sentence, clause, phrase, or portion.

**Section 5.** Effective Date. The Council hereby declares that the foregoing is an urgency ordinance necessary for the immediate preservation of the public peace, health and safety of the Town of Hillsborough and its residents and shall take effect immediately upon passage by a four-fifths majority of the City Council

**Section 6.** This ordinance shall be printed and posted upon the three (3) official bulletin boards of the Town of Hillsborough.

\_\_\_\_\_  
Mayor of the Town of Hillsborough

\_\_\_\_\_  
Attest: City Clerk

ORDINANCE NO. 724 of the TOWN OF HILLSBOROUGH introduced on April 13, 2015, and adopted on April 13, 2015, by the following vote of the City Council:

AYES:	Councilmembers	<u>May, Chuang, Benton, Christianson, Royse</u>
NOES:	Councilmembers	<u>None</u>
ABSENT:	Councilmembers	<u>None</u>
ABSTAIN:	Councilmembers	<u>None</u>

## ORDINANCE NO. 725

### URGENCY ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH FINDING A CONTINUING DROUGHT EMERGENCY AND AMENDING MUNICIPAL CODE CHAPTER 13.16

#### THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH HEREBY FINDS AND ORDAINS:

**Section 1.** Finding of Urgency Conditions. The Council finds and declares that the State of California and the Town of Hillsborough are continuing to experience severe drought conditions that require immediate and decisive action for the preservation of public peace, health and safety. The Council further finds that delay in adopting an ordinance to further reduce water waste will further exacerbate the drought conditions. The Council further finds that urgent action is needed to comply with the requirement that the new regulations adopted by the Water Resources Control Board be implemented by local jurisdictions by June 1, 2015, and the Town's future water allocation is likely to be reduced significantly if water consumption is not reduced now. Accordingly, based on the foregoing and the findings and determinations in Section 13.16.010 below, the Council finds that an urgency ordinance is warranted.

**Section 2.** Amendment of Sections 13.16.010 – 13.16.060 of the Hillsborough Municipal Code are hereby amended in their entirety to read as follows:

#### 13.16.010 - Findings and determinations.

The City Council of the Town finds and determines that:

- A. The state of California and the Town are continuing to experience severe drought conditions;
- B. On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;
- C. On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;
- D. On April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Water Resources Control Board (Water Board) to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage from June 1, 2015, through February 29, 2016 (Compliance Period);
- E. On May 5, 2015, the State Water Board adopted Resolution No. 2015-0032, an Emergency Regulation for Statewide Urban Water Conservation that requires urban water suppliers to reduce water use, effective June 1, 2015;
- F. Based on monthly water use reports submitted to the State Water Board by Hillsborough beginning in June 2014, the State Water Resources Control Board found Hillsborough's residential water use to be 324.5 gallons per capita per day;
- G. Per Resolution No. 2015-0032, the Town of Hillsborough is required to reduce its Total Potable Water Production by 36 percent during the Compliance Period as compared to the amount used in the same time period in 2013 ("Reduction Requirement").

- H. The State Water Board can issue informational orders, conservation orders or cease and desist orders to the Town for failure to meet the Reduction Requirement, and violation of a cease and desist order is subject to a civil liability of up to \$10,000 a day; and
- I. The rules, regulations and prohibitions set forth herein are intended to conserve water for the Town for the greatest public benefit with particular regard to indoor domestic use, sanitation and fire protection.

#### 13.16.020 - Definitions.

- A. "Town" means the Town of Hillsborough.
- B. "City Council" means the City Council of the Town of Hillsborough.
- C. "Customer" means the owner(s) and any person, individual, firm, partnership, association, corporation, company, organization, or governmental or other entity, whether within or without the geographic boundaries of the Town of Hillsborough, who uses water supplied by the Town of Hillsborough.
- D. "Total Potable Water Production" means all potable water that enters into the Town's distribution system, excluding water placed into storage and not withdrawn for use during the reporting period or water exported outside the Town's area.
- E. "Water Use" shall mean use of potable water delivered to a customer by the Town through its water distribution system.
- F. "Water Unit" ("Unit") is 100 cubic feet ("CCF") or 748 gallons of water.

#### 13.16.030 - Water conservation.

- A. All customers are urged and encouraged to conserve water in order that the Town will meet the Reduction Requirement.
- B. Customers are urged to use reclaimed water rather than Town potable water for consolidation of backfill and other construction purposes.
- C. Customers are urged to postpone pool, landscape and hot tub construction projects until such time as mandatory rationing ends. All water used for the maintenance of new landscape and construction projects must be within the amount allotted per Section 13.16.040.
- D. Customers are urged to postpone pool draining until such time as mandatory rationing ends. Alternatively, residents may fill the pool using water other than that from the Town's potable water supply.
- E. Customers are encouraged to consult with irrigation specialists and/or utilize water audits to obtain recommendations for optimizing indoor and outdoor water use and conservation.
- F. In the case where customer's historical annual 2014 water use is below the annual water allocation for the customer's parcel as determined in 13.16.040.A, the Town urges customers to use no more than 90% of 2014 usage.

#### 13.16.035 - Mandatory water conservation for new landscapes requiring a building permit.

Chapter 15.29 of the Hillsborough Municipal Code establishes mandatory outdoor water conservation measures for new construction and permitted, rehabilitated landscapes with irrigated areas greater than 2,500 square feet. In the event of any inconsistency between Chapter 13.16 and Chapter 15.29, the provisions of this Chapter shall prevail.

Exceptions to landscape requirements within the Hillsborough Municipal Code may be granted by the Director of Building and Planning on a case by case basis while this Urgency

Ordinance is in effect, based upon the finding that implementation of required landscaping would result in a violation of this Chapter. Exceptions must be applied for in writing to the Director of Building and Planning prior to the required implementation time and include a water budget as outlined in Chapter 15.29.

13.16.040 - Water rationing.

From and after the effective date of this ordinance, water use for each residential and non-residential parcel shall be limited to the water allotment for such parcel. Water allotments for properties provided water by the Hillsborough water department shall be determined by the following method:

- A. For residential parcels, the sum of the following:
  - 1. For individuals residing on the parcel for at least six months of the year:  
Thirty-six (36) units per year per individual.
  - 2. Outdoor water allotment will be determined as follows:

Parcel Size	Allotment
0 to 3 acres*	$y = 123 + 123x$
Greater than 3 acres	Determined by water auditor as approved by the Town Public Works Director

\* See 13.16.030, F.

where	$y$ = annual outdoor allotment in units (ccf)
	$x$ = parcel size in acres (including fractions thereof)

- B. For the purposes of determining indoor residential water allotments, the Town will assume three (3) individuals per residential parcel. Residents with more than three individuals residing at the parcel for at least six (6) months of the year may have their indoor residential water allotments adjusted by submitting the request in writing in the form and format provided by the Town and signing an affidavit stating the number of residents the applicant claims reside at the parcel for at least six (6) months of the year.
- C. Nonresidential parcels shall reduce water use in the same percentage as required by the Town. Nonresidential parcels may, at their option and expense, have water allotments determined by a water auditor approved by the Public Works Director.
- D. The monthly distribution of the annual outdoor allotments will be adjusted to reflect average weather conditions defined as evapotranspiration minus effective rainfall for a period greater than 10 years, based on local California Irrigation Management Information System weather data. This distribution will result in monthly water usage targets, a schedule of which will be provided by the Town to each residential customer.
- E. "Parcel Size" shall be determined by the County Assessor's database.

13.16.050 - Penalty; Enforcement.

- A. Subject to the provisions of subsection B, below, during any monthly billing period commencing July 1, 2015, a customer with water use in excess of the customer's

monthly target shall incur a penalty of \$30 per unit of water, or portion thereof, used in excess of the applicable target.

- B. For purposes of determining whether a penalty is incurred, and if so the amount thereof, a customer will be allowed, one time only, to accumulate water usage for three consecutive monthly billing periods, commencing with the month of July 2015. If the result of such accumulation is that water usage for such three month period is less than the target for such period, there shall be no penalty.
- C. Continued water use in excess of the applicable target after written notice (“Enforcement Notice”) shall be cause for the Town to either install a water flow restrictor at the water meter or disconnect water service to the customer until the customer is taking all measures necessary to bring his/her water usage for the subject parcel into compliance. In the event that the customer has, or requests the Town to install, a separate meter providing outdoor water use exclusively, the Town shall first restrict or disconnect such outdoor meter before restricting or disconnecting the meter providing indoor water use. A water flow restrictor removal charge or a water meter reconnection charge shall be billed to the customer as described in the Town’s Schedule of Fees and Charges.
- D. Continued water use in excess of the applicable target may also constitute a public nuisance subject to abatement as provided in Chapter 8.16 of the Municipal Code.

#### 13.16.060 Appeals

Customers desiring to contest an excess penalty charge, an enforcement action or an Enforcement Notice which proposes to install a restrictor or disconnect water service may file an appeal by completing a form provided by the Town, which will be heard by the Town’s Code Enforcement Panel, or such other body as may be appointed by the City Council or, with the consent of the City Council, by the City Manager. As a condition to filing the appeal, all outstanding water use charges must be paid in full. If the appeal is upheld as to any such charges, the amount thereof shall be refunded.

**Section 3.** Sections 13.16.060 of the Hillsborough Municipal Code is hereby renumbered to Section 13.16.070:

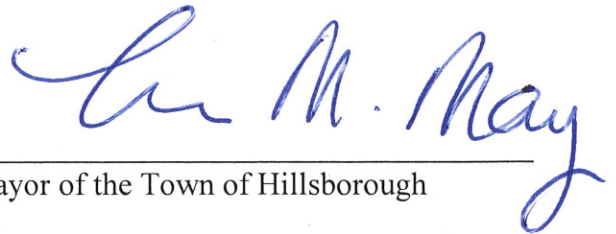
**Section 4.** California Environmental Quality Act (CEQA) Determination. The Council finds and declares that the adoption of the water waste reduction measures herein is categorically exempt from CEQA pursuant to CEQA Guideline 15307 (Actions By Regulatory Agencies For Protection of Natural Resources).

**Section 5.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be unconstitutional or otherwise invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the Town of Hillsborough hereby declares that it would have adopted the remainder of this ordinance, including each section, subsection, sentence, clause, phrase, or portion irrespective of the invalidity of any other article, section, subsection, sentence, clause, phrase, or portion.

**Section 6.** Effective Date. The Council hereby declares that the foregoing is an urgency ordinance necessary for the immediate preservation of the public peace, health and safety of the Town of Hillsborough and its residents and shall take effect immediately upon passage by a four-fifths majority vote of the City Council



**Section 7.** This ordinance shall be printed and posted upon the three (3) official bulletin boards of the Town of Hillsborough.

  
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Mayor of the Town of Hillsborough

  
\_\_\_\_\_  
Attest: City Clerk

ORDINANCE NO. 725 of the TOWN OF HILLSBOROUGH introduced on June 8, 2015, and adopted on June 8, 2015, by the following roll call vote of the City Council:

AYES:	Councilmembers	<u>May, Chuang, Benton, Christianson, Royse</u>
NOES:	Councilmembers	<u>None</u>
ABSENT:	Councilmembers	<u>None</u>
ABSTAIN:	Councilmembers	<u>None</u>

**ORDINANCE NO. 727**

**ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH  
AMENDING HILLSBOROUGH MUNICIPAL CODE SECTION 13.16.060 REGARDING  
WATER CONSERVATION - APPEALS**

THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH DOES HEREBY ORDAIN as follows:

**Section 1.** Section 13.16.060 of the Hillsborough Municipal Code is hereby amended in its entirety to read as follows:

13.16.060 Appeals

Customers desiring to contest an excess penalty charge, an enforcement action or an Enforcement Notice which proposes to install a restrictor or disconnect water service may file an appeal by completing a form provided by the Town, which will be heard by the Town's Code Enforcement Panel, or such other body as may be appointed by the City Council or, with the consent of the City Council, by the City Manager, which body or person shall have the authority to waive or reduce the penalty and/or modify the customer's allotment. An allotment not otherwise subject to modification by virtue of the application of Section 13.16.040, is nonetheless subject to possible modification based upon extenuating circumstances, including but not limited to the following:


- (a) The customer has taken all reasonable steps to reduce water use;
- (b) Failure to modify the allotment could result in the substantial loss of trees or other high value plants or the loss of landscaping of historic significance;
- (c) There are temporary residents at the customer's residential parcel which do not meet the six month requirement of Section 13.16.404B; and/or
- (d) The subject residential parcel contains new landscaping not yet established.

As a condition to filing the appeal, all outstanding water use charges, excluding any proposed penalty, must be paid in full. To the extent a penalty is upheld on appeal, it shall be paid within ten (10) days after the customer is notified of the decision.

**Section 2.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be unconstitutional or otherwise invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the Town of Hillsborough hereby declares that it would have adopted the remainder of this ordinance, including each section, subsection, sentence, clause, phrase, or portion irrespective of the invalidity of any other article, section, subsection, sentence, clause, phrase, or portion.

**Section 3.** This ordinance shall be printed and posted upon the three official bulletin boards of the Town of Hillsborough and shall be effective 30 days after adoption by the City Council.

  
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Attest: City Clerk

  
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Mayor of the Town of Hillsborough

ORDINANCE NO. 727 of the Town of Hillsborough introduced on August 10, 2015, and adopted on September 15, 2015, by the following vote of the City Council:

AYES:	Councilmembers	<u>May, Chuang, Benton, Christianson, Royse</u>
NOES:	Councilmembers	<u>None</u>
ABSENT:	Councilmembers	<u>None</u>
ABSTAIN:	Councilmembers	<u>None</u>

**ORDINANCE NO. 729**

**ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH  
AMENDING HILLSBOROUGH MUNICIPAL CODE SECTION 13.16.050 REGARDING  
WATER CONSERVATION – PENALTY; ENFORCEMENT**

THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH DOES HEREBY ORDAIN as follows:

**Section 1.** Section 13.16.050 of the Hillsborough Municipal Code is hereby amended in its entirety to read as follows:

13.16.050 - Penalty; Enforcement.

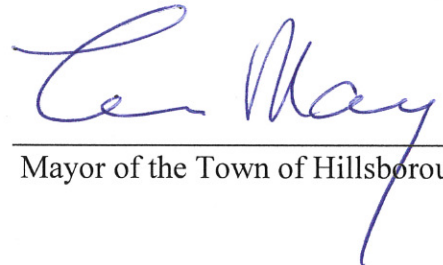
- A. Subject to the provisions of subsection B, below, during any monthly billing period commencing July 1, 2015, a customer with water use in excess of the customer's monthly target shall incur a penalty of \$30 per unit of water, or portion thereof, used in excess of the applicable target.
- B. For purposes of determining whether a penalty is incurred, and if so the amount thereof, a customer will be allowed to accumulate water usage for three consecutive monthly billing periods, commencing with the month of July 2015 (the "Three Month Period") and again for the five consecutive monthly billing periods commencing with the month of October 2015 (the "Five Month Period"). If the result of such accumulation is that water usage for the Three Month Period is less than the target for such Period, there shall be no penalty for the Three Month Period, and if the water usage for the Five Month Period is less than the target for such Period, there shall be no penalty for the Five Month Period. Further, if the customer's water usage for the Three Month Period is less than the target for such Period (the "Three Month Difference"), but the customer's usage for the ensuing Five Month Period exceeds the target for such Five Month Period, then an amount equal to the Three Month Difference shall be added to customer's target which would otherwise have applied to such Five Month Period.
- C. Continued water use in excess of the applicable target after written notice ("Enforcement Notice") shall be cause for the Town to either install a water flow restrictor at the water meter or disconnect water service to the customer until the customer is taking all measures necessary to bring his/her water usage for the subject parcel into compliance. In the event that the customer has, or requests the Town to install, a separate meter providing outdoor water use exclusively, the Town shall first restrict or disconnect such outdoor meter before restricting or disconnecting the meter providing indoor water use. A water flow restrictor removal charge or a water meter reconnection charge shall be billed to the customer as described in the Town's Schedule of Fees and Charges.
- D. Continued water use in excess of the applicable target may also constitute a public nuisance subject to abatement as provided in Chapter 8.16 of the Municipal Code.

**Section 2.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be unconstitutional or otherwise invalid by the decision of any court of

competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the Town of Hillsborough hereby declares that it would have adopted the remainder of this ordinance, including each section, subsection, sentence, clause, phrase, or portion irrespective of the invalidity of any other article, section, subsection, sentence, clause, phrase, or portion.

**Section 3.** This ordinance shall be printed and posted upon the three official bulletin boards of the Town of Hillsborough and shall be effective 30 days after adoption by the City Council.

  
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Attest: City Clerk

  
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Mayor of the Town of Hillsborough

ORDINANCE NO. 729 of the TOWN OF HILLSBOROUGH introduced on September 15, 2015, and adopted on October 12, 2015, by the following vote of the City Council:

AYES:	Councilmembers	<u>May, Chuang, Benton, Christianson, Royse</u>
NOES:	Councilmembers	<u>None</u>
ABSENT:	Councilmembers	<u>None</u>
ABSTAIN:	Councilmembers	<u>None</u>

**ORDINANCE NO. 732**

**ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH  
AMENDING CHAPTER 15.29 OF THE HILLSBOROUGH MUNICIPAL CODE  
REVISING WATER CONSERVATION IN LANDSCAPE REQUIREMENTS**

THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH DOES HEREBY ORDAIN as follows:

**Section 1.** Chapter 15.29 of the Hillsborough Municipal Code is hereby amended in its entirety to read as follows:

15.29.10 Purpose

The purpose of this chapter is to establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in applicable new construction and rehabilitated projects and to establish provisions for water management practices and water waste prevention for existing landscapes, pursuant to California State Assembly Bill 1881, Section 65597, "The Water Conservation in Landscaping Act".

15.29.20 Applicability

A. The provisions of this Ordinance shall apply to all of the following landscape projects:

- i. Tier 1 Landscapes: All new construction, "tear downs" (as defined in Section 2.12.070) and rehabilitated landscapes with irrigated landscape areas between 2,500 square feet and 5,000 square feet requiring a building or landscape permit, plan check or design review, or requiring new or expanded water service.
- ii. Tier 2 Landscapes: All new construction, "tear downs" (as defined in Section 2.12.070) and rehabilitated landscapes with irrigated landscape areas greater than 5,000 square feet requiring a building or landscape permit, plan check or design review or requiring new or expanded water service.
- iii. Existing landscapes, shall only be subject to the provisions for existing landscapes provided for in Section 15.29.130 "Provisions for Existing Landscapes Over One Acre in Size;" and
- iv. Any landscape renovation, restoration, or new construction where there is natural lawn, turf, or grass area greater than 2500 square feet.
- v. For landscapes under 5,000 square feet or projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 10,000 square feet of landscape and meets the lot or parcel's landscape requirement (Estimated Total Water Use) entirely

with treated or untreated graywater or through stored rainwater captured on site is subject only to the Town's Prescriptive Compliance Option.

vi. Requirements of Section 13.16.035 of this Code regarding mandatory conservation for new landscapes requiring a building permit apply.

B. The provisions of this Ordinance shall not apply to:

- i. Landscapes, or portions of landscapes, that are only irrigated for an establishment period;
- ii. Registered local, state or federal historical sites where landscaping establishes a historical landscape style, as determined by a public board or commission responsible for architectural review or historic preservation;
- iii. Ecological restoration or mined-land reclamation projects that do not require a permanent irrigation system; or
- iv. Community gardens or plant collections, as part of botanical gardens and arboretums open to the public, agricultural uses, commercial nurseries and sod farms.

#### 15.29.30 Definitions

- A. "applied water" means the portion of water supplied by the irrigation system to the landscape.
- B. "automatic irrigation controller" means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.
- C. "backflow prevention device" means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
- D. "certified irrigation designer" means a person certified to design irrigation systems by an accredited academic institution a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.
- E. "certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense Landscape Irrigation Certification Program, the Irrigation Association's certified landscape water conservation professional programs and

the California Landscape Contractors Association's Certified Water Manager Program.

- F. "certified professional" or "authorized professional" means a certified irrigation designer, a certified landscape irrigation auditor, a licensed landscape architect, a licensed landscape contractor, a licensed professional engineer, or any other person authorized by the state to design a landscape, an irrigation system, or authorized to complete a water budget.
- G. "conversion factor (0.62)" means the number that converts acre-inches per acre per year to gallons per square foot per year
- H. "drip irrigation" means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
- I. "ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
- J. "effective precipitation" or "usable rainfall" (Eppt) means the portion of total precipitation which becomes available for plant growth.
- K. "establishment period" means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth.
- L. "Estimated Total Water Use" (ETWU) means the total water used for the landscape as described in Section VIII "Water Budget Calculations."
- M. "ET adjustment factor" (ETAF) means a factor of 0.55 for residential and .45 for non-residential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. ETAF for a Special Landscape Area shall not exceed 1.0. ETAF for existing non-rehabilitated landscapes shall not exceed 0.8.
- N. "evapotranspiration rate" means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.
- O. "flow rate" means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.
- P. "hardscapes" means areas located beneath a roof or covered by manufactured, non-plant pervious or impervious materials.



- Q. “hydrozone” means a portion of the landscaped area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.
- R. “invasive plant species” means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. “Noxious weeds” means any weed designated by the Weed Control Regulations in the Weed Control Act and identified on a Regional District noxious weed control list. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.
- S. “irrigation audit” means an in-depth evaluation of the performance of an irrigation system. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.
- T. “irrigation efficiency” (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum average irrigation efficiencies for purposes of this Ordinance are .75 for overhead spray devices and .81 for drip systems.
- U. “irrigation survey” means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.
- V. “irrigation water use analysis” means an analysis of water use data based on meter readings and billing data.
- W. “landscape architect” means a person who holds a license to practice landscape architecture in California as further defined by the California Business and Professions Code, Section 5615.
- X. “landscape” and “landscape area” means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or impervious hardscapes, other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation), agricultural uses, commercial nurseries and sod farms.
- Y. “landscape contractor” means a person licensed by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.
- Z. “landscape project” means the total area comprising the landscape area, as defined in this Ordinance.

- AA. "lateral line" means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.
- BB. "low volume irrigation" means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers.
- CC. "low water use plant" means a plant species whose water needs are compatible with local climate and soil conditions. Species classified as "very low water use" and "low water use" by WUCOLS, having a regionally adjusted plant factor of 0 to 0.1 for very low water using plants, 0.1 through 0.3, shall be considered low water use plants. "Maximum Applied Water Allowance" (MAWA) means the upper limit of annual applied water for the established landscaped area as specified in "Water Budget Calculations."
- DD. "mined-land reclamation projects" means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.
- EE. "mulch" means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.
- FF. "new construction" means the construction of a new building or structure containing a landscape or other new land improvement, such as a park, playground, or greenbelt without an associated building.
- GG. "no-water using plant" means a plant species with water needs that are compatible with local climate and soil conditions such that regular supplemental irrigation is not required to sustain the plant after it has become established.
- HH. "operating pressure" means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.
- II. "overhead sprinkler irrigation systems" means systems that deliver water through the air (e.g., spray heads and rotors).
- JJ. "overspray" means the irrigation water which is delivered beyond the target area.
- KK. "permit" means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.
- LL. "pervious" means any surface or material that allows the passage of water through the material and into the underlying soil.

- MM. “plant factor” or “plant water use factor” is a factor, when multiplied by ETo, estimates the amount of water needed by plants.
- NN. “precipitation rate” means the rate of application of water measured in inches per hour.
- OO. “project applicant” means the individual or entity submitting a Project Landscape Application required under Section VI, to request a permit, plan check, design review, or new or expanded water service from the Town of Hillsborough. A project applicant may be the property owner or his or her designee.
- PP. “rain sensor” or “rain sensing shutoff device” means a component which automatically suspends an irrigation event when it rains.
- QQ. “recreational area” means areas dedicated to active play such as parks, sports fields, and golf courses where turf provides a playing surface.
- RR. “reference evapotranspiration” or “ETo” means a standard measurement of environmental parameters which affect the water use of plants.
- SS. “rehabilitated landscape” means any re-landscaping project that requires a permit, plan check, design review, or requires a new or expanded water service application.
- TT. “runoff” means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area.
- UU. “soil moisture sensing device” or “soil moisture sensor” means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.
- VV. “Special Landscape Area” (SLA) means an area of the landscape dedicated solely to edible plants, areas irrigated with recycled water, water features using recycled water and areas dedicated to active play such as parks, sports fields, and golf courses, where turf provides a playing surface.
- WW. “sprinkler head” means a device which delivers water through a nozzle.
- XX. “station” means an area served by one valve or by a set of valves that operate simultaneously.
- YY. “turf” means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermuda grass, Kikuyu grass, Seashore Paspalum, St. Augustine grass, Zoysia grass, and Buffalo grass are warm-season grasses. Turf shall be considered a high water use plant.
- ZZ. “valve” means a device used to control the flow of water in the irrigation system.

AAA. "water feature" means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied).

BBB. "WUCOLS" means the current version of the Water Use Classification of Landscape Species current edition published by the University of California Cooperative Extension, the Department of Water Resources.

CCC. "Soil Survey" means a soil analysis and grading report", including a date, signature, and license number of the preparing professional, undertaken for the purpose of assisting the applicant in reviewing existing conditions at their project site evaluating opportunities to maximize water savings benefits, consistent with a form prescribed by the Town.

15.29.40 Water Conservation in Landscaping Ordinance Requirements

A. All owners of new construction and rehabilitated landscapes of applicable sizes shall: (1) complete the Landscape Project Application and (2) comply with the Landscape and Irrigation Maintenance Schedule requirements of this Ordinance.

B. All owners of existing landscapes over one acre in size, even if installed before enactment of this Ordinance, shall: (1) comply with Town programs that may be instituted relating to irrigation audits, surveys and water use analysis, and (2) shall maintain landscape irrigation facilities to prevent water waste and runoff, and shall comply with Statewide and local conservation and reduction requirements.

15.29.50 Compliance with Ordinance

A. The Town shall:

i. Provide the project applicant with the Ordinance and Landscape Project Application requirements and the procedures for permits, plan checks, design reviews, or new or expanded water service;

ii. Review the Landscape Project Application submitted by the project applicant;

iii. Approve, conditionally approve, or deny the project applicant's Landscape Project Application submittal;

iv. Issue or approve a permit, plan check or design review that complies with the approved landscape project application or approve a new or expanded water service application that complies with the approved Landscape Project Application.

B. The project applicant shall:

- i. Prior to construction, submit all portions of the Landscape Project Application, except the Landscape Audit Report, to the Town's Planning/Building Department; and
- ii. After construction, submit the Landscape Audit Report portion of the Landscape Project Application to the Building Division.

15.29.60 Landscape Project Application

A. The elements of a landscape must be designed to achieve water efficiency and comply with the criteria described in this Ordinance. In completing the Landscape Project Application, project applicants may choose one of two options to demonstrate that the landscape meets the Ordinance's water efficiency goals. Regardless of which option is selected, the applicant must complete and comply with all other elements of the Ordinance. The options include:

- i. Planting restrictions:
  - a. Landscapes shall not use turf or high water using plants unless, the project applicant develops a site-specific water budget and the ETWU of the landscape area does not exceed the MAWA; and
  - b. At least 80% of the plants in non-turf landscape areas shall be low-water or no-water using plants, unless the project applicant develops a site-specific water budget and the ETWU of the landscaped area does not exceed the MAWA; or the
- ii. Water budget calculation option pursuant to Section 15.29.80.

B. The Landscape Project Application shall include the following elements:

- i. Project Information;
- ii. Outdoor Water Use Efficiency Checklist;
- iii. Water budget calculations, if applicant selects to use a water budget approach rather than comply with the turf area limitations or specified plant type restrictions;
- iv. Landscape and Irrigation System Design Plans; and
- v. Landscape Audit Report for Tier 2 projects.
- vi. Soil Survey for Tier 2 projects

15.29.70 Outdoor Water Use Efficiency Checklist

The Town of Hillsborough has developed an Outdoor Water Use Efficiency Checklist (Checklist), based on the criteria described below. For Tier 1 projects, either the project applicant or a certified or authorized professional shall complete the Checklist and submit it to the Town of Hillsborough along with the Landscape and Irrigation Design Plan. For Tier 2 projects, the Checklist shall be completed by a certified or authorized professional and submitted to the Town of Hillsborough along with the Landscape and Irrigation Design Plan.

A. Plant Material

- i. Each hydrozone shall have plant materials with similar water use that are selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site.
- ii. Landscapes shall not use turf or high water using plants unless the project applicant develops a site-specific water budget and the ETWU of the landscape area does not exceed the MAWA; and
- iii. Turf shall not be planted on slopes greater than 15% and in areas that are less than eight feet wide, unless irrigated with subsurface irrigation or a low volume irrigation system.
- iv. At least 80% of the plants in non-turf landscape areas shall be low-water or no-water using plants, unless the project applicant develops a site-specific water budget and the ETWU of the landscaped area does not exceed the MAWA.
- v. A defensible space around a building or structure is required in wildland urban interface areas per Public Resources Code Section 4291 (a) and (b).
- vi. Fire-prone plant materials and highly flammable mulches should be avoided.
- vii. The use of invasive and/or noxious plant species is strongly discouraged.
- viii. The architectural guidelines of a common interest development shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.

B. Mulch

A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting ground covers, or direct seeding applications where mulch is contraindicated.

C. Irrigation System

An irrigation system shall meet all the requirements listed in this section and the manufacturers' recommendations. The irrigation system and its related

components shall be planned and designed to allow for proper installation, management, and maintenance.

- i. Dedicated landscape water meters and California State approved backflow devices shall be required for new construction with landscape areas greater than 5,000 square feet.
- ii. Tier 2 Landscapes are required to have automatic irrigation controllers that utilize either evapotranspiration or soil moisture sensor data for irrigation scheduling.
- iii. Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems.
- iv. The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions.
- v. Low volume irrigation is required in mulched areas, in areas with slope greater than 15%, or in narrow or irregularly shaped areas that are less than eight feet in width in any direction.
- vi. Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:
  - a. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
  - b. the adjacent non-permeable surfaces are designed and constructed to drain entirely to the landscaping; or
  - c. the irrigation designer specifies an alternative design or technology, as part of the Landscape Design Plan and clearly demonstrates that overspray and runoff will be avoided. Prevention of overspray and runoff must be confirmed during the irrigation audit.
- vii. Average irrigation efficiency is assumed to be 75% for overhead spray and 81% for drip systems, for the purposes of calculating Estimated Total Water Use in Water Budget calculations. Irrigation systems shall be designed, maintained, and managed to meet or exceed these irrigation efficiencies.

- viii. Irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m., unless unfavorable weather prevents it or otherwise renders irrigation unnecessary.
- ix. Tier 2 Landscapes are required to have pressure regulators and master shut-off valves.
- x. Tier 2 Landscapes are required to have flow sensors that detect and report high flow conditions due to broken pipes and/or popped sprinkler heads for landscaped areas greater than 5,000 square feet.

D. Hydrozone

- i. Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.
- ii. Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.
- iii. Where feasible, trees shall be irrigated by separate valves from shrubs, groundcovers, and turf.
- iv. Individual hydrozones that mix plants with different water uses may be allowed if a water budget is performed, and the plant factor calculation is based on the proportion of the respective plant water uses or the plant factor of the higher water using plant is used.

E. Water Features

- i. Recirculating water systems will be used for water features.
- ii. The wet surface area of a water feature will not exceed 10% of the softscape area, as defined in Hillsborough Municipal Code Section 17.32.060(A)(3), and will be counted as a high-water using plant for purposes of a water budget calculation.
- iii. Pool and spa covers are required on any newly constructed pool or spa. The surface area of a pool or spa equipped with a cover will be counted as a moderate-water using plant for purposes of a water budget calculation.

F. Soil Amendments

Soil amendments, such as compost, shall be incorporated according to the soil conditions at the project site and based on what is appropriate for the selected plants.



Project applicant may elect to complete a water budget calculation for the landscape project. A Tier 1 water budget may be developed and completed by the project applicant. A Tier 2 water budget calculation must be completed by a certified or authorized professional. Water budget calculations, if prepared, shall adhere to the following requirements:

- A. The plant factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). The plant factor ranges from 0 to 0.1 for very low water using plants, 0.1 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.
- B. Requests to adjust a plant's WUCOLS listed plant factor, due to site-specific microclimate conditions, will be considered on a case-by-case basis by the building official. Requests to adjust a plant factor shall be prepared by a certified or authorized landscape professional, submitted in writing with the Water Budget and detailed on the submitted Landscape Design Plan. The certified professional will describe the site conditions, irrigation design, irrigation schedule and other considerations that support the request for the plant factor adjustment. The conditions in the submitted request will be confirmed by an authorized professional during the irrigation audit. Plant factor adjustments not supported by the irrigation audit will revert to their WUCOLS listed plant factor.
- C. The wet surface areas of all non-covered water features shall be included in the high water use hydrozone, and temporarily irrigated areas shall be included in the low water use hydrozone. The covered, wet surface areas of pools and spas equipped with covers shall be included in the medium use hydrozone.
- D. All Special Landscape Areas (SLA) shall be identified and their water use included in the water budget calculations.
- E. The reference evapotranspiration adjustment factor (ETAF) for SLA shall not exceed 1.0. The ETAF for all other landscaped areas shall not exceed .55 for residential areas and 0.45 for non-residential areas.
- F. Maximum Applied Water Allowance (MAWA) shall be calculated using the equation below:

$$\text{MAWA} = (\text{ETo}) (0.62) [(.55 \times \text{LA}) + (.45 \times \text{SLA})] \text{ for residential areas.}$$

$$\text{MAWA} = (\text{ETo}) (0.62) [(.45 \times \text{LA}) + (.55 \times \text{SLA})] \text{ for non-residential areas.}$$

Where:

MAWA = Maximum Applied Water Allowance (gallons per year)

ETo = Reference Evapotranspiration (inches per year)

0.62 = Conversion Factor (to gallons)

0.55 = Reference Evapotranspiration Adjustment Factor (ETAF)

LA = Landscape Area including SLA (square feet)

0.45 = Additional Water Allowance for SLA

0.55 = Additional Water Allowance for SLA  
SLA = Special Landscape Area (square feet)

- G. The Town or project applicant may consider Effective Precipitation (25% of annual precipitation) in tracking water use and may use the following equation to calculate the MAWA:

MAWA = (ET<sub>o</sub>) (0.62) [(0.55 x LA) + (0.45 x SLA)] for residential areas.  
MAWA = (ET<sub>o</sub>) (0.62) [(0.45 x LA) + (0.55 x SLA)] for non-residential areas.

- H. Estimated Total Water Use (ETWU) will be calculated using the equation below. The sum of the ETWU calculated for all hydrozones will not exceed the MAWA.

$$ETWU = (ET_o)(0.62) \left( \frac{PF \times HA}{IE} + SLA \right)$$

Where:

ETWU = Estimated Total Water Use per year (gallons)  
ET<sub>o</sub> = Reference Evapotranspiration (inches)  
PF = Plant Factor from WUCOLS (see Section 491)  
HA = Hydrozone Area [high, medium, and low water use areas] (square feet)  
0.75 = Irrigation Efficiency (IE) for overhead spray devices  
0.81 = Irrigation Efficiency (IE) for drip system devices  
SLA = Special Landscape Area (square feet)  
0.62 = Conversion Factor  
IE = Irrigation Efficiency (minimum 0.70)

#### 15.29.90 Landscape and Irrigation Design Plans

- A. Tier 1 Landscapes: The Landscape and Irrigation Design Plan may be prepared by, and bear the signature of, the project applicant, or that of a certified or authorized professional.
- B. Tier 2 Landscapes: The components of the Landscape and Irrigation Design Plan shall be prepared as follows:
- i. The landscape design portion shall be prepared by, and bear the signature of, a licensed landscape architect, licensed landscape contractor, or that of a certified or authorized professional; and
  - ii. The irrigation design portion shall be prepared by, and bear the signature of, a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or that of a certified or authorized professional.
- C. The landscape design portion of the Landscape and Irrigation Design Plan, at a minimum, shall:
- i. Delineate and label each hydrozone;

- ii. Identify each hydrozone as low, moderate, high water, or mixed water use;
- iii. Identify Special Landscape Areas (i.e., recreational areas; areas permanently and solely dedicated to edible plants; areas irrigated with recycled water);
- iv. Identify type of mulch and application depth;
- v. Identify type and surface area of water features, and any covers;
- vi. Identify hardscapes (pervious and impervious); and
- vii. Contain the following statement: "I have complied with the criteria of the Water Conservation in Landscaping Ordinance and applied them for the efficient use of water in the Landscape and Irrigation Design Plan."

D. The irrigation design portion of the Landscape and Irrigation Design Plan, at a minimum, shall contain:

- i. Location and size of water meter(s);
- ii. Location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
- iii. Static water pressure at the point of connection to the public water supply;
- iv. Flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;
- v. Irrigation schedule;
- vi. The following statement: "I have complied with the criteria of the Water Conservation in Landscaping Ordinance and applied them accordingly for the efficient use of water in the Landscape and Irrigation Design Plan"

E. Grading

If the Landscape Project will be graded, then the grading shall be designed to minimize soil erosion, runoff, and water waste. All grading shall be conducted to:

- i. Maintain all irrigation and normal rainfall within property lines and avoid drainage on to impermeable hardscapes;
- ii. Avoid disruption of natural drainage patterns and undisturbed soil;

- iii. Avoid soil compaction in landscape areas; and
- iv. Be consistent with National Pollution Discharge Elimination System and other applicable grading requirements.

15.29.100 Landscape Audit Report

- A. Tier 1 Landscapes: Landscape irrigation audits for new or rehabilitated landscapes installed after the Ordinance effective date shall be conducted after the landscaping and irrigation systems have been installed. The audit may be conducted by the project applicant or by a certified landscape irrigation auditor.
- B. Tier 2 Landscapes: Landscape irrigation audits for new or rehabilitated landscapes installed after the Ordinance effective date shall be conducted by a local agency landscape irrigation auditor or a third party certified irrigation auditor after the landscaping and irrigation system have been installed.
- C. The Landscape Audit Report shall include, but is not limited to:
  - i. Inspection to confirm that the landscaping and irrigation system were installed as specified in the Landscape and Irrigation Design Plan, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule.
  - ii. Certification to confirm that testing was performed for infiltration rate; that soil texture was recorded; that soil color at depths of 2", 6", and 12" was recorded, and that toxic materials previously existing on-site were noted; and that remedial measures were employed to address each with results submitted to the building official.
  - iii. Certification to confirm that the approved grading plan was installed as designed, and meets criteria established by the building official.
- D. The Landscape Audit Report shall include the following statement: "The landscape and irrigation system has been installed as specified in the Landscape and Irrigation Design Plan and complies with the criteria of the Ordinance and the permit", with a date, signature, and license number of the report preparer.
- E. The Town shall administer on-going programs that may include, but not be limited to, post-installation landscape inspection, irrigation water use analysis, irrigation audits, irrigation surveys and water budget calculations to evaluate compliance with the MAWA.

15.29.110 Landscape and Irrigation Maintenance Schedule

Landscapes shall be maintained to ensure water use efficiency.

- A. A regular maintenance schedule shall include, but not be limited to, routine inspection; adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; weeding in all landscape areas; and removing obstructions to emission devices.
- B. Repair of all irrigation equipment shall be done with the originally installed components or their equivalents.
- C. A Project applicant is encouraged to implement sustainable or environmentally-friendly practices for overall landscape maintenance.

15.29.120 Stormwater Management

Stormwater best management practices shall be incorporated into the landscape and grading design plans to minimize runoff and to increase on-site retention and infiltration and shall be consistent with the National Pollution Discharge Elimination System and other applicable stormwater management requirements.

15.29.130 Provisions for Existing Landscapes Over One Acre in Size

This section shall apply to all existing landscapes that were installed before Ordinance effective date and are over one acre in size.

- A. Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.
  - i. For landscapes that have a water meter, the Town shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the MAWA for existing landscapes. The MAWA for existing landscapes shall be calculated as:
 
$$\text{MAWA} = (0.8) (\text{ETo})(\text{LA})(0.62).$$
  - ii. For landscapes that do not have a meter, the Town shall administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.
  - iii. All landscape irrigation audits for existing landscapes that are greater than one acre in size shall be conducted by a certified landscape irrigation auditor.

B. Water Waste Prevention.

Local agencies shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from leaving the target landscape due to low head

drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures.

15.29.140 Penalties

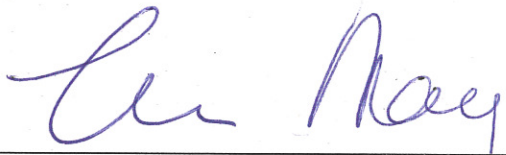
If the building official determines that the responsible party has not complied with this chapter, then the project shall be determined to be non-compliant, and the responsible party shall be subject to a penalty of up to ten times the permit fee, as set forth in Section 15.04.070 C.1.

15.29.150 Public Education

The Town shall provide information to all applicants regarding the design, installation, management, and maintenance of water-efficient landscapes and irrigation systems.

**Section 2.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be unconstitutional or otherwise invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the Town of Hillsborough hereby declares that it would have adopted the remainder of this ordinance, including each section, subsection, sentence, clause, phrase, or portion irrespective of the invalidity of any other article, section, subsection, sentence, clause, phrase, or portion.

**Section 3.** This ordinance shall be printed and posted upon the three official bulletin boards of the Town of Hillsborough and shall be effective thirty days after adoption by the City Council.

  
\_\_\_\_\_  
Mayor of the Town of Hillsborough

  
\_\_\_\_\_  
Attest: City Clerk

ORDINANCE NO. 732 of the TOWN OF HILLSBOROUGH introduced on January 11, 2016, and adopted on February 8, 2016, by the following vote of the City Council:

AYES: Councilmembers May, Chuang, Benton, Christianson, Royse

NOES: Councilmembers None

ABSENT: Councilmembers None

ABSTAIN: Councilmembers None

**Exhibit E**  
**Town Issued Water Waste Warning Tags and Letters**







# TOWN OF HILLSBOROUGH

## Water Waste Warning

Address	Date	Time
		a.m./p.m.

**You are receiving this notice because it appears you are:**

- Irrigating in a manner causing runoff onto pavement or adjacent properties.
- Irrigating more than twice-weekly, or the equivalent.
- Irrigating during the daytime, which is defined as one hour after sunrise to one hour before sunset.
- Washing a sidewalk, driveway or hardscape with potable water.
- Washing a vehicle with a hose not equipped with a shut-off nozzle.
- Using potable water in a water feature that does not re-circulate water.

Additional Observations: \_\_\_\_\_

**Required Action:** Please address the above issue(s) within 5 working days to avoid receiving a citation and fine.

**Water Waste Prohibition:** California is experiencing a severe drought. Hillsborough is required by California emergency water regulations to prohibit water waste, limit irrigation and conserve water. A copy of the Town's Urgency Ordinance (HMC 13.16.060) prohibiting water waste is available on the Town's website ([www.hillsborough.net](http://www.hillsborough.net)). It is also available at Town Hall.

**Water Conservation Assistance:** Please call the Town's Drought Line at 650-375-7584 if you have questions or need water conservation assistance.

Completed by	Date

Town of Hillsborough  
1600 Floribunda Avenue, Hillsborough, CA 94010



# TOWN OF HILLSBOROUGH

**Department of Public Works  
1600 Floribunda Avenue  
Hillsborough, CA 94010-6418  
Phone 650-375-7444**

DATE

NAME

ADDRESS

Hillsborough, CA 94010

Dear NAME:

On DATE, a Town representative identified the following issue on your property:

- Irrigating in a manner causing runoff onto pavement or adjacent properties.
- Irrigating during the daytime, which is defined as one hour after sunrise to one hour before sunset.
- Irrigating within 48 hours after a rain event.
- Irrigating more than twice-weekly, or the equivalent.
- Water flowing from you property as a result of a possible leak or over-irrigation.
- Washing a sidewalk, driveway or hardscape with potable water for non-health/sanitation reasons.
- Washing a vehicle with a hose not equipped with a shut-off nozzle.
- Using potable water in a water feature that does not re-circulate water.

We are requesting that you correct the issue within 5 days so that you are in compliance with the Town's Ordinance and to avoid a possible citation and fine. If you have questions about the compliance requirements, you may call Hillsborough Code Enforcement at 650-375-7572. If you are unsure how to correct the issue, or need water conservation technical assistance, you may contact the Town's Public Works Department at 650-375-7444.

California is experiencing a severe drought. Hillsborough is compelled by State regulations to reduce water use and prohibit water waste. On August 11, 2014, Hillsborough City Council adopted an Urgency Ordinance prohibiting water waste and requiring reductions in irrigation. The Ordinance provides for fines of up to \$500 per day per violation. A copy of the Ordinance is available on the Town's Drought website at [www.hillsborough.net/drought](http://www.hillsborough.net/drought).

Additionally, the Town provides Water Use Reports to all of its residents. You may have already signed up to receive your Water Use Report by email. If not, please join 1,000 of your neighbors who have registered to receive their report electronically by calling the Town's Public Works Department at 650-375-7444.

Thank you for your cooperation in conserving water during this severe drought.

**Exhibit F**  
**Town Drought Ordinance Outreach Examples**





# TOWN OF HILLSBOROUGH

Department of Public Works  
1600 Floribunda Avenue  
Hillsborough, CA 94010-6418  
Phone 650-375-7444

June 16, 2015

NAME A

ADDRESS B

Hillsborough, CA 94010

Dear NAME A:

California is in a severe drought. On May 6, 2015, the State's Resources Control Board adopted emergency regulations that require the Town of Hillsborough, as a whole, to cut water use by 36% as compared to 2013, effective June 1, 2015.

## Hillsborough's City Council Adopts Water Rationing Ordinance

On June 8, 2015, Hillsborough's City Council held a public hearing to consider and adopt a Drought Urgency Ordinance. The Ordinance, which is available on the Town's drought webpage ([www.hillsborough.net](http://www.hillsborough.net)), allocates water to every Hillsborough residential address using an allocation formula. Following is key information about your allocation and an explanation of how this works.

### Key information about your residence

Parcel Size	C Acres
Number of Residents	D Residents

### Key information about your annual water allotment (1 unit = 748 gallons)

Indoor Allotment	E Units
Outdoor Allotment	F Units
2015 Annual Allotment	G Units

### Key information about your 2014 Water Use

2014 Annual Water Use	H Units
90% of 2014 Annual Water Use	I Units

### Key information about your June 2015 water allotment

June 2015 Water Allotment	J Units
---------------------------	---------

Residents may access their monthly water allotment schedule and historical water use by visiting their personalized water use report webpage. A link to your water use report webpage is provided below (type the link into your web browser). The report is updated each month when water meters are read. Residents who enter their email address on their personalized water use report webpage will receive an emailed notification when their report has been updated with their latest water use information.

[Hyperlink K].

## WATER RATIONING ALLOCATION CALCULATION GUIDE

This guide provides you step by step information about how water rationing is calculated under Hillsborough's Drought Urgency Ordinance.

### The Water Rationing Allocation Formula

The Town's water rationing formula allocates water to each parcel using an indoor and outdoor formula. The indoor formula allocates water based on the number of residents who live on the parcel. The outdoor formula allocates water based on parcel size. The two combined equal a parcel's total annual water allocation.

<b>Indoor</b>	<b>All Residential Parcels</b>
Annual Allotment	$x * 36$ units
Where	$x =$ number of residents
<b>Outdoor</b>	<b>0 to 3 acres</b>
Annual Allotment	$123 + 123x$ units
Where	$x =$ parcel size in acres (including fractions thereof)

### Annual Indoor Water Allotments

Each residential address receives 36 units per person per year, for residents living at the residence for at least six months per year (a unit of water is 748 gallons). In initial allotments, the Town assumes 3 people per residential address. If you have more than 3 people, please complete an affidavit to verify the actual number residing on a parcel. The affidavit is available on the Town's website ([www.hillsborough.net](http://www.hillsborough.net)) and at Town Hall. Completed and signed affidavits should be submitted to the Town's City Clerk at 1600 Floribunda Avenue. Residents may also notify the Town if they have fewer than 3 people.

### Annual Outdoor Water Allotments

Each residential parcel receives an annual outdoor water allotment based on the size of the residential parcel, up to three acres. Parcels over three acres will have their allocation calculated by a water auditor.

Annual Outdoor Water Allotment =  $123 \text{ units} + (123 \text{ units} \times \text{Parcel Size in Acres})$

### Annual Water Allocation Calculation Example

Let's use an example of a Hillsborough residential address with three residents and a parcel size of one-half (.5) acre. Their annual water allotment would look like this:

Indoor =  $36 \times 3 = 108$  units

Outdoor =  $123 + (123 \times .5) = 184.5$  units

Total =  $108 + 184.5 = 292.5$  units per year.

## Monthly Water Use Allotments

The Town determines a residence's monthly water allotment by applying the annual water allotment against a weather factor table. This is because residences will need more water in the summer months and less water in the winter months.

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Factor	1.7%	2.1%	6.1%	10.3%	14.5%	16.3%	16.2%	14.7%	10.4%	5.6%	1.4%	0.7%	100%

## Monthly Water Use Allotments

Using our example of a half acre parcel with three residents and an annual allotment of 293 units, the monthly allotment schedule would be as follows:

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Factor	1.7%	2.1%	6.1%	10.3%	14.5%	16.3%	16.2%	14.7%	10.4%	5.6%	1.4%	0.7%	100%
Indoor*	9	9	9	9	9	9	9	9	9	9	9	9	108
Outdoor*	3	4	11	19	27	30	30	27	19	10	3	2	185
Total*	12	13	20	28	36	39	39	36	28	19	12	11	293

\*In units. One unit = 748 gallons

The half acre parcel with three people will be allocated 39 units in June 2015.

## Water Conservation Targets

Many Hillsborough residents did a fantastic job keeping water use low in 2014. In fact, some Hillsborough residents will find that their annual 2014 water use is actually lower than their annual 2015 water allotment. If your 2015 allotment is higher than your 2014 water use, you have done a great job in conserving water for which you are to be congratulated. Thank you! However, for the Town to achieve its mandated 36% reduction we need your help by further reducing your 2014 consumption by another 10%, if at all possible.

## Enforcement, Penalties and Appeals

The summer months (July-September) are when most of the exterior water is used and therefore, water use reductions are critical for the Town to meet its State mandated allocation. Consequently, a penalty will be due at the end of September if residences exceed their 3 month allotment.

History shows that Hillsborough knows how to conserve water. Previous droughts have proven this. For that reason, we anticipate that most Hillsborough residences will use less water than they are allotted. However, should the residence exceed its June allotment, the Town will issue a warning. No penalty for June 2015 will be assessed.

For those residences that use more water than they are allotted in July, a penalty of \$30 per water unit of overuse may apply. However, the residence will have two more months to achieve compliance with their allotment before the penalty will be imposed.

## Overuse Penalty Example

### Overuse Example

Month	Actual Water Use (units)	Water Allotment (units)	Over/(Under)
July	30	27	3
August	28	29	-1
September	26	28	-2
<b>Total</b>	<b>84</b>	<b>84</b>	<b>0</b>

The residence used 3 water units more than they were allotted in July. However, they were able to use less water in August and September to achieve a net balance of 0 units, so no penalty applies.

### Monthly Meter Reading

The Town read meters and billed most Hillsborough residences every other month in 2014. The Town used bi-monthly meter reads to estimate monthly 2014 water use. However, the Town began reading all water meters and billing residents on a monthly basis beginning in June 2015. The Town has created a “How To Read Your Water Meter Guide” for residents who would like to check their water use between their monthly water bill cycle. The Guide can be found on [www.hillsborough.net](http://www.hillsborough.net). Copies are also available at Hillsborough Town Hall, 1600 Floribunda Avenue.

### Water Conservation

It is up to every residence to consider their water use and how they may best reduce it. Over two-thirds of a typical residence’s water use is for outdoor purposes. The Town recommends that all residences evaluate their outdoor water use. The Town’s Water Conservation Webpage ([www.hillsborough.net](http://www.hillsborough.net)) provides recommendations for outdoor and indoor water conservation actions. The Town also maintains a list of irrigation, leak detection, and landscape contractors and water conservation professionals that have Hillsborough business licenses. The Town also offers rebates for water efficient toilets and washing machines and offers free water conservation devices.

### In Conclusion

Going to mandatory water rationing was a difficult but unanimous decision made after multiple public hearings and much deliberation by the Hillsborough City Council. Our hope is that the drought lessens this winter and that mandatory water rationing then can be lifted. We will keep Hillsborough residents informed about our conservation efforts and compliance results. Meanwhile, thank you for your patience and ongoing water conservation.





# TOWN OF HILLSBOROUGH

DEPARTMENT OF PUBLIC WORKS  
1600 FLORIBUNDA AVENUE  
HILLSBOROUGH, CA 94010-6418  
PHONE 650-375-7444

May 27, 2015

Dear Resident:

Because California is experiencing one of its worst droughts on record, Governor Jerry Brown has declared a state of Emergency and has mandated that all Californians reduce water use or face significant fines.

Upon review of your recorded water use in 2014, it appears that you may be significantly overusing water and must do much more to help reduce the Town's water use as required by the State of California. We are asking you to immediately cutback on your water use by taking the following steps:

- **Significantly Reduce Irrigation.** Prioritize irrigation as follows: Trees, shrubs, plants, and then grass. Turf can go brown and will come back over winter. Provide trees periodic deep watering. Consult with a landscape professional for guidance.
- **Prevent Irrigation Run-Off** caused by excessive irrigation or misaligned sprinkler heads.
- **Inspect Your Irrigation System** for leaks, broken sprinkler heads, damaged drip lines, and misaligned sprayers. If you need assistance, the Town maintains a list of local certified irrigation professionals.
- **Change Your Controller's Backup Battery.** This will prevent schedule loss and overwatering in the event of power outages.
- **Inspect Your Home** for toilet, faucet, hose, pool and other water leaks. The Town has free toilet leak dye kits available at Town Hall. Leak detection guides are available at Town Hall and on the Town's water conservation webpage.
- **Change Water Use Behaviors.** Take shorter showers, turn off water while brushing teeth and washing dishes, and wash only full loads of laundry. The Town offers free shower timers to residents.
- **Replace Inefficient Devices, Fixtures and Appliances** such as old faucets, shower heads, toilets, dishwashers and washing machines. The Town offers free conservation devices while supplies last. Rebates on efficient washing machines and toilets are also available.

The Town will be monitoring your water use on a monthly basis. Failure to reduce your water use may be deemed a public nuisance and may result in fines and penalties. Please contact the Public Works Department at **650-375-7444** within the next 7 days to discuss your water conservation plan.

Sincerely,

Ed Cooney, Senior Analyst  
Town of Hillsborough  
Department of Public Works

cc: Director of Public Works  
Water Billing Collections



# TOWN OF HILLSBOROUGH

DEPARTMENT OF PUBLIC WORKS  
1600 FLORIBUNDA AVENUE  
HILLSBOROUGH, CA 94010-6418  
PHONE 650-375-7444

May 27, 2015

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- **Prevent Irrigation Run-Off** caused by excessive irrigation or misaligned sprinkler heads.
- **Inspect Your Irrigation System** for leaks, broken sprinkler heads, damaged drip lines, and misaligned sprayers. If you need assistance, the Town maintains a list of local certified irrigation professionals.
- **Change Your Controller's Backup Battery.** This will prevent schedule loss and overwatering in the event of power outages.
- **Inspect Your Home** for toilet, faucet, hose, pool and other water leaks. The Town has free toilet leak dye kits available at Town Hall. Leak detection guides are available at Town Hall and on the Town's water conservation webpage.
- **Change Water Use Behaviors.** Take shorter showers, turn off water while brushing teeth and washing dishes, and wash only full loads of laundry. The Town offers free shower timers to residents.
- **Replace Inefficient Devices, Fixtures and Appliances** such as old faucets, shower heads, toilets, dishwashers and washing machines. The Town offers free conservation devices while supplies last. Rebates on efficient washing machines and toilets are also available.

The Town will be monitoring your water use on a monthly basis. Failure to reduce your water use may be deemed a public nuisance and may result in fines and penalties. Please call the Town's Drought Hotline at 650-375-7584 if you have questions or need assistance.

Sincerely,

Ed Cooney, Senior Analyst  
Town of Hillsborough  
Department of Public Works

cc: Director of Public Works  
Water Billing Collections



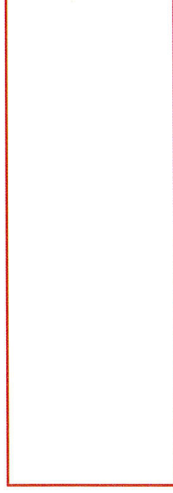
Town of Hillsborough  
1600 Floribunda Avenue  
Hillsborough, CA 94010

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SAN FRANCISCO, CA  
PERMIT 4118

## **DROUGHT EMERGENCY**

Your June 2015 Water Allotment:  
45 Units/33,660 Gallons

For Comparison Purposes  
Your June 2014 Water Use:  
76 Units/56,848 Gallons



## **TOWN OF HILLSBOROUGH WATER RATIONING NOTICE**

On June 8, 2015, Hillsborough City Council adopted Drought Urgency Ordinance No. 725 that established water rationing, effective immediately, in response to State water conservation mandates. Based on Sections 13.16.030 and 13.16.040 of the new ordinance, your June water rationing allotment is on the front of this postcard.

You will receive a letter from the Town in the next few days detailing the Town's water rationing ordinance, why the ordinance was adopted and how your water use allotments were calculated. Please visit the Town's website at [www.hillsborough.net](http://www.hillsborough.net) for more information and to view the entire drought ordinance.

If your 2015 allotment is higher than your 2014 water use, you have done a great job in conserving water for which you are to be congratulated. Thank you! However, for the Town to achieve its mandated 36% reduction we need your help by further reducing your 2014 consumption by another 10%, if at all possible.

We understand that you may have questions. Many of your questions will be answered on the website and in the letter you will receive shortly. These will also provide contact information if you have unanswered questions. Your patience and conservation efforts are greatly appreciated.



Town of Hillsborough  
 Finance Department  
 1600 Floribunda Avenue  
 Hillsborough, CA 94010-6418  
 Phone (650) 375-7402 - Fax (650)-375-7417  
 Website: <http://www.hillsborough.net>

Account Number:	[REDACTED]
Service Address:	[REDACTED]
Bill Date:	08/22/2015
Payment Due Date:	09/22/2015
Past Due After:	09/22/2015 318.10
Total Amount Due:	\$291.36
Amount Enclosed:	AUTO-DRAFT-DO NOT PAY

SIGN UP FOR AUTOMATIC BILL PAY - SEE REVERSE.  
 PAY BY CREDIT CARD OR E-CHECK - GO TO <http://www.hillsborough.net>

HIM0827B AUTO SCH 5-DIGIT 94010



[REDACTED]  
 HILLSBOROUGH CA 94010-7150

TOWN OF HILLSBOROUGH  
 1600 FLORIBUNDA AVE  
 HILLSBOROUGH, CA 94010-6498

Please return this top portion with your payment made payable to Town of Hillsborough.

Access your specific water usage and allotment information at [www.waterfluence.com/hillsborough](http://www.waterfluence.com/hillsborough) [REDACTED]

**BILL MESSAGE**

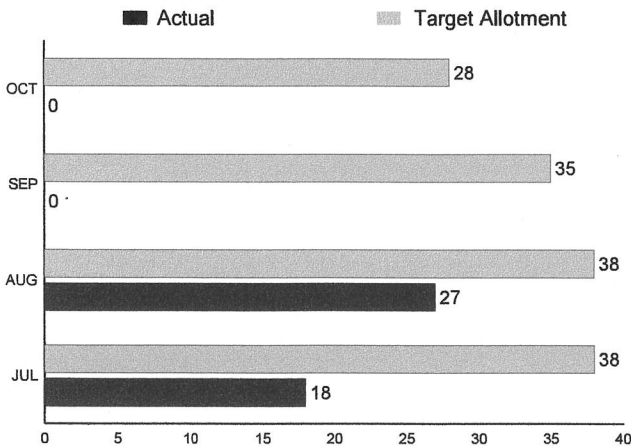
Effective June 1, 2015, the Town began reading water meters and processing water billings on a monthly basis. Please note that if you have multiple accounts, the usage information area of your bill will not include a graph. For usage and allotment information, please access your personal online Water Use Report instantly, using the hyperlink provided above. Type exact address into your web browser's web address field. Please contact us if link is missing or invalid. For additional drought information, water conservation tips and updates, see [www.hillsborough.net](http://www.hillsborough.net) or call the Town's drought hotline at 650-375-7584. Thank you!

**ACCOUNT SUMMARY**

Account Number:	[REDACTED]
Service Address:	[REDACTED]
Billing Period:	07/13/2015-08/14/2015
Previous Balance:	383.64
Payment(s):	MULTI -383.64
Current Charges: (see below)	291.36
<b>Total Amount Due:</b>	<b>\$291.36</b>

**USAGE HISTORY**

**COMPARE YOUR MONTHLY WATER CONSUMPTION TO ALLOTMENT (In Units of Water)**



CURRENT CONSUMPTION: 27 Units / 35 Days / 0.77 Units per Day  
 CURRENT ALLOTMENT: 38 Units / 30.5 Days / 1.25 Units per Day  
 METER #: 08541866  
 PREVIOUS READ: 3684  
 CURRENT READ: 3711

1 Unit or CCF (hundred cubic feet) = 748 Gallons

**ACCOUNT DETAIL**

**Water Service**

Fixed Charge	50.00
Water Consumption:	
0-10	10 units @ \$7.14 \$71.40
10.1-25	15 units @ \$8.44 \$126.60
25.1-50	2 units @ \$9.68 \$19.36
50.1-100	11.58
Over 100	14.18
Total Consumption Charge	217.36
<b>Total Water Service</b>	<b>267.36</b>

**Sewer Service**

Sewer	
<b>Total Sewer Service</b>	<b>0.00</b>

**Miscellaneous Charges**

Water Turn On Fee	
After Hours Service Charge	
Returned Check Charge	
Alarm Permit	
Alarm Monitoring	24.00
Overage Penalty	
<b>Total Miscellaneous Charges</b>	<b>24.00</b>
<b>TOTAL CURRENT CHARGES</b>	<b>291.36</b>

**FAILURE TO RECEIVE BILL DOES NOT WAIVE PAST DUE PENALTY**



## Town of Hillsborough April 3, 2015 E-Announcements

### COMMUNITY EVENTS

[HSF Presents A Night at Studio 54](#)

April 11, 2015

[Burlingame Public Library Spring Book Sale](#)

April 16th thru 19th

[Hillsborough Garden Club - Creative Growth Flower Show](#)

Friday, April 24, 2015 10:00-5:30pm

Saturday, April 25, 2015 10:00-3:30pm

[Free Landscaping Classes for Residents](#)

Wednesday, May 13, 2015 6:00-8:00pm

[Memorial Day Parade](#)

May 25, 2015

[Compost and Document Shredding Event](#)

Saturday, May 30, 2015 8:00am-until supplies last (Compost)

Saturday, May 30, 2015 9:00am-1:00pm (Document Shredding)

[County Disaster Preparedness Day](#)

June 6, 2015



### INFORMATION

[Governor Proclaims State of Emergency due to Severe Drought Conditions](#)

[Sewer CCTV Inspections](#)

[Smoke Testing of Sanitary Sewer Lines](#)

## === COMMUNITY EVENTS ===

### **HSF presents A Night at Studio 54**

In the late 70's, Studio 54 was the hottest nightclub in town -- a place to see and be seen dancing the night away. We hope to see YOU there on April 11th, as our Hillsborough community comes together in support of our public schools for a night of fun, fashion, glitter, and glam!

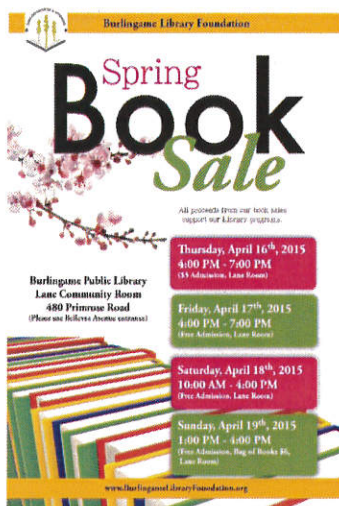
Go back in time and experience the night of your life at HSF's A Night at Studio 54. On April 11th, join us at The Fox Theatre in Redwood City and get ready to boogie down to the grooves of Tainted Love! Dust off your platform shoes and bring out the gold sequins!

You may [click here](#) to purchase tickets to A Night at Studio 54 online today! Separate transportation tickets are also available.

For more information, please contact the HSF office at 344-6685.

Benefitting our award-winning Hillsborough public schools.

## Burlingame Public Library Spring Book Sale



The Burlingame Public Library will be holding the Spring Book Sale to support the library programs. The book sale will be held in the Lane Community Room, 480 Primrose Road. Use the entrance on Bellevue Avenue.

Thursday, April 16 from 4:00pm - 7:00pm (admission \$5)  
 Friday April 17th from 4:00pm - 7:00pm (admission free)  
 Saturday, April 18th from 10:00am - 4:00pm (admission free)  
 Sunday, April 19th from 1:00pm - 4:00pm (admission free, Bag of Books \$6)

For more information go to  
[www.BurlingameLibraryFoundation.org](http://www.BurlingameLibraryFoundation.org)



## Creative Growth Flower Show 2015

Presented by **Hillsborough Garden Club**

Inspired by **Creative Growth Art Center!**

Friday, April 24 and 25 - 10:00am to 5:30pm

Burlingame Woman's Club

241 Park Road, Burlingame

**No Admission Charge - Open to the Public - On-street Parking**

**Visit our boutique!**

**All proceeds from artwork and other products created at Creative Growth will go directly to supporting Creative Growth.**

*A Garden Club of America Flower Show*

## FREE Landscaping Classes for Residents



### Pet and Child Friendly Landscaping

Speaker: Alane Weber

Wednesday, May 13, 2015 6:00-8:00pm

Location: Town Hall Council Chambers

1600 Floribunda Avenue

Hillsborough, CA 94010

Residents can register at: <http://bawsca.org/classes/> or by calling 650-349-3000

## MEMORIAL DAY PARADE, CARNIVAL AND COMMUNITY MUSIC FESTIVAL!



**SAVE THE DATE!** Monday, May 25 at 10:30 am

Don't miss this exciting and patriotic event! The Theme for this year's parade is "Big Trucks"!

Mayor Larry May will be our Grand Marshall.

The Wells Fargo Stagecoach will be returning for its 6th appearance. The San Mateo High School Marching band will be back and this year Burlingame High School's Marching Band will be joining us!

Plus after the Parade the fourth annual Community Music Festival at North School. Don't miss out on the fun.

To participate, volunteer or for more information, go to [www.hillsboroughparade.com](http://www.hillsboroughparade.com).

## Compost and Document Shredding Event: Saturday, May 30th



Compost is available beginning at 8:00am, as supplies last  
Located in the Walnut Avenue Parking lot. Residents need to bring their own shovels, gloves and containers. Limit one cubic yard (equivalent to six-32 gallon containers) per resident.

Document Shredding begins at 9:00am to 1:00pm

Located in the Town Hall parking lot

1600 Floribunda Avenue

Limit of three (3) standard size bankers boxes (10X12X15)

Please contact Public Works for additional information, 650-375-7444.

## 11th Annual San Mateo County Disaster Preparedness

This year's Disaster Preparedness Day will take place on Saturday, June 6, 2015, from 10:00 a.m. to 2:00 p.m., at the San Mateo County Fair, located at the San Mateo County Event Center, 1346 Saratoga Avenue, in San Mateo. The event is a wonderful



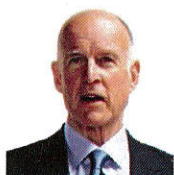
opportunity for families to watch public safety demonstrations and gather information from dozens of exhibitors on how to create a disaster preparedness kit and family communication plan during an emergency.

Residents that arrive between 10 a.m. and 11 a.m. receive free parking and free admission to the County Fair. Last year, over 3,100 individuals passed through the event in the first hour, with attendance running well over 5,000 for the day. Attendees are offered free CPR classes, numerous presentations related to disaster preparedness, disaster preparedness education and a CERT (Community Emergency Response Team) Exercise.

For more information, contact the San Mateo County Office of Emergency Services at (650) 363-4790.

## === INFORMATION ===

### **Governor Brown Directs Statewide Mandatory Water Rationing**



On April 1st, Governor Jerry Brown issued Executive Order B-29-15 proclaiming a State of Emergency to exist throughout the State due to severe drought conditions. In addition to the previously enacted prohibitions, the Order calls for the State Water Resources Control Board to impose mandatory restrictions to achieve a statewide 25% reduction in potable urban water usage through February 2016, as compared to the 2013 levels.

The Town purchases water from the San Francisco Public Utilities Commission (SFPUC), in conjunction with the Bay Area Water Supply and Conservation Agency (BAWSCA). Town staff will be working with both the SFPUC and BAWSCA in the upcoming weeks to determine the details of this new Order and any additional restrictions that may need to be implemented, and will provide the most recent information to the City Councilmembers during their April 13th meeting. That meeting will begin at 6:00pm at Town Hall, 1600 Floribunda Avenue.

Since the Governor's call for voluntary water reductions in January 2014, Hillsborough's water usage has been reduced by 21%. Under the new Order, exterior water use may be more heavily restricted than interior use. As a very high percentage of Hillsborough's water consumption is for exterior landscaping, our mandated reduction may be much more than the 25% level.

Residents with specific questions about the water reductions, interested in learning how to read their water meters, or those not yet receiving electronic copies of their Water Use Report, are encouraged to contact the Public Works Department at 650-375-7444. In addition to receiving the report, residents will have access to the [Water Use Report website](#), which includes tips on how to reduce water use.

### **Sewer CCTV Inspections - Preliminary Work to start March 24th**

The Town of Hillsborough will be performing television sewer main and man hole inspections in neighborhoods surrounding Ralston Avenue. Consultants for the Town, Nor-Cal Pipeline Services & Hatch Mott MacDonald, will be performing the sewer system television inspections. The tentative start date for this work is Mon. April 6, 2015 and is expected to last 2 weeks.

Homeowners and residents received notification from the Town providing more detailed information regarding the project, and how it will affect the Residents. Additional information will be posted on the Town's website at <http://www.hillsborough.net/168/Current-Town-Projects> at the beginning of April.

### Smoke Testing of Sanitary Sewer Lines - Preliminary Work to start March 24th

The Town of Hillsborough will be performing smoke testing of the sanitary sewer lines in your neighborhood. Consultants for the Town will be E2 Consulting Engineers and Brown and Caldwell. The tentative start date for this work is Wed. April 29th, 2015 and is expected to last 2 to 4 weeks. In order to facilitate this work, Town staff will perform preliminary investigations starting March 24th to confirm the accessibility of sewer manholes and cleanouts within easement areas prior to smoke testing activities.

Homeowners and residents will receive a subsequent notification from the Town by mail approximately 2-3 weeks prior to the start of work which will provide more detailed information regarding the project, and how it will affect you, the Residents. In addition, door hangers will be provided 1-2 days in advance of the work that is to be performed within your neighborhood. Additional information will be posted on the Town's website at <http://www.hillsborough.net/168/Current-Town-Projects> at the beginning of April.

#### [Forward email](#)



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Town of Hillsborough | 1600 Floribunda Avenue | Hillsborough | CA | 94010

# Town of Hillsborough May 7, 2015 e-Announcement

## COMMUNITY EVENTS



HBF's Annual Celebrate May event  
Thursday, May 7, 2015

Free Landscaping Classes for Residents  
Wednesday, May 13, 2015 6:00-8:00pm

Memorial Day Parade, Carnival and Music Festival  
Monday, May 25, 2015

Town Environmental Faire - Compost, Document Shredding and Water Conservation Event  
Saturday, May 30, 2015  
8:00am - Compost (*until supplies last*)  
9:00am - 1:00pm - Shredding and Water Conservation

HSF: Fund-A-Need and Fun Run  
May 31 (Fun Run)

San Mateo County Fair  
June 6 - 14, 2015

County Disaster Preparedness Day  
June 6, 2015

## INFORMATION

City Council Meeting - Drought Emergency Discussion and Update  
May 11, 2015 at 6:00pm

Don't be left high and dry - Ready, Set, Go!

Smoke Testing of Sanitary Sewer Lines

## === COMMUNITY EVENTS ===

### Hillsborough Beautification Foundation's Annual Celebrate May! event

Don't miss Hillsborough Beautification Foundation's annual Celebrate May! event. Join your friends for a stroll through a lovely private garden in Hillsborough on Thursday May 7th from 9:30 to noon. In addition to specialty boutiques, a silent auction, pastries with coffee and tea, HBF will present its annual Volunteer Awards to Joni Amaroli and Hilary

McMahon as our 2015 Community and Professional Volunteers respectively. Funds raised at this event cover HBF's administrative expenses so that all donations to HBF can go directly to the maintenance of our projects and beautification of our Town. Complimentary Valet Parking is provided. In case of heavy rain showers, the event will be canceled. For more information, please see [HBF's website](#).

## FREE Landscaping Classes for Residents



### Pet and Child Friendly Landscaping

Speaker: Alane Weber

Wednesday, May 13, 2015 6:00-8:00pm

Location: Town Hall Council Chambers  
1600 Floribunda Avenue  
Hillsborough, CA 94010

Residents can register at:

<http://bawsca.org/classes/> or by calling 650-349-3000

## MEMORIAL DAY PARADE, CARNIVAL AND COMMUNITY MUSIC FESTIVAL!

**SAVE THE DATE!**  
**Monday, May 25 at 10:30 am**



The 6th Annual Hillsborough Memorial Day Festivities are on Monday, May 25. The PARADE starts at 10:30, and goes from Town Hall to North Elementary School. The down-home CARNIVAL has a 10:00 am start for early birds on the North field. The Memorial Day Commemorative Ceremony will be right after the parade, at 11:30ish. The live MUSIC FESTIVAL begins at noon. The afternoon ends around 2:30.

**BIG NEWS: The 2014 GIANTS WORLD SERIES TROPHY will be in the parade and on the field for photos!!**



*Don't miss out on the fun!*

To participate, volunteer, or for more details on all of the events, go to [www.hillsboroughparade.com](http://www.hillsboroughparade.com).

### Town Environmental Faire - Compost, Document Shredding, and Water Conservation Event - Saturday, May 30th



- Compost is available beginning at 8:00am, as supplies last
- Located in the Walnut Avenue Parking lot. Residents need to bring their own shovels, gloves and containers. Limit one cubic yard (equivalent to six-32 gallon containers) per resident.

Document Shredding begins at 9:00am and lasts until 1:00pm. Limit of 3 standard sized bankers boxes (10x12x15).

Town staff will also be on-hand to provide water conservation advice, information, and free water saving devices (*while supplies last*). See the [event flyer](#) for more information or call Public Works at 650-375-7444.

Located in the Town Hall parking lot  
1600 Floribunda Avenue

### Hillsborough Fund-A-Need and Fun Run, May 31

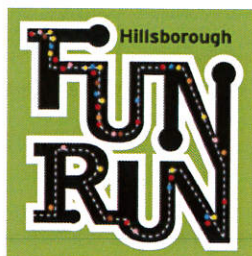
The Hillsborough Schools Foundation embraced Traffic and Safety as the theme for its annual Fund-A-Need. This year, five community partners of the Hillsborough Public Schools stepped up to match our Fund-A-Need contributions. Hillsborough AYSO, Hillsborough Little League, Hillsborough Recreation, the Town of Hillsborough and HillsboroughTogether.com (our town's local-social network!) all agreed to provide funds toward Automated External Defibrillator (AED) devices. Installing AED devices at each school site and the District Office field can save the life of someone suffering sudden

cardiac arrest. Thank you for your commitment to the safety of our students, parents and grandparents.

HSF would also like to invite you to join our school families for a morning of exercise, field games, pancake breakfast and music at the [Hillsborough Fun Run](#). Please save the date for May 31st, and [register today](#). Choose from the 2K Lakas Shimizu Memorial, 5K Run/Walk or 10K Challenge, which all celebrate our wonderful community and welcome participants of all levels.

For more information on the HSF Fund-A-Need or the Hillsborough Fun Run, please contact the HSF office at 344-6685.

Benefitting our award-winning Hillsborough public schools.



## San Mateo County Fair, June 6-14, 2015

Summer is around the corner and that means the Fair is coming to town! For a complete listing of events, including the 2015 Concert Series, Stage Acts, the Carnival Midway, Senior Day, Disaster Preparedness Day and the Youth Livestock Auction, please visit the [San Mateo County Fair website](#). Tickets are available for purchase online.



## 11th Annual Disaster Preparedness Day at the San Mateo County Fair, June 6

**Save the Date**

San Mateo County

★ **11<sup>th</sup> Annual** ★

**DISASTER  
PREPAREDNESS DAY**

**Saturday, June 6, 2015**

10AM-2PM, San Mateo County Event Center  
1346 Saratoga Avenue, San Mateo

**Arrive BEFORE 11am for FREE Parking &  
FREE Admission to the County Fair!**

First-Aid, Police, Fire, Emergency Medical Services  
and Equipment Demonstrations

\* Learn How to Put Together a Disaster Plan and Emergency Kit! \*

For more information:

Office of Emergency Services at (650) 363-4790  
Office of Supervisor Adrienne J. Tissier (650) 363-4572

This year's Disaster Preparedness Day will take place on Saturday, June 6, 2015, from 10:00 a.m. to 2:00 p.m., at the San Mateo County Fair, located at the San Mateo County Event Center, 1346 Saratoga Avenue, in San Mateo. The event is a wonderful opportunity for families to watch public safety demonstrations and gather information from dozens of exhibitors on how to create a disaster preparedness kit and family communication plan during an emergency.

Residents that arrive between 10 a.m. and 11 a.m. receive free parking and free admission to the County Fair. Last year, over 3,100 individuals passed through the event in the first hour, with attendance running well over 5,000 for the day. Attendees are offered free CPR classes,



numerous presentations related to disaster preparedness, disaster preparedness education and a CERT (Community Emergency Response

Team) Exercise.

For more information, contact the San Mateo County Office of Emergency Services at (650) 363-4790.

## === INFORMATION ===

### City Council Meeting - Drought Emergency Discussion and Update

Hillsborough Town Hall, 1600 Floribunda Ave.  
May 11, 2015 at 6 p.m.

The Hillsborough City Council will be discussing final State of California water cutback requirements and what they mean to our community. The discussion will include:

- State of California Water Cutback Requirements and What They Mean to Hillsborough
- Actions Taken by the Town of Hillsborough and Residents to Date to Respond to the Drought
- Hillsborough's Existing Water Rationing Code and What It Means to Residents if Implemented
- Water Conservation Programs and What Residents Can Do Today to Conserve

Please join us for this discussion in helping the community conserve water.

For additional information please contact:

Hillsborough Public Works Department  
(650) 375-7444

or visit:

<http://www.hillsborough.net/413/Drought-Response>

<http://www.hillsborough.net/250/Water-Conservation>



**DON'T BE LEFT HIGH AND DRY...READY, SET, GO!**

Central County Fire Department joins the annual State of California/CALFIRE campaign, Wildfire Awareness Week, which kicks off on May 3rd and ends May 9th, 2015.

Along with fire departments throughout California, we want to raise our resident's awareness of wildfires. Promoting these actions will save lives, reduce the extensive damage to homes and the natural lands of a community from wildfires. Each year, thousands of acres of land and countless homes are destroyed by wildfires. State and

local fire officials want citizens to remember to prepare by remembering this basic term "Ready, Set, Go!":

- Be Ready for a wildfire starts by maintaining 30 to 100 feet of defensible space around the home.
- Be Set by having an evacuation plan and Wildfire Action Plan.
- Lastly, if a wildfire strikes, put your evacuation plan in effect and Go!

According to CalFire officials, approximately 95 percent of all wildfires are sparked by the activity of people, which means that almost all wildfires are preventable. One of the leading causes of wildfires is outdoor power equipment, so make sure to use powered equipment before 10:00 a.m. and never on hot and windy days.

Although our State's drought condition has led to mandatory cut-backs, residents still have a big opportunity to take some steps in preventing a devastating fire on their property:

- Create a defensible space around your home
- Clear your property of dead/dying trees, ground fuel, and debris on your roof
- Landscape your property with drought tolerant and fire resistant plants and materials

For more information on the "Ready, Set, Go" program, please visit [www.readyforwildfire.org](http://www.readyforwildfire.org).

Specific methods for defensible space and fire safe landscaping can be viewed at [www.smcfiresafe.org](http://www.smcfiresafe.org).

Please contact the Central County Fire Department at (650) 558-7600 for additional information.

### Smoke Testing of Sanitary Sewer Lines - Continuation of project to mid-May

The Town of Hillsborough will continue smoke testing sanitary sewer lines in the neighborhoods around Skyfarm Dr., Butternut Dr., Rowan Tree Ln., Darrell Rd., and New Place Rd. Consultants for the Town are E2 Consulting Engineers and Brown and Caldwell. The smoke testing work is expected to be completed by mid-May.

Affected homeowners and residents should already have received notifications from the Town. For more information regarding the project, please visit: <http://www.hillsborough.net/168/Current-Town-Projects> or call Public Works at 375-7444.

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Town of Hillsborough | 1600 Floribunda Avenue | Hillsborough | CA | 94010



## Town of Hillsborough June 4, 2015 e-Announcement

### COMMUNITY EVENTS

San Mateo Disaster Preparedness Day  
Saturday, June 6, 2015

Harvest Garden Needs You this Summer!  
June 14, June 28, July 12, July 26, August 9 and August 23

3rd Annual San Mateo County Pride Celebration  
Saturday, June 13, 2015

San Mateo County Fair  
June 6 - 14, 2015

Screening of "Fed Up"  
Wednesday, June 17, 2015

CCFD Annual Pancake Breakfast  
Saturday, June 20, 2015

Burlingame Pet Parade  
Saturday, September 26, 2015

### INFORMATION

City Council Meeting - Drought Urgency Ordinance Public Hearing  
June 8, 2015 at 6:00pm



### === COMMUNITY EVENTS ===

11th Annual Disaster Preparedness Day at the San Mateo County Fair, June 6

**Save the Date**

San Mateo County

**★ 11<sup>th</sup> Annual ★**

**DISASTER  
PREPAREDNESS DAY**

**Saturday, June 6, 2015**

10AM-2PM, San Mateo County Event Center  
1346 Saratoga Avenue, San Mateo

Arrive BEFORE 11am for FREE Parking &  
FREE Admission to the County Fair!

This year's Disaster Preparedness Day will take place on Saturday, June 6, 2015, from 10:00 a.m. to 2:00 p.m., during the San Mateo County Fair, located at the San Mateo County Event Center, 1346 Saratoga Avenue, in San Mateo. The event is a wonderful opportunity for families to watch public safety demonstrations and gather information from dozens of exhibitors on how to create a disaster preparedness kit and family communication plan during an emergency.

**FREE Admission to the County Fair!**  
 First-Aid, Police, Fire, Emergency Medical Services  
 and Equipment Demonstrations  
 \*Learn How to Put Together a Disaster Plan and Emergency Kit!\*  
 For more information:  
 Office of Emergency Services at (650) 363-4790  
 Office of Supervisor Adrienne J. Tissier (650) 363-4572



Residents that arrive between 10 a.m. and 11 a.m. receive free parking and free admission to the County Fair. Last year, over 3,100 individuals passed through the event in the first hour, with attendance running well over 5,000 for the day. Attendees are offered free CPR classes, numerous presentations related to disaster preparedness, disaster preparedness education and a CERT (Community Emergency Response Team) Exercise.

For more information, contact the San Mateo County Office of Emergency Services at (650) 363-4790.

## The Harvest Garden Needs You this Summer!

Mark your calendar, join your neighbors, enjoy the outdoors, and learn about edible gardening. It's amazing how much healthy food we grow and donate each workshop to feed the hungry in our area. Gardening expertise not required!

Sunday Workshops, 2-4 pm on June 14, June 28, July 12, July 26, August 9, and August 23. Resident drop-ins are always welcome, however we ask that children under 12 be supervised.

**New: Monthly Master Gardener Plant Clinic** - A Master Gardener will be at the garden Sunday, June 14 from 2-4 pm to answer gardening questions - feel free to bring plant cuttings, insect samples, photos of your garden, etc. 660 Fairway Circle. Look forward to seeing you there!

Questions? Contact Lennie Gotcher (lenniego@gmail.com)

## COMMUNITY INVITED TO JOIN IN 3rd ANNUAL SAN MATEO COUNTY PRIDE CELEBRATION ON JUNE 13

The PRIDE Initiative and the LGBTQ Commission of San Mateo County are delighted to announce our co-sponsorship of the 3rd Annual San Mateo County LGBTQI2S Pride Celebration in San Mateo's Central Park on Saturday, June 13th, 11 AM to 6 PM.

The San Mateo County Pride Celebration is free and open to all. Additional information about becoming a contributor or to volunteer at the Pride Celebration can be found at [www.smchealth.org/bhrs/ode/pride](http://www.smchealth.org/bhrs/ode/pride) or at <http://lgbtq.smcgov.org>

## San Mateo County Fair, June 6-14, 2015

Summer is around the corner and that means the Fair is coming to town! For a complete listing of events, including the 2015 Concert Series, Stage Acts, the Carnival Midway, Senior Day, Disaster Preparedness Day and the Youth Livestock Auction, please visit the [San Mateo County Fair website](http://www.sanmateocountyfair.com). Tickets are available for purchase online.



### Screening of "Fed Up"

Wednesday, June 17, 7 p.m. Screening of "Fed Up." This 99-minute documentary by Katie Couric presents evidence that large quantities of sugar in processed foods are an overlooked problem exacerbated by "Big Sugar" lobbyists. Because of poor diets, it argues that today's children are the first generation likely to have shorter lifespans than their parents.

This program is presented by the Citizens Environmental Council of Burlingame (CEC) and is co-sponsored by the Burlingame Public Library. It will take place in the Burlingame Public Library at 480 Primrose Road, Burlingame. Admission is free. To learn about other CEC programs, visit <http://bit.ly/1BBdc2q>.

### Central County Firefighters Annual Pancake Breakfast

Central County Firefighters are holding their annual pancake breakfast on Saturday, June 20th from 8am-12pm. Come visit us at fire station 34 on California Drive in Burlingame for a delicious breakfast.

Tickets are \$5 per person and all proceeds benefit the Alisa Ann Ruch Burn Foundation. Chance to win exciting raffle prizes! For more information, contact Central County Fire Department at 650-558-7600. We hope to see you there!

### Burlingame Pet Parade

Saturday, September 26, 10 a.m. Burlingame Pet Parade. Hundreds of pet owners and their pets dressed in wild and crazy costumes will march in the 12th annual Burlingame Pet Parade, beginning at 10 a.m. on Broadway in Burlingame. There is no charge to participate.

Those who want to march in the parade need to arrive by 9:30 a.m. Every participant receives a souvenir ribbon, and fancy ribbons are awarded for the Best Pet Trick; Most Unusual Pet; Best Dressed Pet; and Most Original Float, Group or Wagon. A special prize is awarded to the Grand Prize Winner. For more information, visit [www.burlingamepetparade.com](http://www.burlingamepetparade.com).

## === INFORMATION ===

### City Council Meeting - Public Hearing on the Drought Urgency Ordinance

Hillsborough Town Hall, 1600 Floribunda Ave.  
June 8, 2015 at 6 p.m.

During the Hillsborough City Council meeting on Monday, June 8, 2015, the Council will consider amendments to the Hillsborough Municipal Code on water rationing and adoption of an urgency ordinance to implement the water rationing code effective June 9, 2015.

Recommended revisions include:

- \* Simplifying and adjusting the per person indoor water allotments
- \* Simplifying and adjusting the area based outdoor water allotments
- \* Specifying compliance periods and penalties for non-compliance

For information on the drought and the proposed urgency ordinance, please call (650) 375-7400 or visit [www.hillsborough.net/250/Water-Conservation](http://www.hillsborough.net/250/Water-Conservation).

The City Council meeting agenda will be available on the Town's website at [www.hillsborough.net/AgendaCenter/City-Council-3](http://www.hillsborough.net/AgendaCenter/City-Council-3) on Friday, June 5, 2015. The Regular City Council meeting begins at 6:00 p.m. and will be held in the Council Chambers at Hillsborough Town Hall, 1600 Floribunda Avenue. All members of the public are invited to attend and participate in the public hearing.

- <http://www.hillsborough.net/AgendaCenter/City-Council-3>

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Town of Hillsborough | 1600 Floribunda Avenue | Hillsborough | CA | 94010

## Town of Hillsborough June 11, 2015 e-Announcement

### INFORMATION

- Town of Hillsborough Water Drought Ordinance Update
- Please Turn Off Your Irrigation System!



### === INFORMATION ===

#### Town of Hillsborough Water Drought Ordinance Update

On June 8, the Hillsborough Town Council adopted an Urgency Ordinance updating the Town's water rationing guidelines in response to the State of California's water conservation mandates.

- The simplified water rationing approach in the Ordinance is meant to provide residents a clear and easy understanding of their water rationing allotments.
- A postcard from the Town will be mailed in the next few days providing initial information and each household's June water rationing allotments.
- A letter from the Town will follow shortly providing more detailed information about the Urgency Ordinance.

Thank you for your patience and your conservation efforts as Hillsborough works to meet the State's water rationing mandates. For further information and to read the Urgency Ordinance go to <http://www.hillsborough.net/413/Drought-Response>.

#### Please Turn Off Your Irrigation System!

We received some much needed rain yesterday. Please remember to turn off your irrigation system during, and for at least 48 hours after, any rain event. Thank you for your water conservation efforts!



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# Town of Hillsborough July 17, 2015 e-Announcement

## INFORMATION:

### PHONE SCAM ALERT

Hillsborough P.D. Warns of Telephone Scams

California Drought Forms for Hillsborough



## COMMUNITY EVENTS:

Hillsborough Concours d'Elegance

Sunday, July 19, 2015

Harvest Garden Needs You this Summer!

July 26, August 9 and August 23

Community Shredding Event.

Saturday, August 29, 9:00am – 1:00pm

Free Showing of Documentary on Surviving Catastrophes

Thurs. July 30, 7 pm

CERT - Fall 2015 Schedule

## === INFORMATION ===



### PHONE SCAM ALERT



The San Mateo County Sheriff's Office is issuing a warning to members of the public that the "warrant scam" seems to be upon us. Reports have been coming in from community members throughout San Mateo County that they have received calls from a male voice claiming to be Sergeant Gregory Jacobs of the San Mateo County Sheriff's Office. Those receiving such calls have indicated that the calls include instructing recipients to pay money owed for supposed arrest warrants in their name(s) or they will be subject to prosecution.

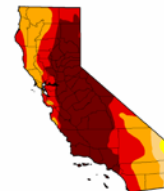
The truth is that the San Mateo County Sheriff's Office nor any law enforcement agency, would never contact a member of the public over the telephone demanding they pay fees and/or any fines lest they be subject to arrest for failure to comply. Please share this information with anyone you know who might be taken in by a scam such as this. The best line of defense as it pertains to scams in general is public awareness so please do help spread the word and let's not let anyone fall victim to this erroneous scam!

## CALIFORNIA DROUGHT FORMS FOR THE TOWN OF HILLSBOROUGH

[Affidavit of Residency \(Owner\)](#)

[Affidavit of Residency \(Tenant\)](#)

[Request for adjustment to drought water allocation \(Medical\)](#)



Print and hand-deliver signed forms to the Finance or Building and Planning Department, 1600 Floribunda Avenue, Hillsborough, CA 94010.

## ===COMMUNITY EVENTS===

### Hillsborough Concours d'Elegance

The 60th edition of the Hillsborough Concours d'Elegance is on Sunday, July 19th at Crystal Springs Golf Course with Ferrari taking center stage! This year will be like no other when we celebrate the 60th consecutive show of this wonderful local tradition. On the field this year there will be 60 handpicked, world-class examples of the magnificent cars of Ferrari, where they will be celebrating their 60th anniversary in North America. Want to see something a bit different? How about a display of classic "Woodies"?



Like two wheels? We will have 2- dozen vintage road and race motorcycles. How about something a little cooler and loud? For the first time we will have a display of locally made vintage hot rods! For the kids we will have our highly popular "Junior Judges" program where 15 lucky kids get to see the cars from a different perspective as they are escorted around the field by some of our elite Concours judges and get an "insiders view" of what it takes to win an award... super fun! All this, and a whole lot more! Gourmet food and adult beverages along with some special surprises await you.

Go to: [www.hillsboroughconcours.org](http://www.hillsboroughconcours.org) to buy tickets and get more information. Ticket price for adults is \$30 and kids under 13 are free when accompanied by a paying adult. New this year: General admission value pack of tickets that saves \$20 on purchase of 4 tickets.

**Sunday, July 19, 10am to 4pm**

Crystal Springs Golf Course

### The Harvest Garden Needs You this Summer!

Mark your calendar, join your neighbors, enjoy the outdoors, and learn about edible gardening. It's amazing how much healthy food we grow and donate each workshop to feed the hungry in our area. Gardening expertise not required!



**Sunday Workshops, 2-4 pm on July 26, August 9, and August 23.**

Resident drop-ins are always welcome; however we ask that kids under 12 be supervised. Questions? Contact Lennie Gotcher ([lenniego@gmail.com](mailto:lenniego@gmail.com))

# ===COMMUNITY EVENTS===

## Community Shredding Event

Town residents are welcome to bring paper documents for shredding to the Community Shred event. **A maximum of three (3) standard banker boxes (10x12x15) per household is allowed.** Paper sorting or separation is not necessary; paper can be shredded with staples, paper clips and binder clips. Note: An extra shredding truck will be on stand-by in case of overflow.

Parking Lot in front of Town Hall

Saturday, August 29<sup>th</sup>, 9:00 am – 1:00 pm

Residents are asked to please enter by using the Walnut Avenue entrance

## Free Showing of Documentary on Surviving Catastrophes

A PBS documentary that examines human responses to major catastrophes, including an explosion, a fire, a plane crash and 9/11, and explains how you can increase your chances of survival during an extreme event. It is based on a book by award-winning journalist Amanda Ripley, who interviewed survivors of major disasters, leading brain scientists, trauma psychologists and disaster experts, and shares their collective wisdom. Presented by the Burlingame Neighborhood Network, which will provide free popcorn and other treats. See attached flyer. For more information, visit [www.thebnn.us](http://www.thebnn.us) or email [info@theneighborhoodnetwork.org](mailto:info@theneighborhoodnetwork.org).

Thurs. July 30, 7 pm

Lane Room, Burlingame Public Library, 480 Primrose Road, Burlingame.



# ===COMMUNITY EVENTS===

## COMMUNITY EMERGENCY RESPONSE TEAM (CERT) TRAINING Fall 2015 – Series #16



CERT training provides private citizens with the basic skills needed to respond to their community's immediate needs in the aftermath of a disaster, when emergency services are not immediately available.

This training is offered free to all Burlingame, Hillsborough and Millbrae residents.

**Classes will be held at The Town of Hillsborough, Council Chambers, 1600 Floribunda Ave., in Hillsborough from 9:00 am to 12:00pm. Skills Day will be held at The Burlingame Corp Yard, 1361 N. Carolan Ave., Burlingame.**

### Disaster Awareness & Preparedness

Unit#1-Class 1- **Wednesday, September 16th**

- All about CERT
- Disaster type, history & probability
- What to do when a disaster strikes
- Natural gas, water & electrical controls

### Fire Safety

Unit#2-Class Two- **Wednesday, September 23**

- Types of fire and use of extinguishers
- Hazardous materials in the home/workplace
- Reducing Fire Hazards at home & work

### Disaster Medical – Part I

Unit#3-Class Three- **Wednesday, September 30**

- Stopping bleeding and controlling shock
- Burns, fractures and other injuries
- ABC's of life saving
- Triage

### Disaster Medical II

Unit#4-Class Four- **Wednesday, October 7**

- Treatment areas
- Head to toe assessments
- Burns, wound care, Fractures & Strains

### Light Search & Rescue

Unit#5-Class Five- **Wednesday, October 14**

- Different types of construction
- Looking for damage
- Classifying damage buildings
- Interior search patterns, lifting heavy
- Objects, victim carries

### Team Organization & Management

Unit#6, #7 & #8-Class Six- **Wednesday, October 21**

- Documentation
- CERT Incident Command System
- Managing the Disaster
- Disaster Psychology
- Terrorism

## Town of Hillsborough August 5, 2015 e-Announcement

### COMMUNITY EVENTS

[August 9 and August 23 HBF Harvest Garden](#)

[August 29 Shred-It Event](#)

[September 9 Get Ready Class](#)

[September 16 CERT Training #1 Fall 2015 Schedule](#)

[September 26 Fall BAERS Ham Radio Training](#)

[September 26 Burlingame Pet Parade](#)



### INFORMATION

[Resident Drought Forms](#)

[Commo and Officer Steve Gonzalez](#)

## === COMMUNITY EVENTS ===

### HARVEST GARDEN NEEDS YOU THIS SUMMER!

Mark your calendar, join your neighbors, enjoy the outdoors, and learn about edible gardening. It's amazing how much healthy food we grow and donate each workshop to feed the hungry in our area. Gardening expertise not required!

Sunday Workshops, 2-4 pm on August 9, and August 23. Resident drop-ins are always welcome, however we ask that kids under 12 be supervised.

Contact [Lennie Gotcher](#) for more info.



### COMMUNITY SHRED-IT EVENT

Saturday, August 29, 9:00 AM to 1:00 PM

Parking lot in front of Town Hall, 1600 Floribunda

Residents are asked to please enter by using the Walnut Avenue entrance. Town residents are welcome to bring paper documents for shredding to the Community Shred-it event. **A maximum three (3) standard banker boxes (10x12x15) per household is allowed.** Paper sorting or separation is not necessary; paper can be shredded with staples, paper clips and binder clips.



**CENTRAL COUNTY FIRE DEPARTMENT (CCFD)  
RESIDENT TRAINING OPPORTUNITIES**

September 9 - "[Get Ready](#)" Disaster Prep Class

**Hillsborough Town Hall, 9 AM to 12 PM****Free for residents**

This 3-hour, basic disaster preparedness class will teach you how to prepare yourself, your family, home and workplace for a major disaster. The information provided will allow you to help yourself, rather than needing help, following a disaster. \*\*\*This is the only time this class is being offered in Hillsborough this year.\*\*\*

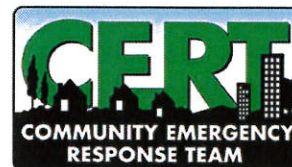
**September 16 - CERT Community Emergency Response Team Training**

**Class Module #1 (1 of 7)**

**Hillsborough Town Hall, 9 AM to 12 PM**

**Free for residents**

CERT training provides private citizens with the basic skills needed to respond to their community's immediate needs in the aftermath of a disaster, when emergency services are not immediately available. \*\*\* Take advantage of the opportunity to get your CERT training right here in Hillsborough.\*\*\*\*



**GET READY Class Announcement**

**CERT - Fall 2015 schedule**

To register for any of the above training opportunities, please contact Lisa Bartolo at CCFD, [lbartolo@centralcountyfd.org](mailto:lbartolo@centralcountyfd.org)

**Fall BAERS Ham Radio Training**

BAERS is an Amateur Radio club in the San Francisco Bay Area that provides classes and testing for those interested in getting their Amateur Radio license or in upgrading their existing license. They hold three to four sessions per year, depending on interest and classroom availability. Generally, the sessions range between 75 and 100 participants. <http://www.baeers.com/>



Date: September 26, 2015

Time: 8:00 am - 5:00 pm

Location: Chetcuti Room, 450 Poplar Avenue, Millbrae, CA 94030

**BURLINGAME PET PARADE**

**September 26, 10 AM**

**Broadway Avenue, Burlingame**



Hundreds of pet owners and their pets dressed in wild and crazy costumes will march in the 12th annual Burlingame Pet Parade, beginning at 10 AM on Broadway in Burlingame. There is no charge to participate.

Those who want to march in the parade need to arrive by 9:30 AM. Every participant receives a souvenir ribbon, and fancy ribbons are awarded for the *Best Pet Trick*; *Most Unusual Pet*; *Best Dressed Pet*; and *Most Original Float, Group or Wagon*. A special prize is awarded to the *Grand Prize Winner*. For more information, visit [www.burlingamepetparade.com](http://www.burlingamepetparade.com).

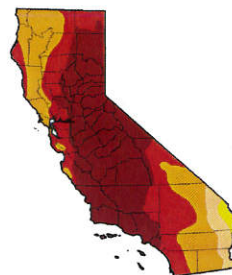
## === INFORMATION ===

### CALIFORNIA DROUGHT FORMS FOR THE TOWN OF HILLSBOROUGH

[Affidavit of Residency \(Owner\)](#)

[Affidavit of Residency \(Tenant\)](#)

[Request for adjustment to drought water allocation \(Medical\)](#)



Please print and hand-deliver signed forms to the Finance Department or Building and Planning Department at 1600 Floribunda Avenue, Hillsborough, CA 94010.

### COMMO AND OFFICER STEVE GONZALEZ



During the month of July, Officer Steve Gonzalez completed a four week police canine handler training course with his new partner "Commo". The training course bonds the handler and canine while certifying the canines abilities including; agility, obedience and protection.

"Commo" and Officer Steve Gonzalez are already on the street and please say hello when you see them on patrol.

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Town of Hillsborough | 1600 Floribunda Avenue | Hillsborough | CA | 94010

# HILLSBOROUGH

1ST QUARTER 2015



## TAKE CARE OF TREES DURING DROUGHT

**L**ook out your windows. What do you like best about your landscaping: the green grass, fragrant blossoms, a flowering bush? Or is it the trees, perhaps a beloved, old tree that has produced both shade and pleasure for years? Trees, sturdy souls that they are, are sometimes forgotten in a drought. Yet the loss of a tree or several trees would no doubt be devastating to a yard, far more devastating than the loss of flowers and grass which can be replaced much more easily.

Trees need moisture. Mulch the root zone to help retain what moisture there is. Water trees deep into the root base. Use a Ross root feeder, which delivers fertilizer and water directly to the root zone and helps deep-root development. A full-service tree care company can bring in water and pump it deep into the soil, which is very efficient.

Some types of trees are harder than others in a drought. In Hillsborough, oak trees are surviving the drought fairly well, but trees like beech or magnolia need extra care. Monterey pine trees are dying at a high rate and it is recommended that money not be spent to save them. The lack of moisture causes Monterey pines to decline in health and prevents them from defending themselves against relentless bark beetles. Redwood trees are also susceptible to drought conditions, which cause them to die from the top

down. In general, young trees are susceptible to drought, but they can be replaced more readily than mature trees.

If a tree dies and needs to be replaced, the new tree should be one that is drought tolerant, like a coast live oak or olive tree. If installing new landscaping, plant with the drought in mind. Limit the lawn area and use drought tolerant plants.

While the drought is not over, there are currently no restrictions that should force residents to limit or abandon their landscaping, says Ed Cooney, senior management analyst/program manager for the Town of Hillsborough. Residents have been asked to cut back water use by 10 percent and, if conservative, there should still be enough water to maintain landscaping.



*The Town's Centennial Park at Town Hall is planted with many drought-tolerant plants and offers a good sampling of what survives well when rain is lacking.*



## SAVE WATER, SAVE MONEY

You have cut back on your sprinkling; you have cut back on your showers. What more can you do to conserve water? How about participating in a program that saves water as well as saves you money?

In conjunction with PG&E and the Bay Area Water Supply and Conservation Agency (BAWSCA), Hillsborough is offering a washing machine rebate program. You can save up to \$200 if you purchase a qualifying efficient clothes washing machine. Check out the Town's website: On the Home Page, click on Departments, Public Works, Water, Water Conservation to find the details of the program.

Should the drought continue, BAWSCA and Hillsborough will be offering more programs to help residents save water, according to Ed Cooney, Senior Management Analyst. Most of the new programs will focus on outdoor watering devices, such as irrigation controllers and pop-up sprinklers. Many residents have already installed indoor water-saving appliances and fixtures, such as low-flow toilets. If you are not one of them, the appliances are available and will lower your water use.

Hillsborough is making a concerted effort to conserve water and help residents conserve. The Town has instituted outreach programs, education, water use reports, and weather-wise garden landscaping classes.

The Town itself is adjusting its water quality flushing program to be more efficient and has met with landscape contractors to work on water budgets and irrigation, among other water-saving policies.

Don't let a little rain fool you. The drought continues — so continue conserving.

# KEEP DROUGHT IN MIND WHEN LANDSCAPING

It is the time of year to get your landscape in order. While you do so, keep in mind these important considerations:

**Water conservation** — As you know, California continues to suffer under severe drought conditions. Governor Jerry Brown has declared a drought emergency and mandatory reductions are being determined. It is important that Hillsborough residents continue to design their landscapes to be beautiful and drought tolerant. One of the best resources to help you do so is the Bay Area Water Supply and Conservation Agency's (BAWSCA's) on-line Water Wise Gardening Tool: [www.bawscawatersaving-plants.com](http://www.bawscawatersaving-plants.com). This easy-to-use, photo-driven website provides an image-based list of hundreds of beautiful, locally-appropriate, low-water-using plants. Another great resource is the Bay-Friendly Landscape Guides, which can be found at [www.bayfriendly-coalition.org](http://www.bayfriendly-coalition.org). Remember, landscapes that are drought tolerant have a better chance of surviving a long, severe drought event. And the two provided websites prove that drought-tolerant landscapes are also beautiful landscapes. The Town's Planning and Building Department is another good source of information.

You can find more outdoor water conserving tips and up-to-date information about the drought and Hillsborough's response to it on the Town's website: [www.hillsborough.net/drought](http://www.hillsborough.net/drought).

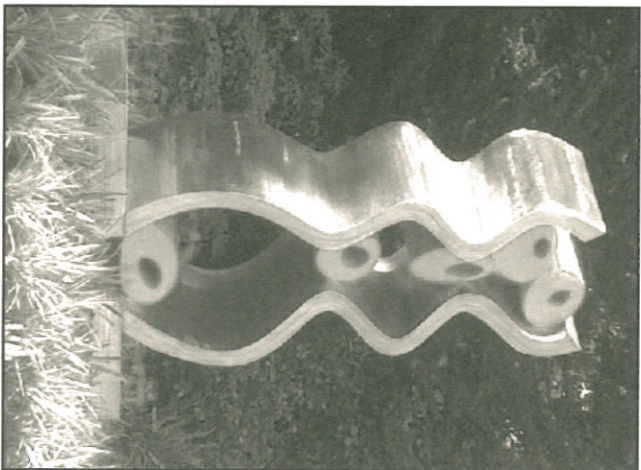
Don't forget that mulching helps a lot! Defensible space — Drought conditions are wildfire conditions. Much of California, including Hillsborough, is at risk of wildfire.

The easiest, most important step you can take to protect your home from wildfire is to create a defensible space around your home. Homes with at least 100 feet of defensible space are more likely to survive a wildfire. Guides about how to create a wildfire defensible space around your home can be found on the CalFire website: <http://calfire.ca.gov>. Have you created your 100 feet of defensible space? Don't put this off another year.

**Green waste** — Many parcels in Hillsborough are undeveloped wild land. It

is often tempting for residents and their gardeners to toss green waste over the fence into woodlands. Please don't. Doing so adds fuel to the risk of wild fire and can spread non-native, invasive species as well as plant diseases into woodlands. Rather, place green waste into your green waste recycling bin or haul it to a nearby green waste recycling facility. Even better, consider composting your green waste on site to save time and money. The San Mateo RecycleWorks website, [www.recycleworks.org](http://www.recycleworks.org), has great information about home composting and

green waste drop-off centers. Landscape along streets — Don't forget to trim plants and trees along the street abutting your property. Please "limb-up" trees overhanging streets to about 14 feet so that large trucks can pass under them without striking limbs. Also, look for limbs that are dead or dying that could fall and pose a risk to traffic or pedestrians. Please also trim back plants that may be obstructing views of street signs, driveways or difficult-to-see-around corners. Let's work together to keep Hillsborough beautiful and safe!



Hillsborough resident Wayne Dewald donated two pieces of art work to the city including "Caught Up" by C.J. Rench.

## A GIFT OF ART

A generous former resident has left the Town a handsome gift. Late last year, Wayne Dewald contacted the City Council and asked if the Town would be interested in receiving a donation of two outdoor artworks. The Council accepted and set to work on developing a policy for art in public places to continue to enhance the Town's sophisticated elegance.

The two modern, metal sculptures are currently carefully stored at the Town's corporation yard. The Town and the Hillsborough Beautification Foundation will work together to find the most suitable locations for the new sculptures.

In the meantime, City Council has approved a new public art policy for donation of such items as sculptures, paintings, photography and crafts. The policy covers requirements for donations,

such as providing photos or plans of the art, descriptions, proposed locations, special maintenance or requirements, and the artist's biography.

City Council will ask: Is the art thought-provoking or memorable and does it reflect the social, cultural or historic values of the Town? Is the art appropriate in scale? Is it durable and appropriate for public viewing?

The policy requires the Town to own the piece and have the facilities and resources to care for it. It also establishes the Art In Public Places Fund for costs associated with acquisition, transportation, installation, insurance, and repairs.

Public art is a cultural reflection of the community and its people. The Town felt it was important to have procedures in place for the acquisition, maintenance and acceptance of these generous gifts.

## TOWN BRIEFS

During the first quarter of 2015, the City Council:

change will be in accordance with the appointment process of other Town advi-

# WATER CONSERVATION IN HILLSBOROUGH

In response to Hillsborough's mandatory 36 percent water usage reduction as compared to 2013 levels, the Town passed an urgency ordinance effective on June 1, 2015. This ordinance provides an indoor water allotment for each resident and an outdoor water allotment based on parcel size (up to three acres) in an attempt to create a level playing field for all residents. Allotments for parcels over three acres are determined on a case-by-case basis by a water auditor, balancing fairness with necessity.

The Town has created a website that allows residents to access their individual water use report ([www.waterfluenc.com/hillsborough](http://www.waterfluenc.com/hillsborough)) so that they can see their allotment and how their use compares to the allotment. Information about this personalized water use report was mailed to each residence in June. Residents who register on the site have access to their monthly water allotment and water use information which is updated each month after every water meter is read. A registered resident is notified by email when updates are posted.

With the knowledge of how much water a residence is allotted and how much can be used monthly, a resident can either learn where to save more or continue good savings, if within the budgeted amount.

There is a lot of information on the Town website, [www.hillsborough.net](http://www.hillsborough.net). Click on the blue "Drought" button to find indoor and outdoor conservation tips, to learn to read your water meter, or to gain information about the drought regulations themselves.

For help, the Town has developed a list of specialists in irrigation, leak detection, water conservation and landscaping, all holding a Town business license. The list is available online and at Town Hall.

Don't forget that the Town offers rebates for water-efficient toilets and washing machines, and drought sensitive landscaping workshops are planned for September.

Also, Hillsborough has recently started participating in the Lawn Be Gone rebate program through the Bay Area Water Supply and Conservation Agency (BAWSCA), which offers rebates to residents who convert their lawns into water-wiser landscaping. Lawn Be Gone has stringent requirements to qualify for the program, so check the BAWSCA website at [www.bawasca.org/conservation/lawn-be-gone/](http://www.bawasca.org/conservation/lawn-be-gone/) and also the Town's Building and Planning Department website to help with landscaping plans and ensure receiving any necessary Town approvals (<http://www.hillsborough.net/253/Landscape-Requirements/>).

Ed Cooney, senior management analyst/water conservation program manager for

Hillsborough, points out that Hillsborough residents have a great record of water conservation. "Two-thirds of residents are meeting the target," he said. "Another 10 percent or so are close." The tools are in place to help everyone.

At the meeting when the urgency ordinance was passed, Council members commented that "it is important that we all work together on this."

## The urgency ordinance

The ordinance, passed by City Council in June 2015 following input from several public meetings, sets two allotments, one for indoor use and one for outdoor. The allotment for indoor use is 36 units (or almost 27,000 gallons) per person, per year, for residents living in a home more than six months per year. That amounts to about 75 gallons per person per day. For outdoor parcels up to three acres in size, the allotment formula is 246 units (or almost 184,000 gallons) per acre per year. That's about 518 gallons per acre per day. The ordinance takes into account differing irrigation needs for summer versus winter months.

There is a penalty of \$30 per unit of water (a unit is 748 gallons) for exceeding allotments. Water use, in regards to penalties, is looked at on a three-month basis, beginning in July. If you exceed use in one month but are within your overall budget for three months through September, there will be no penalty. Continued excess use can result in water restrictors or the water being disconnected. The Town offers an appeals process for penalties imposed, and unusual circumstances will be taken into account.

The ordinance also spells out recommendations for pools, hot tubs and landscape projects, among other details.

The mandated water cutback of 36 percent for the Town overall sounds draconian. However, many residents have been conserving water since the first hint of a drought and residents are off to an excellent start towards meeting the state-imposed savings.

Many residents may even find that their water allotment for 2015 is higher than their 2014 water consumption. Hillsborough's mandatory rationing is not based on prior water usage, so earlier water conservation efforts are not penalized. However, the Town encourages residents to maintain their conservation efforts in any case, and to conserve even a bit more.

The Town encourages use of its website and other diagnostic and educational materials, and invites calls to Public Works' Drought Hotline if unanswered questions or problems arise: 650-375-7504.



## ANNUAL PARADE HITS A HOME RUN

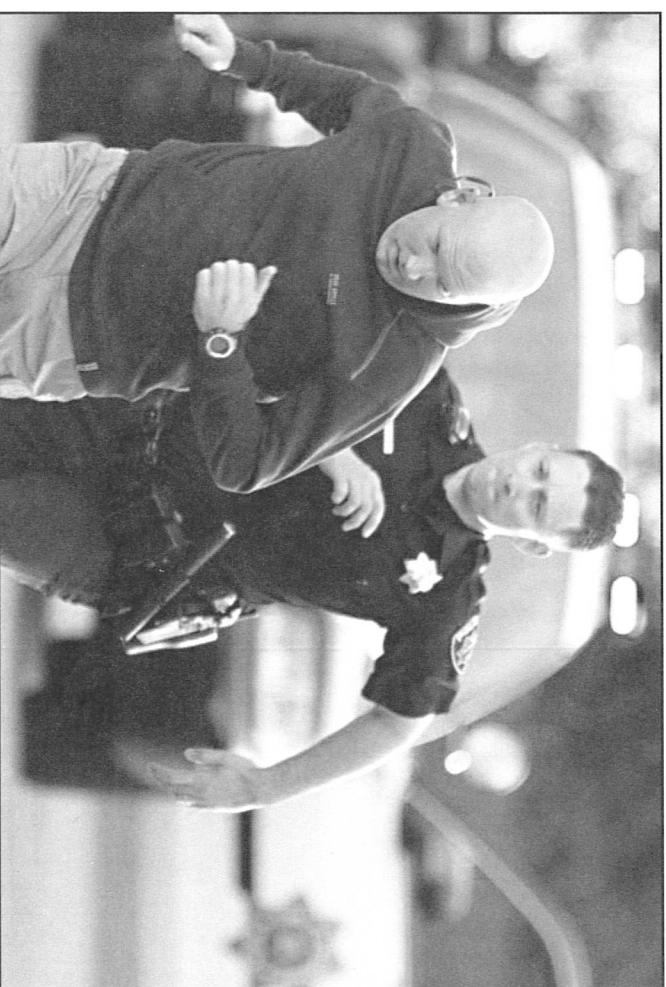
Featured at the 2015 Hillsborough Parade was the Giants World Series Trophy. James O'Connor, son of Hillsborough Police Chief Mark O'Connor, poses with the trophy and is surrounded by dozens of Little League players.

Many thanks to the wonderful community partners who make the Annual Memorial Day Parade possible.

The generous parade boosters are:

- Adam and Sher Amos-Grosser
- Rita F. Bell

- Jon & Joanne Goldstein
- Jamie and Marritie Greene
- Scott & Lora Peterson
- Carmen & Bill Ericson
- Libby and Zachary Hulsey



Officer Scott Fritiz has been recognized for his outstanding crime-fighting abilities. Above, he is demonstrating a chase scene with Sergeant Nelson Cortaway for a photograph for *Police One* magazine.

## CRIME FIGHTING PARAMOUNT FOR FRITZ

Scott Fritiz, the most recent recipient of Hillsborough's Employee Excellence Award, is a hands-on street-savvy police officer. "Fritz has served well in many different capacities within the Department," said Chief Mark O'Connor, "although where he has excelled is in the area of crime prevention."

Fritz puts it in more direct words. "I enjoy putting the bad guys in jail," he said. Officer Fritz believes that police work "is in the blood" for some people, including him. He comes from a long line of relatives who served on a police force or in the military, beginning with his great-grandfather who was a police officer in San Francisco and a Marine in the Spanish American War. Fritz always knew he wanted to follow in his family's footsteps. After a childhood and schooling in Millbrae, he earned degrees in abnormal psychology and police administration at the College of San Mateo and Notre Dame de Namur. After graduating from the Police Academy, he wanted to join the FBI, but a couple of friends from the Hillsborough Police Department (Bob McNichol and Bob Piraronas) took him to lunch and persuaded him otherwise. He decided to give Hillsborough a try — and that was 21 years ago.

He began his career in Town as a patrol officer. "I guess I arrested enough people, so they made me an inspector," he said. In that

role, Fritz not only continued his outstanding arrest record but helped put Hillsborough on the map with ground-breaking work in identity theft. This was before the internet, when identities were being stolen from information pulled from mailboxes.

Following his stint with the detective bureau, Fritz went back on patrol and was Hillsborough's first officer to join the SWAT team where he served for 18 years. He was also on the San Mateo County gang task force. Currently, Fritz is on patrol and is a firearms instructor.

"I'm no longer on the SWAT team. That's a young man's game," he laughed. "Hillsborough is a great town," Fritz said. "I like a small town. I saw plenty of action with SWAT. This is the kind of place where you like to protect the people. As a police officer, you see a lot and you carry some of the negative stuff with you all your life. When a community recognizes that and appreciates you and the sacrifices you make, that means a lot."

Fritz is married and has one dog and three cats. He likes exercise, firearms, hiking, camping, fishing, and walking and traveling with his wife.

The Employee Excellence Award came as a complete surprise to Fritz, and he surmised that it was given for his overall career. "I hope I was recognized for being the best cop I can be."

## SAVE THE DATES!

### Harvest Garden Workshop

**Sunday, August 23**

Come join us and volunteer your time for a good cause. A volunteer workshop will be held in the Hillsborough "Harvest Garden" on August 23 from 2 p.m. to 4 p.m. Help plant, weed and harvest in Hillsborough's own community garden which donates its organic harvest to local nonprofits. Resident drop-ins are always welcome; students please RSVP in advance to [www.HillsboroughBeautificationFoundation.org/](http://www.HillsboroughBeautificationFoundation.org/) contact.

### Disaster

#### Preparedness Class

**Wednesday, September 9**

9 a.m. to noon in Council Chambers, Town Hall, 1600 Floribunda Avenue. During a disaster, Central County Fire Department will have limited personnel and apparatus to provide emergency services. Come to class and learn how to be prepared and self-reliant during the most critical three to five days following an area-wide disaster.

### Maintaining Existing Landscape During a Drought

**Saturday, September 12**

9 a.m. to noon in Council Chambers, Town Hall, 1600 Floribunda Avenue. Discover how simple changes to your landscape maintenance practices can help your garden thrive while reducing your water use. Learn about irrigation system maintenance, watering schedules, soil amendment and mulching, irrigation equipment such as drip irrigation and smart controllers.

### Tree Care During a Drought

**Tuesday, September 22**

6 p.m. to 8 p.m. in Council Chambers, Town Hall, 1600 Floribunda Avenue. This class will address proper care, maintenance and irrigation techniques for promoting the long-term vitality and growth of trees in water conserving gardens.

### Hillsborough Recreation Program

For details on classes offered, check [www.hillsboroughprecreation.com](http://www.hillsboroughprecreation.com) or call 650-342-5439.





**Exhibit G**  
**Town Affidavits of Residency or Medical Affidavit Forms**





OWNER  
AFFIDAVIT OF RESIDENCY

The undersigned is/are the owner(s) of the real property commonly known as \_\_\_\_\_, Hillsborough, CA (the "Residence").

The undersigned hereby declare(s) that the following individual(s) shall each reside at the Residence for at least six (6) months during the period commencing as of the date hereof.

Name(s) of Individuals  
*(please print clearly)*

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

In the event the undersigned become(s) aware of any change to the foregoing, the undersigned will promptly notify the Town thereof. The undersigned declare(s) under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Signature)



TENANT  
AFFIDAVIT OF RESIDENCY

The tenant(s) listed below is/are currently residing at the real property commonly known as \_\_\_\_\_, Hillsborough, CA (the "Residence").

The undersigned hereby declare(s) that the following individual(s) shall each reside at the Residence for at least six (6) months during the period commencing as of the date hereof.

Name(s) of Individuals  
*(please print clearly)*

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

In the event the undersigned become(s) aware of any change to the foregoing, the undersigned will promptly notify the Town thereof. The undersigned declare(s) under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Signature)



REQUEST FOR ADJUSTMENT TO DROUGHT WATER ALLOCATION  
(Medical)

Customer Name: \_\_\_\_\_  
Last Name First Name

Account Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Service Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

(\_\_\_\_) \_\_\_\_\_ (\_\_\_\_) \_\_\_\_\_ (\_\_\_\_) \_\_\_\_\_  
Home Phone Work Phone Cell Phone

Adjustment Requested

Substantiated medical requirements:

The undersigned medical doctor does hereby certify that the above listed customer who resides at the address listed above has a medical condition(s) that require the use of \_\_\_\_\_ gallons of water per day above and beyond their indoor allotment (3 units/month = 2,244 gallons/month = 74 gallons/day).

MD Name (print): \_\_\_\_\_

MD Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*I certify under penalty of perjury that all the information provided on this declaration is truthful and correct.*

Customer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Allocation Adjustment requests should be sent to:

Allocation Adjustment Request,  
Town of Hillsborough  
Attn: City Clerk  
1600 Floribunda Avenue  
Hillsborough, CA 94010  
Questions? Call 650-375-7400

Please allow up to three weeks for a response.

For Hillsborough Use Only		
Hillsborough Appeal Body:	< Accepted	< Denied
		Date:



**Exhibit H**  
**Drought Penalty Appeal Request Form**







**Town of Hillsborough  
Drought Urgency Ordinance  
Water Overuse Penalty Notice**

November 30, 2015

[REDACTED]  
[REDACTED]  
HILLSBOROUGH, CA 94010

Dear [REDACTED]

The Town is sending you this notice because our records show that water used at your residence exceeded your drought allotment for the three month drought compliance period, July through September, as defined in Hillsborough Municipal Code Section 13.16 (available on the Town's "Drought" page at [www.hillsborough.net](http://www.hillsborough.net)). There is a \$30 penalty for every unit of overuse. The City Council authorized a 5% water allotment increase for every Hillsborough parcel for the first compliance period due to variations in meter read cycles. Penalties incurred were reduced by this allotment increase. Our records show the following total usage for the three month compliance period of July, August and September:

A	Site ID	[REDACTED]
B	Water Use Units*	237
C	Meter Read Days	96
D	Water Use Units/Day (B ÷ C)	2.469
E	Water Allotment Units**	114
F	Water Allotment Adjusted*** (E x 1.05)	119.7
G	Days in Compliance Period	92
H	Allotment Units/Day (F ÷ G)	1.301
I	Overuse Units/Day (D - H)	1.168
J	Overuse During Compliance Period (I x G)	107.4
K	Penalty (J x \$30)	\$3,222.00

\*One Unit = 748 gallons

\*\*As calculated per HMC 13.16

\*\*\*Including an additional 5% allotment adjustment for 1st compliance period



Town of Hillsborough  
 1600 Floribunda Avenue  
 Hillsborough, CA 94010-6418  
 Phone: (650) 375-7584  
 Fax: (650) 548-0859

# INVOICE

Due Date	Invoice Date	Total Due	Payment Amount
1/4/2016	11/30/2015	\$3,222.00	
Invoice No.	Reference No.	Customer No.	Page
[REDACTED]	[REDACTED]	[REDACTED]	1

C  
U  
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O  
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R

[REDACTED]  
 HILLSBOROUGH, CA 94010-

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O

Town of Hillsborough  
 1600 Floribunda Avenue  
 Hillsborough, CA 94010-6418

Service Address [REDACTED]

PLEASE SEE ATTACHED LETTER.

-----Please Return Top Portion of Invoice with Payment-----

Quantity	Item Code	Description	Price	Amount
107.400	WTRPE	EXCESS WATER USAGE PENALTY	\$30.00	\$3,222.00
			Subtotal:	\$3,222.00
			Discount:	\$0.00
			Tax:	\$0.00
			<b>Total Due:</b>	<b>\$3,222.00</b>

Please make checks payable to Town of Hillsborough



TOWN OF HILLSBOROUGH  
DROUGHT URGENCY ORDINANCE NO. 725  
PENALTY APPEAL FORM

Customer Name: \_\_\_\_\_  
Last Name First Name

Account Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Service Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

(\_\_\_\_) \_\_\_\_\_ (\_\_\_\_) \_\_\_\_\_ \$ \_\_\_\_\_  
Primary Phone Alternate Phone Penalty Amount being Appealed

Complete this form if you are appealing a penalty, enforcement action or enforcement notice. Extenuating circumstances include but are not limited to: 1) You have taken all reasonable steps to reduce water use; 2) Current allotment could result in the substantial loss of trees or other high value plants or the loss of landscaping of historic significance; 3) There are temporary residents at your residential parcel which do not meet the six month requirement of Drought Ordinance 725, Section 13.16.040B; 4) Your residential parcel contains new landscaping not yet established; 5) You have special (non-medical) circumstance you feel should be considered.

Reason for Appeal

- I have implemented all available conservation measures (complete the Water Use Questionnaire on page two of this form). *This information is required to determine an appropriate allocation adjustment for your account.*
- I have attached supporting documents.

Please note that the Town encourages residents to do their utmost to meet their allotments, as unsuccessful appeals will result in penalties for overuse. The Town will contact you by mail with an appeal hearing date and instructions.

*I certify under penalty of perjury that all the information provided on this declaration is truthful and correct.*

Customer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Request for Adjustment to Drought Water Allocation forms and supporting documents should be sent to:

Allocation Adjustment Request  
Attn: Town of Hillsborough, City Clerk  
1600 Floribunda Avenue  
Hillsborough, CA 94010  
650-375-7584

## WATER USE QUESTIONNAIRE

*(Must be completed before an appeal can be considered)*

Water Use Checklist		
1. How many permanent occupants reside in your home?		
2. Did you check for toilet leaks w/food coloring or dye tabs?*	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Found leak(s)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Date(s) of repair?		
3. Have you installed low-flow showerheads?*      Quantity:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. Have you installed kitchen faucet aerators?*      Quantity:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5. Have you installed bathroom faucet aerators?*      Quantity:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6. Have you participated in Hillsborough water conservation rebate programs?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Please describe which and when:		
7. Did you check house line and irrigation leaks? <i>See "Leak Check Guide" on Hillsborough's Drought Page at <a href="http://www.hillsborough.net">www.hillsborough.net</a></i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Found leak(s)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Date(s) of repair?		
8. Did you have your irrigation system inspected by a certified professional?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Found leak(s)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Date(s) of inspection?		
c. Date(s) of repair?		
d. Name of service provider?		
9. What type/size is your current landscaping		
a. Lawn                                      Area in Sq. Ft.		
b. Shrubs/groundcover              Area in Sq. Ft.		
c. Pool / Water Feature              Area in Sq. Ft.		
10. Was additional landscaping recently installed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Permit Number:		
b. Amount of new lawn added (sq ft):		
c. Amount of new shrubs/groundcover added (sq ft):		
d. Date of installation:		
11. Do you have a pool? a. Number of gallons?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
a. Surface area in sq. ft.:		
b. Date of Installation:		

*\* If you answered "No" to #2 through #5 above, you must test toilet and install water-efficient, low-flow devices before submitting this form. They are available free of charge at Hillsborough Town Hall or can be purchased at your local hardware store.*

Additional Explanation:

For Hillsborough Use Only	
Appeal Body:	
<input type="checkbox"/> Accepted	
<input type="checkbox"/> Denied	
Allocation Adjustment _____ Units/Yr:	Date:

**Exhibit I**  
**Town Drought Outreach Examples**





## Town of Hillsborough April 3, 2015 E-Announcements

### COMMUNITY EVENTS

HSF Presents A Night at Studio 54

April 11, 2015

Burlingame Public Library Spring Book Sale

April 16th thru 19th

Hillsborough Garden Club - Creative Growth Flower Show

Friday, April 24, 2015 10:00-5:30pm

Saturday, April 25, 2015 10:00-3:30pm

Free Landscaping Classes for Residents

Wednesday, May 13, 2015 6:00-8:00pm

Memorial Day Parade

May 25, 2015

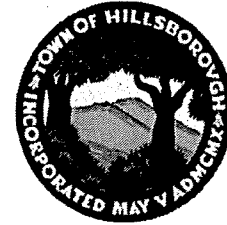
Compost and Document Shredding Event

Saturday, May 30, 2015 8:00am-until supplies last (Compost)

Saturday, May 30, 2015 9:00am-1:00pm (Document Shredding)

County Disaster Preparedness Day

June 6, 2015



### INFORMATION

Governor Proclaims State of Emergency due to Severe Drought Conditions

Sewer CCTV Inspections

Smoke Testing of Sanitary Sewer Lines

## === COMMUNITY EVENTS ===

*HSF presents A Night at Studio 54*

In the late 70's, Studio 54 was the hottest nightclub in town -- a place to see and be seen dancing the night away. We hope to see YOU there on April 11th, as our Hillsborough community comes together in support of our public schools for a night of fun, fashion, glitter, and glam!

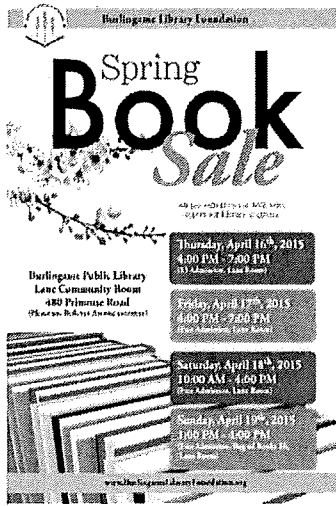
Go back in time and experience the night of your life at HSF's A Night at Studio 54. On April 11th, join us at The Fox Theatre in Redwood City and get ready to boogie down to the grooves of Tainted Love! Dust off your platform shoes and bring out the gold sequins!

You may [click here](#) to purchase tickets to A Night at Studio 54 online today! Separate transportation tickets are also available.

For more information, please contact the HSF office at 344-6685.

Benefitting our award-winning Hillsborough public schools.

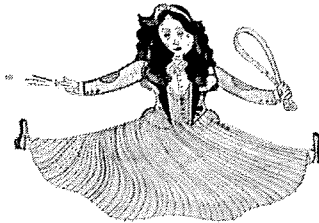
### Burlingame Public Library Spring Book Sale



The Burlingame Public Library will be holding the Spring Book Sale to support the library programs. The book sale will be held in the Lane Community Room, 480 Primrose Road. Use the entrance on Bellevue Avenue.

Thursday, April 16 from 4:00pm - 7:00pm (admission \$5)  
 Friday April 17th from 4:00pm - 7:00pm (admission free)  
 Saturday, April 18th from 10:00am - 4:00pm (admission free)  
 Sunday, April 19th from 1:00pm - 4:00pm (admission free, Bags of Books \$6)

For more information go to  
[www.BurlingameLibraryFoundation.org](http://www.BurlingameLibraryFoundation.org)



**Creative Growth Flower Show 2015**  
 Presented by Hillsborough Garden Club  
 Inspired by Creative Growth Art Center!  
 Friday, April 24 and 25 - 10:00am to 5:30pm  
 Burlingame Woman's Club  
 241 Park Road, Burlingame

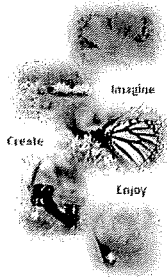
**No Admission Charge - Open to the Public - On-street Parking**

**Visit our boutique!**

**All proceeds from artwork and other products created at Creative Growth will go directly to supporting Creative Growth.**

*A Garden Club of America Flower Show*



**FREE Landscaping Classes for Residents****Pet and Child Friendly Landscaping****Speaker: Alane Weber****Wednesday, May 13, 2015 6:00-8:00pm****Location: Town Hall Council Chambers****1600 Floribunda Avenue****Hillsborough, CA 94010**Residents can register at: <http://bawasca.org/classes/> or by calling 650-349-3000**MEMORIAL DAY PARADE, CARNIVAL AND COMMUNITY MUSIC FESTIVAL!****SAVE THE DATE!** Monday, May 25 at 10:30 am

Don't miss this exciting and patriotic event! The Theme for this year's parade is "Big Trucks"!

Mayor Larry May will be our Grand Marshall.

The Wells Fargo Stagecoach will be returning for its 6th appearance. The San Mateo High School Marching band will be back and this year Burlingame High School's Marching Band will be joining us!

Plus after the Parade the fourth annual Community Music Festival at North School. Don't miss out on the fun.

To participate, volunteer or for more information, go to [www.hillsboroughparade.com](http://www.hillsboroughparade.com).**Compost and Document Shredding Event: Saturday, May 30th**

Compost is available beginning at 8:00am, as supplies last. Located in the Walnut Avenue Parking lot. Residents need to bring their own shovels, gloves and containers. Limit one cubic yard (equivalent to six-32 gallon containers) per resident.

Document Shredding begins at 9:00am to 1:00pm

Located in the Town Hall parking lot

1600 Floribunda Avenue

Limit of three (3) standard size bankers boxes (10X12X15)

Please contact Public Works for additional information, 650-375-7444.

**11th Annual San Mateo County Disaster Preparedness**

This year's Disaster Preparedness Day will take place on Saturday, June 6, 2015, from 10:00 a.m. to 2:00 p.m., at the San Mateo County Fair, located at the San Mateo County Event Center, 1346 Saratoga Avenue, in San Mateo. The event is a wonderful

opportunity for families to watch public safety demonstrations and gather information from dozens of exhibitors on how to create a disaster preparedness kit and family communication plan during an emergency.

Residents that arrive between 10 a.m. and 11 a.m. receive free parking and free admission to the County Fair. Last year, over 3,100 individuals passed through the event in the first hour, with attendance running well over 5,000 for the day. Attendees are offered free CPR classes, numerous presentations related to disaster preparedness, disaster preparedness education and a CERT (Community Emergency Response Team) Exercise.

For more information, contact the San Mateo County Office of Emergency Services at (650) 363-4790.

### === INFORMATION ===

#### **Governor Brown Directs Statewide Mandatory Water Rationing**



On April 1st, Governor Jerry Brown issued Executive Order B-29-15 proclaiming a State of Emergency to exist throughout the State due to severe drought conditions. In addition to the previously enacted prohibitions, the Order calls for the State Water Resources Control Board to impose mandatory restrictions to achieve a statewide 25% reduction in potable urban water usage through February 2016, as compared to the 2013 levels.

The Town purchases water from the San Francisco Public Utilities Commission (SFPUC), in conjunction with the Bay Area Water Supply and Conservation Agency (BAWSCA). Town staff will be working with both the SFPUC and BAWSCA in the upcoming weeks to determine the details of this new Order and any additional restrictions that may need to be implemented, and will provide the most recent information to the City Councilmembers during their April 13th meeting. That meeting will begin at 6:00pm at Town Hall, 1600 Floribunda Avenue.

Since the Governor's call for voluntary water reductions in January 2014, Hillsborough's water usage has been reduced by 21%. Under the new Order, exterior water use may be more heavily restricted than interior use. As a very high percentage of Hillsborough's water consumption is for exterior landscaping, our mandated reduction may be much more than the 25% level.

Residents with specific questions about the water reductions, interested in learning how to read their water meters, or those not yet receiving electronic copies of their Water Use Report, are encouraged to contact the Public Works Department at 650-375-7444. In addition to receiving the report, residents will have access to the [Water Use Report website](#), which includes tips on how to reduce water use.

#### **Sewer CCTV Inspections - Preliminary Work to start March 24th**

The Town of Hillsborough will be performing television sewer main and man hole inspections in neighborhoods surrounding Ralston Avenue. Consultants for the Town, Nor-Cal Pipeline Services & Hatch Mott MacDonald, will be performing the sewer system television inspections. The tentative start date for this work is Mon. April 6, 2015 and is expected to last 2 weeks.

Homeowners and residents received notification from the Town providing more detailed information regarding the project, and how it will affect the Residents. Additional information will be posted on the Town's website at <http://www.hillsborough.net/168/Current-Town-Projects> at the beginning of April.

### Smoke Testing of Sanitary Sewer Lines - Preliminary Work to start March 24th

The Town of Hillsborough will be performing smoke testing of the sanitary sewer lines in your neighborhood. Consultants for the Town will be E2 Consulting Engineers and Brown and Caldwell. The tentative start date for this work is Wed. April 29th, 2015 and is expected to last 2 to 4 weeks. In order to facilitate this work, Town staff will perform preliminary investigations starting March 24th to confirm the accessibility of sewer manholes and cleanouts within easement areas prior to smoke testing activities.

Homeowners and residents will receive a subsequent notification from the Town by mail approximately 2-3 weeks prior to the start of work which will provide more detailed information regarding the project, and how it will affect you, the Residents. In addition, door hangers will be provided 1-2 days in ad-vance of the work that is to be performed within your neighborhood. Additional information will be posted on the Town's website at <http://www.hillsborough.net/168/Current-Town-Projects> at the beginning of April.

#### Forward email

 SafeUnsubscribe

This email was sent to mbernardo@hillsborough.net by [mail@hillsborough.net](mailto:mail@hillsborough.net) | [Update Profile/Email Address](#) | Rapid removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).



Town of Hillsborough | 1600 Floribunda Avenue | Hillsborough | CA | 94010



## TAKE CARE OF TREES DURING DROUGHT

**L**ook out your windows. What do you like best about your landscaping: the green grass, fragrant blossoms, a flowering bush? Or is it the trees, perhaps a beloved, old tree that has produced both shade and pleasure for years? Trees, sturdy souls that they are, are sometimes forgotten in a drought. Yet the loss of a tree or several trees would no doubt be devastating to a yard, far more devastating than the loss of flowers and grass which can be replaced much more easily.

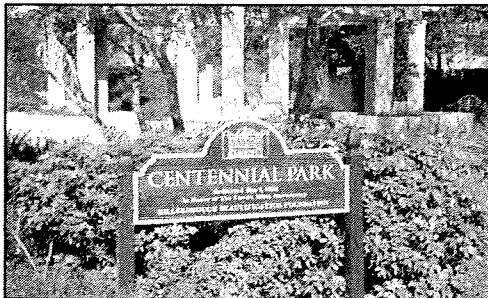
Trees need moisture. Mulch the root zone to help retain what moisture there is. Water trees deep into the root base. Use a Ross root feeder, which delivers fertilizer and water directly to the root zone and helps deep-root development. A full-service tree care company can bring in water and pump it deep into the soil, which is very efficient.

Some types of trees are hardier than others in a drought. In Hillsborough, oak trees are surviving the drought fairly well, but trees like beech or magnolia need extra care. Monterey pine trees are dying at a high rate and it is recommended that money not be spent to save them. The lack of moisture causes Monterey pines to decline in health and prevents them from defending themselves against relentless bark beetles. Redwood trees are also susceptible to drought conditions, which cause them to die from the top

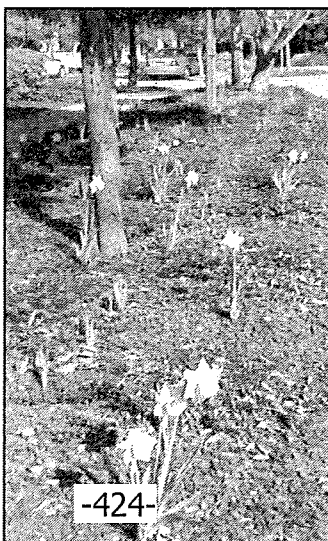
down. In general, young trees are susceptible to drought, but they can be replaced more readily than mature trees.

If a tree dies and needs to be replaced, the new tree should be one that is drought tolerant, like a coast live oak or olive tree. If installing new landscaping, plant with the drought in mind. Limit the lawn area and use drought tolerant plants.

While the drought is not over, there are currently no restrictions that should force residents to limit or abandon their landscaping, says Ed Cooney, senior management analyst/program manager for the Town of Hillsborough. Residents have been asked to cut back water use by 10 percent and, if conservative, there should still be enough water to maintain landscaping.



*The Town's Centennial Park at Town Hall is planted with many drought-tolerant plants and offers a good sampling of what survives well when rain is lacking.*



## SAVE WATER, SAVE MONEY

You have cut back on your sprinkling; you have cut back on your showers. What more can you do to conserve water? How about participating in a program that saves water as well as saves you money?

In conjunction with PG&E and the Bay Area Water Supply and Conservation Agency (BAWSCA), Hillsborough is offering a washing machine rebate program. You can save up to \$200 if you purchase a qualifying efficient clothes washing machine. Check out the Town's website: On the Home Page, click on Departments, Public Works, Water, Water Conservation to find the details of the program.

Should the drought continue, BAWSCA and Hillsborough will be offering more programs to help residents save water, according to Ed Cooney, Senior Management Analyst. Most of the new programs will focus on outdoor watering devices, such as irrigation controllers and pop-up sprinklers. Many residents have already installed indoor water-saving appliances and fixtures, such as low-flow toilets. If you are not one of them, the appliances are available and will lower your water use.

Hillsborough is making a concerted effort to conserve water and help residents conserve. The Town has instituted outreach programs, education, water use reports, and weather-wise garden landscaping classes.

The Town itself is adjusting its water quality flushing program to be more efficient and has met with landscape contractors to work on water budgets and irrigation, among other water-saving policies.

Don't let a little rain fool you. The drought continues — so continue conserving.

# KEEP DROUGHT IN MIND WHEN LANDSCAPING

It is the time of year to get your landscape in order. While you do so, keep in mind these important considerations:

**Water conservation** — As you know, California continues to suffer under severe drought conditions. Governor Jerry Brown has declared a drought emergency and mandatory reductions are being determined. It is important that Hillsborough residents continue to design their landscapes to be beautiful and drought tolerant. One of the best resources to help you do so is the Bay Area Water Supply and Conservation Agency's (BAWSCA's) on-line *Water Wise Gardening Tool*: [www.bawscawatersaving-plants.com](http://www.bawscawatersaving-plants.com). This easy-to-use, photo-driven website provides an image-based list of hundreds of beautiful, locally-appropriate, low-water-using plants. Another great resource is the *Bay Friendly Landscape Guides*, which can be found at [www.bayfriendly-coalition.org](http://www.bayfriendly-coalition.org). Remember, landscapes that are drought tolerant have a better chance of surviving a long, severe drought event. And the two provided websites prove that drought-tolerant landscapes are also beautiful landscapes. The Town's Planning and Building Department is another good source of information.

You can find more outdoor water conserving tips and up-to-date information about the drought and Hillsborough's response to it on the Town's website: [www.hillsborough.net/drought](http://www.hillsborough.net/drought).

Don't forget that mulching helps a lot! **Defensible space** — Drought conditions are wildfire conditions. Much of California, including Hillsborough, is at risk of wildfire.

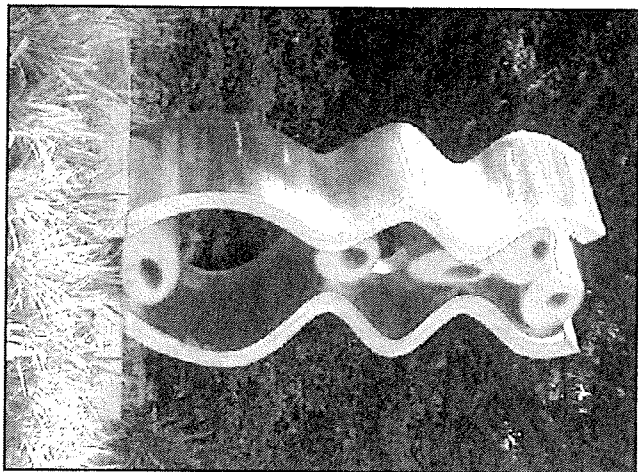
The easiest, most important step you can take to protect your home from wildfire is to create a defensible space around your home. Homes with at least 100 feet of defensible space are more likely to survive a wildfire. Guides about how to create a wildfire defensible space around your home can be found on the CalFire website: <http://calfire.ca.gov>. Have you created your 100 feet of defensible space? Don't put this off another year.

**Green waste** — Many parcels in Hillsborough about undeveloped wild land. It

is often tempting for residents and their gardeners to toss green waste over the fence into woodlands. Please don't. Doing so adds fuel to the risk of wild fire and can spread non-native, invasive species as well as plant diseases into woodlands. Rather, place green waste into your green waste recycling bin or haul it to a nearby green waste recycling facility. Even better, consider composting your green waste on site to save time and money. The San Mateo RecycleWorks website, [www.recycleworks.org](http://www.recycleworks.org), has great information about home composting and

green waste drop-off centers.

**Landscape along streets** — Don't forget to trim plants and trees along the street abutting your property. Please "limb-up" trees overhanging streets to about 14 feet so that large trucks can pass under them without striking limbs. Also, look for limbs that are dead or dying that could fall and pose a risk to traffic or pedestrians. Please also trim back plants that may be obstructing views of street signs, driveways or difficult-to-see-around corners. Let's work together to keep Hillsborough beautiful and safe!



Hillsborough resident Wayne Dewald donated two pieces of art work to the city including "Caught Up" by C.J. Rench.

## A GIFT OF ART

A generous former resident has left the Town a handsome gift. Late last year, Wayne Dewald contacted the City Council and asked if the Town would be interested in receiving a donation of two outdoor artworks. The Council accepted and set to work on developing a policy for art in public places to continue to enhance the Town's sophisticated elegance.

The two modern, metal sculptures are currently carefully stored at the Town's corporation yard. The Town and the Hillsborough Beautification Foundation will work together to find the most suitable locations for the new sculptures.

In the meantime, City Council has approved a new public art policy for donation of such items as sculptures, paintings, photography and crafts. The policy covers requirements for donations,

such as providing photos or plans of art, descriptions, proposed location, special maintenance or requirements, and the artist's biography.

City Council will ask: Is the art thought-provoking or memorable and does it reflect the social, cultural or historic values of the Town? Is the art appropriate in scale? Is it durable and appropriate for public viewing?

The policy requires the Town to own the piece and have the facilities and resources to care for it. It also establishes the Art In Public Places Fund for costs associated with acquisition, transportation, installation, insurance, and repairs.

Public art is a cultural reflection of the community and its people. The Town felt it was important to have procedures in place for the acquisition, maintenance and acceptance of these generous gifts.

an attempt to create a level for all residents. Allotments for three acres are determined on a case-by-case basis by a water auditor, in accordance with necessity.

The town has created a website that allows residents to access their individual allotment (www.waterfluence.com/) so that they can see their allotment and how their use compares to the town's average. Information about this personal-use report was mailed to each resident. Residents who register will have access to their monthly allotment and water use information updated each month after every reading. A registered resident is notified by email when updates are posted.

With this knowledge of how much water is allotted and how much is used monthly, a resident can either conserve more or continue good habits within the budgeted amount.

For more information on the Town of Hillsborough, visit hillsborough.net. Click on the "Home" button to find indoor and outdoor water conservation tips, to learn to read a water meter, or to gain information about water right regulations themselves. The town has developed a list of water conservation tips, irrigation, leak detection, lawn care, and landscaping, all available on a business license. The list is available online and at Town Hall.

Remember that the Town offers rebates for water-efficient toilets and washing machines. The town has recently started the Lawn Be Gone rebate through the Bay Area Water Supervision Agency (BAWSA), which provides rebates to residents who convert to water-wise landscaping.

The town has stringent requirements for the program, so check the website at www.bawsca.org/lawn-be-gone/ and also the Planning Department for more information on landscaping plans and any necessary Town applications.

For more information, contact senior management analyst/irrigation program manager for

ordinance was passed, Councilmembers commented that "it is important that we all work together on this."

### The urgency ordinance

The ordinance, passed by City Council in June 2015 following input from several public meetings, sets two allotments, one for indoor use and one for outdoor. The allotment for indoor use is 36 units (or almost 27,000 gallons) per person, per year, for residents living in a home more than six months per year. That amounts to about 75 gallons per person per day. For outdoor parcels up to three acres in size, the allotment formula is 246 units (or almost 184,000 gallons) per acre per year. That's about 518 gallons per acre per day. The ordinance takes into account differing irrigation needs for summer versus winter months.

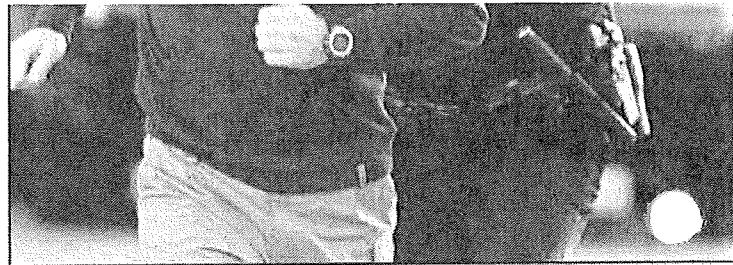
There is a penalty of \$30 per unit of water (a unit is 748 gallons) for exceeding allotments. Water use, in regards to penalties, is looked at on a three-month basis, beginning in July. If you exceed use in one month but are within your overall budget for three months through September, there will be no penalty. Continued excess use can result in water restrictors or the water being disconnected. The Town offers an appeals process for penalties imposed, and unusual circumstances will be taken into account.

The ordinance also spells out recommendations for pools, hot tubs and landscaping projects, among other details.

The mandated water curback of 36 percent for the Town overall sounds draconian. However, many residents have been conserving water since the first hint of a drought and residents are off to an excellent start towards meeting the state-imposed savings.

Many residents may even find that their water allotment for 2015 is higher than their 2014 water consumption. Hillsborough's mandatory rationing is not based on prior water usage, so earlier water conservation efforts are not penalized. However, the Town encourages residents to maintain their conservation efforts in any case, and to conserve even a bit more.

The Town encourages use of its website and other diagnostic and educational materials, and invites calls to Public Works' Drought Hotline if unanswered questions or problems arise: 650-375-7504.



Officer Scott Fritz has been recognized for his outstanding crime record. Above, he is demonstrating a chase scene with Sergeant Nelson for Police One magazine.

## CRIME FIGHTING PARAMOUNT FOR

Scott Fritz, the most recent recipient of Hillsborough's Employee Excellence Award, is a hands-on street-savvy police officer. "Fritz has served well in many different capacities within the Department," said Chief Mark O'Connor, "although where he has excelled is in the area of crime prevention."

Fritz puts it in more direct words. "I enjoy putting the bad guys in jail," he said. Officer Fritz believes that police work "is in the blood" for some people, including him. He comes from a long line of relatives who served on a police force or in the military, beginning with his great-grandfather who was a police officer in San Francisco and a Marine in the Spanish American War. Fritz always knew he wanted to follow in his family's footsteps. After a childhood and schooling in Millbrae, he earned degrees in abnormal psychology and police administration at the College of San Mateo and Notre Dame de Namur. After graduating from the Police Academy, he wanted to join the FBI, but a couple of friends from the Hillsborough Police Department (Bob McNichol and Bob Pivaronas) took him to lunch and persuaded him otherwise. He decided to give Hillsborough a try — and that was 21 years ago.

He began his career in Town as a patrol officer. "I guess I arrested enough people, so they made me an inspector," he said. In that

role, Fritz not only has an excellent arrest record but he is also on the map with good information pulled from

Following his assignment to the police bureau, Fritz went to Hillsborough's first police team where he served as a police officer, you also on the San Mateo force. Currently, Fritz is a firearms instructor.

"I'm no longer a young man. That's a young man's game. I like to do some action with SWAT. That's where you like to go. When you're a police officer, you have to deal with some of the negative aspects of life. When a community appreciates you and that means a lot."

Fritz is married and has three cats. He likes to go camping, fishing, and hiking with his wife.

The Employee Excellence Award is a complete surprise. "I hope I was recognized as a cop I can be."

## SAVE THE DATE

### Harvest Garden Workshop

Sunday, August 23

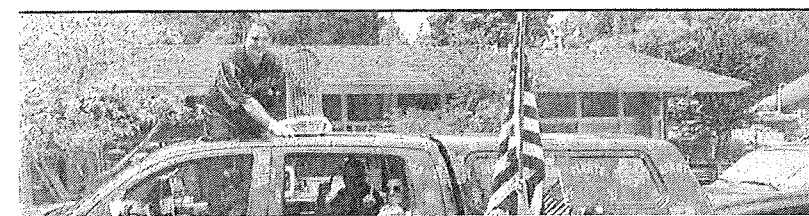
Come join us and volunteer your time for a good cause. A volunteer workshop will be held in the Hillsborough "Harvest Garden" on August 23 from 2 p.m. to 4 p.m. Help plant, weed and harvest in Hillsborough's own community garden which donates its organic harvest to local nonprofits. Resident drop-ins are always welcome; students

### Maintaining Landscape During

Saturday, September 9

Discover how simple landscape maintenance can help your garden thrive. Learn about water use, landscape system maintenance, soil amendment, and irrigation equipment.

## JAL PARADE HITS A HOME RUN



# ALERT CENTER

it - Increase your productivity, customize your experience, and engage in information you care about.

Departments

Community

News and Current Topics

I Want To...

Drought Info

Drought Response

Water Conservation

Water Flushing

Water Quality

Water Supply

About Us

Resident Info

Calendar

Payroll & Public Bills

Drought

You are here: Home » Departments » Public Works » Water » Drought Info

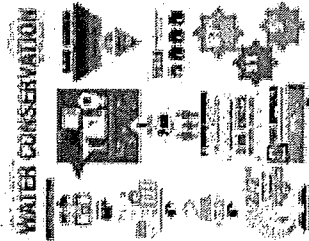
## Drought Information

Helpful information regarding the new Drought Ordinance, water meter reading guide, affidavit of residency form and water conservation links.

### City Council Drought Presentation

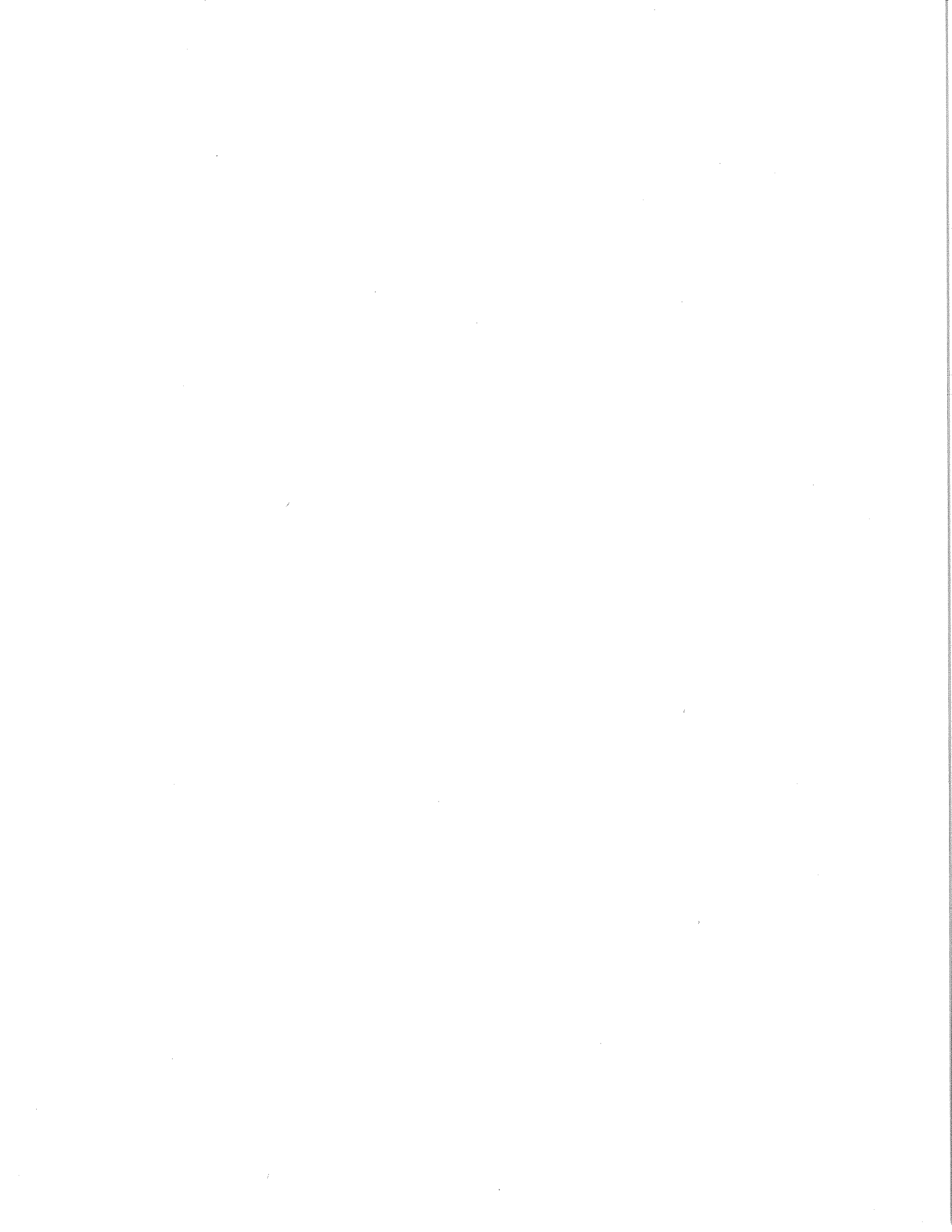
March 14, 2010

### Town of Hillsborough Water Conservation



### Hillsborough Water Conservation by the Numbers

Click here for more information about the Town of Hillsborough's water conservation.





**Exhibit J**  
**Waterfluence Drought Website Example**





ADDRESS

### Your Monthly Drought Allotments

Below are your water allotments and actual water use. Your annual allotment is multiplied by a weather factor to provide more water in summer months when landscape needs it most. There are two compliance periods. The first includes billing periods beginning July - September 2015. The second includes billing periods beginning October 2015- February 2016. The Town did not include June 2015 in the first compliance period to allow residents time to respond to the new Drought Urgency Ordinance requirements. The Town will revise its drought response requirements in March 2016 based on evolving state drought regulations.

Compliance Periods*	1st Compliance Period (2015)				2nd Compliance Period (2015/16)					Await State Regulation (2016)		
	June	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Weather Factor	16.3%	16.2%	14.7%	10.4%	5.6%	1.4%	0.7%	1.7%	2.1%	6.1%	10.3%	14.5%
Indoor Allotment	15	15	15	15	15	15	15	15	15	15	15	15
Outdoor Allotment	28	27	25	18	9	2	1	3	4	10	17	25
Total Allotment	43	42	40	33	24	17	16	18	19	25	32	40
Actual Water	21	29	24	27	25	11	6	4	12	13		

\* Month based on when billing period started

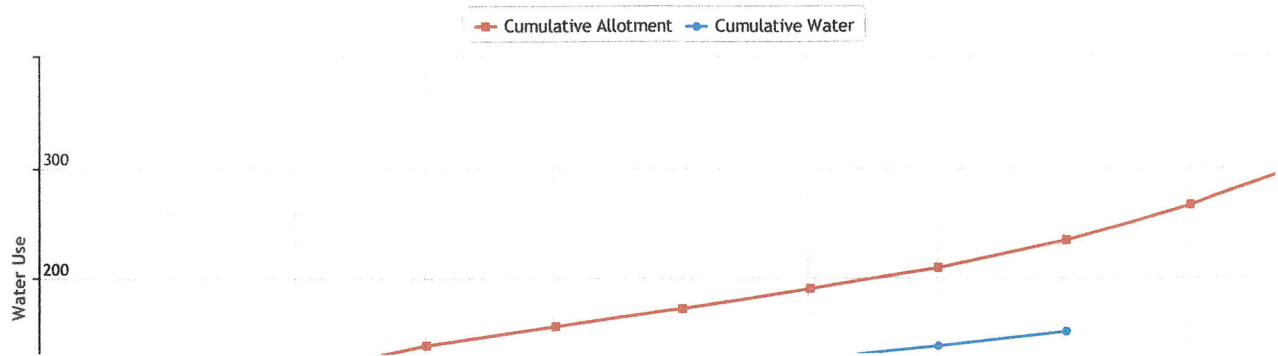
### Your Drought Compliance

Residents whose cumulative water use exceeds cumulative water allotment during a compliance period may receive a penalty notice by from the Town.

Compliance Period	1st Compliance Period	2nd Compliance Period*
Cumulative Total Allotment	115	129
Cumulative Actual Water	80	58
Allotment - Actual**	35	71

\* Residents whose water use is lower than their water allotment in the 1st compliance period get their balance forwarded to their allotment for use in 2nd compliance period.

\*\* Does not include adjustments for number of days in the billing periods or a 5% increase in the 1st compliance period allotment approved November 2015.



### Your Annual Drought Allotment

Your Annual Water Ration Allotment is calculated using the formula described in Section 13.16.040 of the Drought Urgency Ordinance 7

Annual Allotment	Ration Allotment Formula	Your Ration Allotment Inputs	Your Ration Allotment Formula	Your Total
Indoor	(Number of Residents) x 36 units	Number of Residents = 5	5 x 36	180 uni
Outdoor	123 units + [123 units x (Parcel Size in Acres)]	Parcel Size in Acres = 0.371	123 + (123 x 0.371)	169 uni
<b>Total</b>	<b>Indoor + Outdoor</b>	<b>Indoor &amp; Outdoor</b>	<b>180 + 169</b>	<b>349 uni</b>

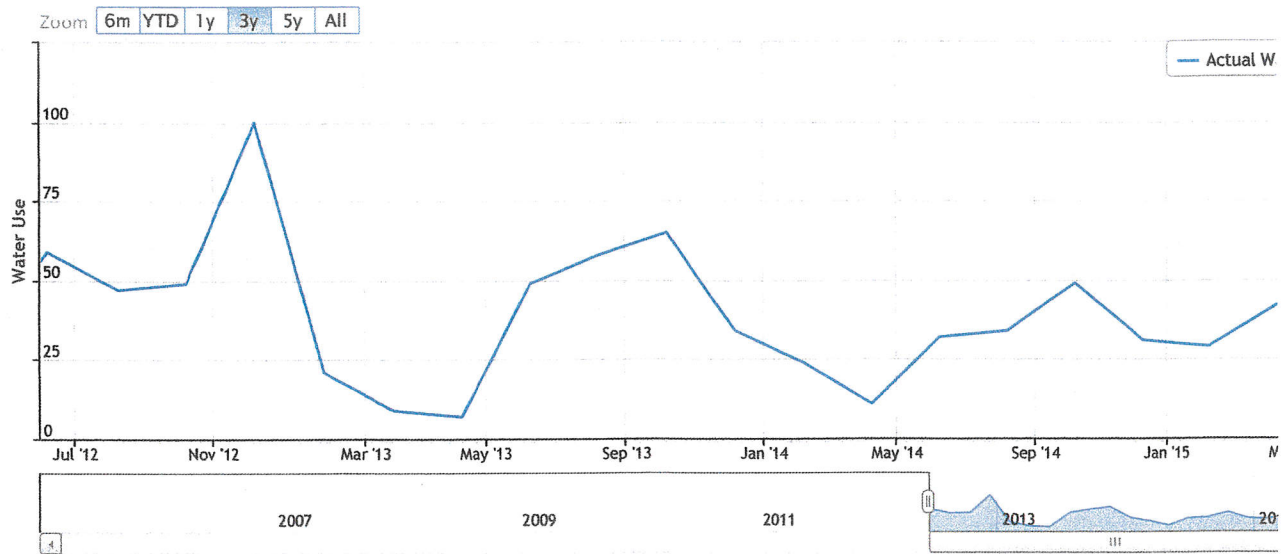
For comparison purposes, your 2014 annual use was 181 units. Your 2014 Annual Water Use is lower than your Annual Ration Allotment. Great Job! The Town asks that you continue your great efforts and, if possible, reduce your water use by another 10% as compared to your 2014 water use.

The Town has the following information on record for your residential parcel:

- Number of Residents:** 5
- Parcel Size (Acres):** 0.371

- The Town assumes 3 residents per parcel unless an Affidavit is completed, signed, and submitted to the City Clerk at Town Hall.
- The Town uses the County Assessor database to determine parcel size. Please contact the County Assessor (650-363-4500) if you believe your parcel size is incorrect.

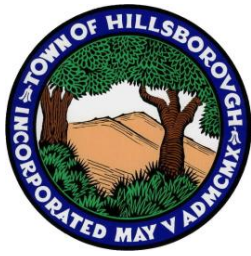
### Water Use History



Water units are in CCF. 1 CCF = 748 gallons.

**Exhibit K**  
**Town's Wastewater, Water, and Storm Drain Funding Rate Study**





# TOWN OF HILLSBOROUGH

## Final Wastewater, Water, and Storm Drain Funding Rate Study

January 12, 2016







# **TOWN OF HILLSBOROUGH**

1600 Floribunda Avenue  
Hillsborough, CA 94010



# **FINAL WASTEWATER, WATER, AND STORM DRAIN FUNDING RATE STUDY**

*January 12, 2016*

## **HF&H CONSULTANTS, LLC**

201 North Civic Drive, Suite 230  
Walnut Creek, CA 94596



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HILTON FARNKOPF & HOBSON

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January 12, 2016

Ms. Jan Cooke  
Finance Director  
Town of Hillsborough  
1600 Floribunda Avenue  
Hillsborough, CA 94010

**Subject: Final Wastewater, Water, and Storm Drain Funding Rate Study**

Dear Ms. Cooke:

We are pleased to submit this Final report documenting the updated rates. This report reflects the numerous meetings with the staff working group and the Financial Advisory Committee (FAC) to develop and evaluate alternatives. This report documents the recommended wastewater rate increases that are required to comply with a Cease and Desist Order. This report also documents the recommended water rate increases that are required to offset the savings from water conservation during the current drought emergency, increases that will maintain reserves and the Town's bond credit rating. The report also describes funding considerations for funding stormwater capital improvements. An appendix includes a copy of the rate model.

Very truly yours,

HF&H CONSULTANTS, LLC

John Farnkopf, P.E., Senior Vice President  
Sima Mostafaei, C.M.A., Senior Associate  
Rick Simonson, C.M.C., Vice President



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ACRONYMS

Table with 2 columns: Acronym and Definition. Includes entries for FY, CIP, CCF or HCF, EDU, EPA, FAC, GPD, I&I, O&M, PAYGo, and SFPUC.

## **ACKNOWLEDGEMENTS**

### City Council

Laurence May, Mayor  
Marie Chuang, Vice Mayor  
Shawn Christianson, Councilmember  
Jess Benton, Councilmember  
Alvin Royse, Councilmember

### Financial Advisory Committee

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D. Paul Regan, Commissioner Emeritus  
David Brooks, Member  
Maryellie Johnson, Member  
Joshua Cooperman, Member  
Kathy Ceremesak, Member  
Alvin Royse, Member and Commissioner  
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Jeffrey Baxter, Member

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Rick Simonson, C.M.C., Vice President

## **LIMITATIONS**

This document was prepared solely for the Town of Hillsborough in accordance with the contract between the Town and HF&H and is not intended for use by any other party for any other purpose.

In preparing this study, we relied on information and instructions from the Town, which we consider accurate and reliable and did not independently verify.

Rounding differences caused by stored values in electronic models may exist.

This document represents our understanding of relevant laws, regulations, and court decisions but should not be relied upon as legal advice. Questions concerning the interpretation of legal authorities referenced in this document should be referred to a qualified attorney.





FINAL REPORT

**WASTEWATER, WATER, AND STORM DRAIN  
FUNDING RATE STUDY**



## 1. EXECUTIVE SUMMARY

### FINDINGS AND RECOMMENDATIONS

This section summarizes our findings and recommendations related to the rate increases for the wastewater fund, the rate structure modifications and rate increases for the water fund, and the proposed funding approach for the stormwater fund.

#### Wastewater

The Town owns and operates a wastewater collection system that conveys its wastewater to treatment plants operated by the Cities of Burlingame and San Mateo. Wastewater rates were set to provide funding for projects that are needed (1) to comply with a Cease and Desist Order issued by the San Francisco Bay Regional Water Quality Control Board and (2) to reduce the inflow and infiltration of stormwater runoff into the sanitary sewers so that wastewater spills are eliminated.

1. **Operating Expenses.** Rates were set to generate sufficient revenue to fund the collection system's operation and maintenance expenses, the Town's portion of disposal expense at the San Mateo and Burlingame treatment plants, and debt service.
2. **Capital Expenses.** Capital funding over the next five years is primarily related to projects that are being monitored and audited by other agencies (Regional Water Quality Control Board, US EPA, State Water Boards, and Baykeeper). The Town received a State Revolving Fund loan in the amount of \$12 million for the El Cerrito project, which is projected to increase debt service by approximately \$550k starting in FY 2017-18. The Town plans on funding \$3.2 million per year of future wastewater capital projects on a pay-as-you-go basis, coupled with a loan from the General Fund, averaging \$1 million annually.
3. **Projected Rates.** The Town's wastewater customers are billed an annual charge for wastewater service (which is billed on the tax roll). **Figure 1-1** summarizes the wastewater rates that are needed to cover the projected operating and capital expenses, as well as the Town's reserve policy that the minimum Operations Reserve balance be set equal to 20% of annual O&M expenses. The proposed rate increases each year average about \$19 per month.

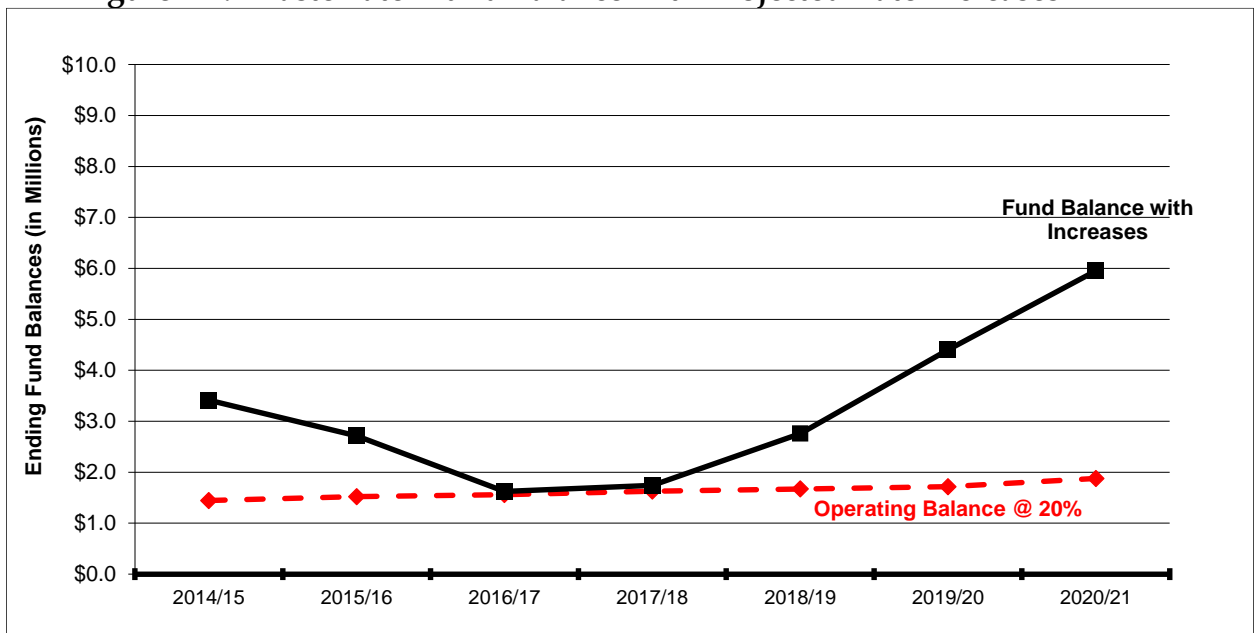
**Figure 1-1. Current and Projected Wastewater Rates**

	Adopted	Projected				
	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Rate per Dwelling Unit	\$2,325	\$2,558	\$2,813	\$3,095	\$3,311	\$3,543
Increase to Ratepayer	\$0	\$233	\$256	\$281	\$217	\$232
Increase Percentage	-	10%	10%	10%	7%	7%

After increasing rates effective July 2016, the Town should monitor the fund balance before adopting subsequent rate increases. The proposed rates are the maximum amount that rates can be set.

4. **Fund Balance.** The FY 2014-15 year-end fund balance is projected at approximately \$3,400,000, which is above the minimum balance for operations of \$1,500,000. **Figure 1-2** shows the fund balance dipping in FY 2016-17 and FY 2017-18 to provide funding primarily for increased capital costs. The fund balance rebounds starting in FY 2018-19 as a result of the projected rate increases.

**Figure 1-2. Wastewater Fund Balance with Projected Rate Increases**



**Water**

Water rates were evaluated to determine the need for additional rate increases in light of the likely continuance of demand cutbacks. Rate increases as recent as January 1, 2015 have enabled the Water Fund to accumulate sufficient reserves to manage the revenue shortfall caused by conservation in the short term. However, should drought

conditions persist, rate increases will be necessary to maintain the Town's bond rating and the current level of reserves.

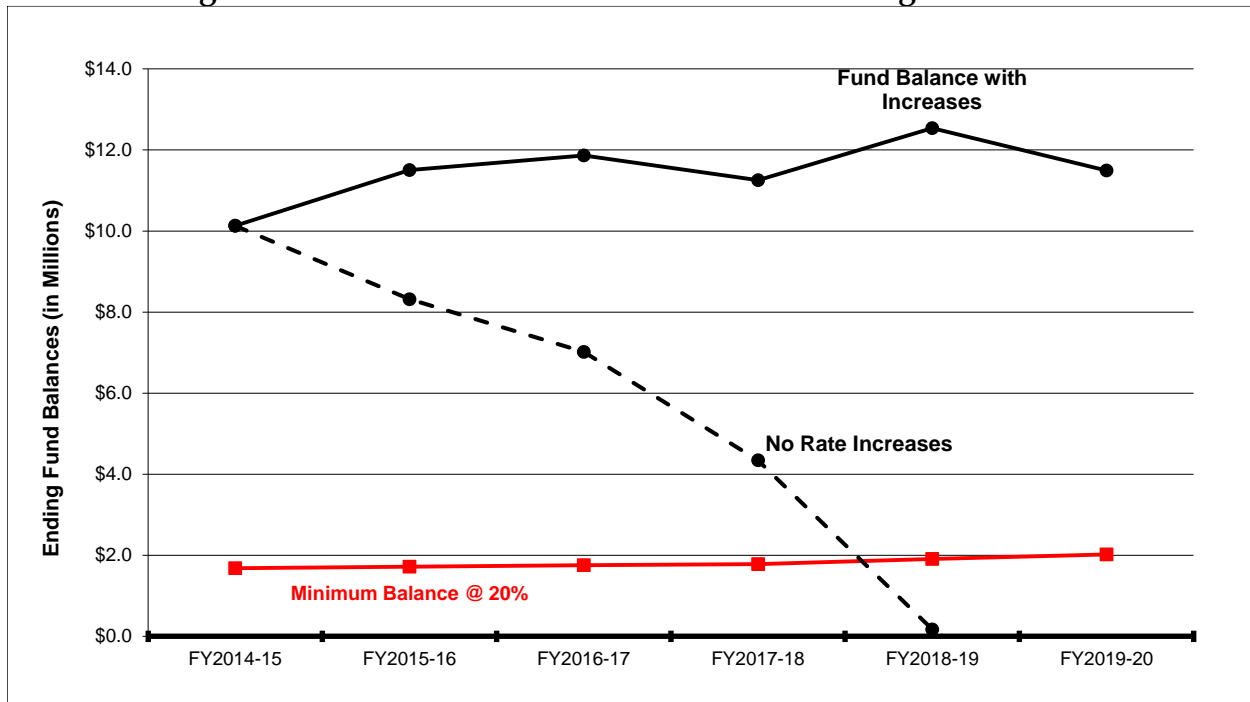
1. **Operating Expenses.** Rates were set to generate sufficient revenue to fund operating expenses, the cost of purchased water from the SFPUC, and existing debt service.
2. **Capital Expenses.** Capital funding over the next five years is primarily related to water main projects that replace aging water mains and rehabilitate and retrofit water tanks. Additionally, the option to install an alternative connection to the SFPUC distribution system has also been factored into the capital expenses. The Town plans to fund capital projects on a pay-as-you-go basis, averaging \$2.15 million annually. The Town will be evaluating the installation of an Automated Meter Infrastructure and if approved, funding is recommended to be covered by a loan from the General Fund.
3. **Projected Rates.** The Town has a state mandated 36% conservation cutback target which began on June 1, 2015. Customer conservation is currently exceeding that level at approximately 42% cumulative reduction through the end of August. The impact of continued water rationing has been analyzed. If a severe drought should continue, PAYGo capital projects can be completed but existing reserves would diminish in order to buffer the impacts of lost revenue from the water conservation. To minimize this revenue shortfall, increases in the monthly service charge are proposed coupled with a revenue stabilization charge that is applied to the existing volume charges. The proposed maximum rates are shown in **Figure 1-3**. The City Council can elect to charge less than the maximum revenue stabilization charge if demand rebounds and revenue from water sales increases.
4. **Fund Balance.** The FY 2014-15 projected year-end fund balance is \$10,100,000, which is above the Town's policy for a minimum balance for operations of \$1,700,000. **Figure 1-4** presents the sensitivity of severe water usage cutbacks on the fund balance. If severe usage cutbacks persist over the five-year rate setting period, the maximum recommended rate adjustments shown in **Figure 1-3** will keep the fund balance at the current levels, thereby protecting the Town's debt service coverage and bond rating, while ensuring fixed maintenance and capital costs are funded.
5. **Rate Structure.** The proposed volume charges are structured in increasing blocks, which were previously established. It is proposed that the revenue stabilization charge will be added to the existing volume charges, adjusted as needed based on the need to offset the impact of conservation on revenue. The Town proposes to review the volume charge structure when time permits to determine

any modifications that are needed to ensure that the structure is based on the current cost of service.

**Figure 1-3. Current and Projected Monthly Water Rates**

		Projected Water Rates - Proposed Maximum					
		Current	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
<b>Service Charges (Monthly Fixed Charge per Connection)</b>							
<u>Residential</u>		\$50	\$60	\$70	\$80	\$90	\$100
<u>Commercial</u>							
1"		\$50	\$60	\$70	\$80	\$90	\$100
1 1/2"		\$100	\$110	\$120	\$130	\$140	\$150
2"		\$160	\$170	\$180	\$190	\$200	\$210
3"		\$300	\$310	\$320	\$330	\$340	\$350
6"		\$1,000	\$1,010	\$1,020	\$1,030	\$1,040	\$1,050
8"		\$1,600	\$1,610	\$1,620	\$1,630	\$1,640	\$1,650
<b>Volume Charges per Hundred Cubic Feet (HCF)</b>							
<u>Residential</u>							
0-10 HCF		\$7.14	\$7.14	\$7.14	\$7.14	\$7.14	\$7.14
11-25 HCF		\$8.44	\$8.44	\$8.44	\$8.44	\$8.44	\$8.44
26-50 HCF		\$9.68	\$9.68	\$9.68	\$9.68	\$9.68	\$9.68
51-100 HCF		\$11.58	\$11.58	\$11.58	\$11.58	\$11.58	\$11.58
Over 100 HCF		\$14.18	\$14.18	\$14.18	\$14.18	\$14.18	\$14.18
<u>Commercial</u>							
Unit Charge		\$9.06	\$9.06	\$9.06	\$9.06	\$9.06	\$9.06
<u>Revenue Stabilization</u>		<b>Total Volume Charge with Revenue Stabilization Charge per HCF</b>					
<u>Residential</u>							
0-10 HCF		\$1.60	-	\$8.74	\$8.74	\$8.74	\$8.74
11-25 HCF		\$1.89	-	\$10.33	\$10.33	\$10.33	\$10.33
26-50 HCF		\$2.17	-	\$11.85	\$11.85	\$11.85	\$11.85
51-100 HCF		\$2.60	-	\$14.18	\$14.18	\$14.18	\$14.18
Over 100 HCF		\$3.18	-	\$17.36	\$17.36	\$17.36	\$17.36
<u>Commercial</u>							
Unit Charge		\$0.50	-	\$9.56	\$9.56	\$9.56	\$9.56

**Figure 1-4. Water Fund Balance with Severe Drought Cutbacks**



### Storm Drain

The Town has identified approximately \$6 million in capital projects that are deemed high liability over the next 5-year period, which would require approximately \$1.165 million in funding annually. This level of funding amounts to approximately \$300 per parcel. Based upon the evaluation of potential sources of storm drain funding mechanisms available to the Town by HF&H, HF&H recommends that Town consider funding these projects by establishing a separate storm drain fee coupled with an interest-bearing loan from the General Fund of up to \$300,000 per year. Increasing storm drain fees requires voter approval. Providing voters with sufficient information by which they can decide whether to approve the proposed storm drain fee requires additional time to work with the community.





## 2. INTRODUCTION

### STUDY PURPOSE

The Town conducted its most recent wastewater and water rate study in 2011. The study set annual rates through 2015. Since those rates were set, the Town conducted a storm drain facilities master plan that identified capital projects required to renew and upgrade its aging storm drain infrastructure. The present rate study has the following primary objectives:

1. **Wastewater funding** - update wastewater rates to provide funding for capital improvements that will enable the Town to comply with a Cease and Desist Order issued by the Regional Water Quality Control Board.
2. **Revenue from fixed water charges** - increase revenue from monthly service charges, which will increase the revenue from fixed charges that are unaffected by drought conditions, thereby improving revenue stability.
3. **Revenue from volumetric water charges** - add a revenue stabilization charge to the existing increasing block rates that can be adjusted to offset the revenue lost due to demand cutbacks.
4. **Storm drain funding** - develop a strategy for funding the storm drain program's capital improvements.

The focus for the present study is water rates because of the urgent need to comply with the Governor's Executive Order B-29-15, which requires the Town, starting June 2015 to February 2016, to conserve 36% as compared to the same period in 2013. The modifications to the water rates proposed in the present study are planned for immediate adoption in compliance with Proposition 218.<sup>1</sup> Absent a majority protest, the rates could become effective in February 2016.

The Town intends to conduct a follow-up review of the volumetric water rate structure to determine whether it currently reflects the cost of providing service. This review will evaluate the size of each tier and the rate per tier. Based on the results of the review, subsequent modifications to the increasing block rate structure may be warranted. It is expected that this review will be completed in 2016.

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<sup>1</sup> Proposition 218 enacted Article XIIIID, Section 6 of the California Constitution in 1996. This law requires the Town to notify property owners and rate payers of proposed rate increases prior to adoption. The law stipulates a process whereby the proposed rates cannot be increased if a majority protest is received.

## **BACKGROUND**

### **Wastewater**

The Town operates wastewater collection facilities that convey wastewater to treatment plants operated by the Cities of Burlingame or San Mateo. Both plants have been subject to and are addressing regulatory orders resulting from permit violations during wet weather caused by excessive I&I.

### **Water**

The Town also provides water service to its residents and businesses and is entirely reliant on the SFPUC for its potable water supply. California is experiencing its fourth consecutive year of drought conditions. The last two years have been critically dry and the current year continues the trend. The impact of the drought has led to statewide mandatory restrictions, which in the Town's case calls for a 36% cutback in water use. As of the date of this report, the Town has cutback 42% cumulatively from June to August, when compared with use during the same period in 2013.

Various future cutback scenarios were studied in the current report to determine the impact of reduced water use on the Water Fund's revenues and expenses. The impacts can be significant but the inability to forecast water supply in the coming years is problematic in setting water rates. For planning purposes, conservative estimates have been made. However, provisions have been made to allow the City Council to moderate the proposed revenue stabilization charge in response to the level of usage cutback that occurs.

### **Storm Drains**

The Town also operates storm drains. A facilities master plan was completed in 2014. The master plan determined capital improvements needed to safely convey runoff to receiving waters and, by doing so, reduce the amount of runoff that could enter the sanitary sewers as I&I or pose other hazards such as flooding and landslides. The majority of these improvements replace storm sewers that no longer function as designed.

## **STUDY PROCESS**

This study has been conducted in close collaboration with a working group of Town staff and the Town's Financial Advisory Committee. Several meetings were held to develop alternative funding strategies, to review and refine the alternatives, and to select the preferred alternative. Of critical interest was funding for the storm drain capital improvements identified in the facilities master plan, funding for wastewater capital improvements related to a Cease and Desist Order, and addressing revenue impacts to the water enterprise fund based on the current drought California is experiencing.

The FAC and City Council reviewed the preliminary results in February/March 2015. Further refinements and alternatives have been considered since then, most notably, the State-mandated water conservation target of 36% has been incorporated when determining the revenue necessary from water rates.

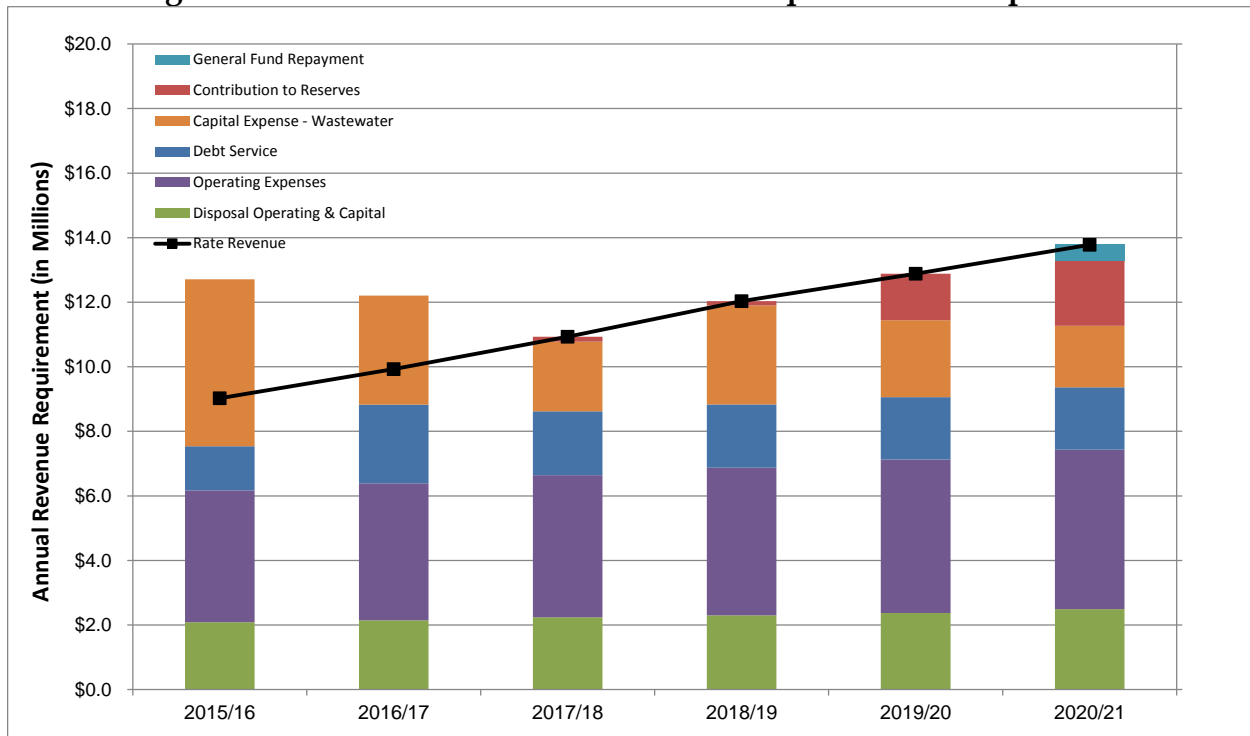


### 3. WASTEWATER RATES

#### REVENUE REQUIREMENTS

The Town provides wastewater service to its residential and commercial customers. The Town is responsible for setting rates that cover the cost of providing this service. Rate analysis begins by determining the revenue requirements that must be met by rates. For purposes of this study, a ten-year rate projection period was developed using a spreadsheet model (see Appendix A); the first five years are presented in **Figure 3-1**. The Town’s O&M budget for FY 2015-16 served as the starting point for projecting the wastewater expenses. **Figure 3-1** summarizes the major categories comprising the revenue requirements, indicating the annual change.

**Figure 3-1. Wastewater Annual Revenue Requirement Components**



#### Disposal Expenses

The Town owns and operates its wastewater collection system facilities; however, wastewater is treated at the San Mateo and Burlingame treatment plants, the cost for which is billed to the Town and included in the Town’s wastewater service charges. Both San Mateo and Burlingame are planning large capital improvements to their treatment system and the Town will share in those costs as part of its contractual commitment, proportionally, based on sewer flows conveyed.

The Town’s share of the San Mateo treatment plant, based on the latest update presented to City Council by the City of San Mateo in September, will be 3% of applicable costs.

To plan for this contingency, which will probably not occur during the five-year planning period, the revenue requirement is increased \$500,000 in FY 2020-21 to contribute toward the Town's share of the construction cost or for the associated debt service.

### **Operating Expenses**

This cost category includes salaries & benefits, materials & services, and the overhead allocation from the General Fund. These expenses are projected to increase gradually at about 3% during the projection period.

### **Debt Service**

The Town has three outstanding bond obligations totaling \$33 million of which a portion was used for wastewater improvements. The Wastewater Fund is therefore already carrying a significant amount of debt and the Town does not plan on issuing additional debt to fund capital improvement projects for sewer during the five-year planning period. Of the total annual debt service of approximately \$2.5 million, the Wastewater Fund's share is \$1.325 million. In addition, the Town received a low-interest State Revolving Fund loan in the amount of \$12 million for the El Cerrito project, which is projected to increase debt service by approximately \$550,000 starting in FY 2017-18.

### **Capital Expenses**

The Wastewater Five-Year CIP outlines approximately \$15.3 million in capital projects that are deemed high liability over the next 5-year period. The CIP is primarily related to projects that are required to comply with a Cease and Desist Order issued by the California Regional Water Quality Control Board to abate collection system overflows. The project costs have been averaged over five years including 2.5% annual construction cost inflation, which provides PAYGo funding of \$3.2 million per year for capital projects.

### **General Fund Repayment**

The rate increases recommended in **Figure 3-2** provide for \$2.2 million in capital funding annually, and as such, a short-term loan from the General Fund is required in order to complete the high priority projects. It is anticipated that \$5 million over the five-year period will be loaned to the wastewater fund, and after the high priority projects are completed, the loan will be repaid to the General Fund, with interest. **Figure 3-1** shows repayment of \$500,000 per year beginning in FY 2020-21.

### **REVENUE INCREASES**

Revenue increases were derived to fund the revenue requirements. Estimating current rate revenue took into account 3,882 EDUs. When multiplied by the current rate of \$2,325 per EDU for FY 2015-16, an estimated \$9,026,000 in revenue is produced. Based

on this estimate, annual rate increases were projected as shown in **Figure 3-2** and plotted along with the revenue requirement (black line) shown in **Figure 3-1**.

**Figure 3-2. Projected Rate Increases**

	Adopted	Projected				
	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Rate per Dwelling Unit	\$2,325	\$2,558	\$2,813	\$3,095	\$3,311	\$3,543
Increase to Ratepayer	\$0	\$233	\$256	\$281	\$217	\$232
Increase Percentage	-	10%	10%	10%	7%	7%

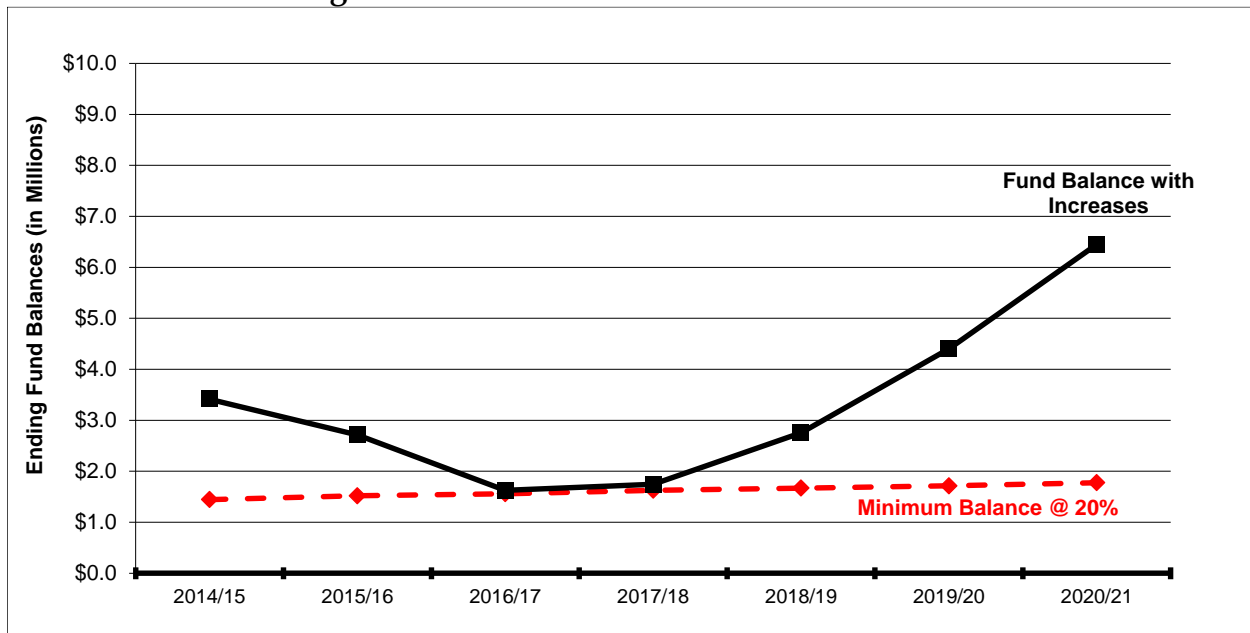
## FUND BALANCE

Rates are set to cover expenditures in conjunction with the use of reserves. Annual surpluses and deficits are retained within the fund balance. Reserves are available to help with cash flow within certain parameters as described below.

The minimum balance (red line on **Figure 3-3**) is the balance that is required to meet the Town's operating expenses during the year. The Town's reserve policy dictates that the minimum Operations Reserve balance be set equal to 20% of annual O&M expenses. Because the Town bills customers on the tax roll, there is a nine-month lag between when Wastewater service charges are billed and payment is received from the County tax assessor. By maintaining the minimum fund balance, the likelihood decreases that temporary funding from the General Fund will be required to meet operating cash flow needs.

The FY 2014-15 year-end fund balance is projected to be \$3,400,000, which is above the minimum balance for operations of \$1,450,000. **Figure 3-3** shows the fund balance dipping in FY 2015-16 through FY 2017-18 but rebounding in subsequent years. The sharp drop is caused by using the fund balance to help fund the capital improvements in the initial years before the rate increases take full effect and are able to keep pace with the expenditures.

**Figure 3-3. Fund Balance with Rate Increases**



**COMPARISON OF RATES WITH NEIGHBORING AGENCIES**

Larger agencies tend to have lower rates because they can take advantage of economies of scale and have a larger base of customers over which to distribute fixed costs. Smaller communities and communities that are less densely populated tend to have higher charges per customer. There is a broad range among these communities.

As one of the smaller communities in the area, the Town’s residential wastewater charge is at the upper end of the range. In addition to differences in the number of customers served, other factors can explain differences in the charges, such as property size, and the number of miles of pipeline in the service area. It is noted that the Town’s large parcels increase its cost of service. A comparison with other communities’ infrastructure indicated that the amount of pipeline per parcel is about twice as great in the Town as compared to the Town’s more densely developed neighbors. A typical residential parcel size is 5,000 square feet in other communities, while the Town has an average parcel size of approximately half an acre (an acre is 43,560 square feet).

A direct comparison of costs among communities is no simple matter. Each community’s rates reflect its unique circumstances. It is important not to draw too fine a conclusion from comparisons of rates.

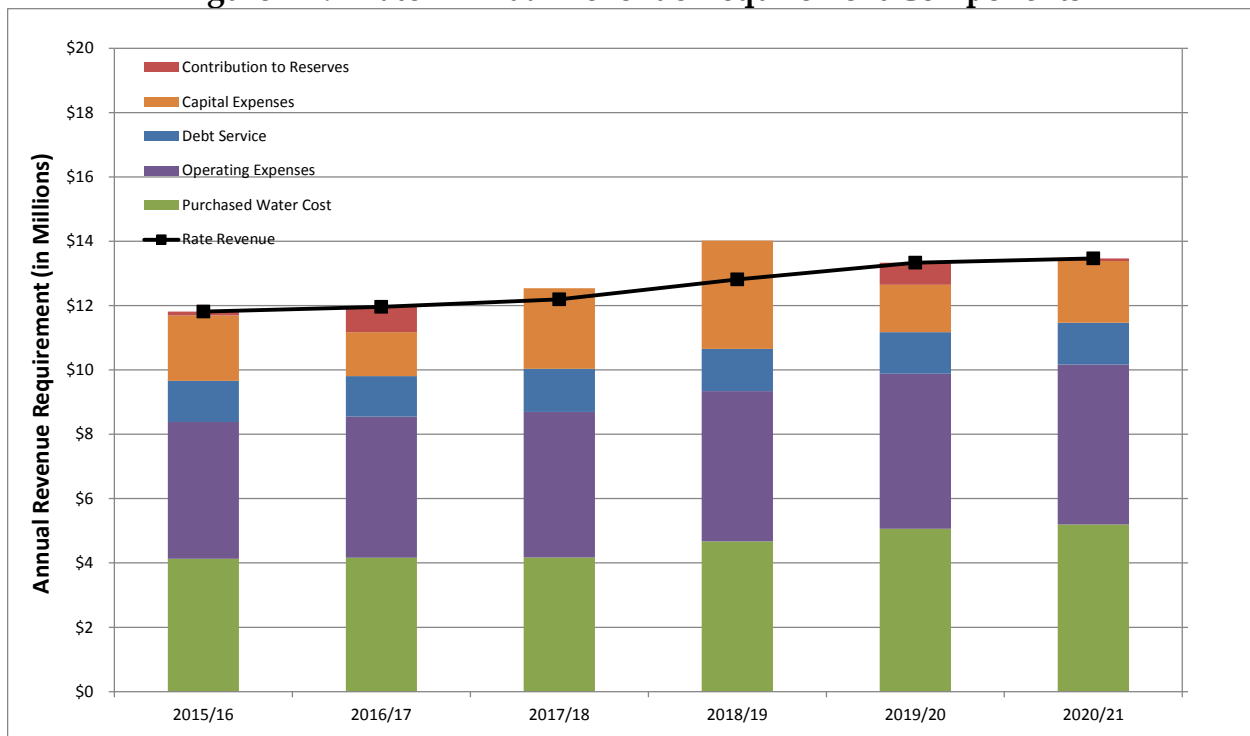


## 4. WATER RATES

### REVENUE REQUIREMENTS

The Town provides potable water service to its residential and commercial customers. The Town is responsible for setting rates that cover the cost of providing this service. The rate analysis for the Water Fund follows the same general steps previously described for the Wastewater Fund. For purposes of this study, a ten-year rate projection period was developed using a spreadsheet model (see Appendix A); the first five years are presented in **Figure 4-1**. The Town’s O&M budget for FY 2015-16 served as the starting point for projecting the water revenue requirements. **Figure 4-1** summarizes the major categories comprising the revenue requirement.

**Figure 4-1. Water Annual Revenue Requirement Components**



### Purchased Water Costs

The Town is entirely reliant on the SFPUC for its water supply. Historically, the SFPUC’s annual rates have increased greater than the rate of inflation because of the Hetch Hetchy Water Supply Improvement Plan (WSIP). The unit cost of water supply from the SFPUC for FY 2015-16 increased approximately 27% over the prior year. The WSIP improves the reliability of Hetch Hetchy water in the event of a significant seismic event. Even with reduced water purchases, the Town’s cost of SFPUC water will increase. The cost of SFPUC water will ultimately depend on the level of conservation that occurs by the collective wholesale customers served by the SFPUC. In other words,

the SFPUC will adjust its rates to compensate for conservation by the wholesale customers.

### **Operating Expenses**

This cost category includes salaries & benefits, materials & services, contract services and the overhead allocation from the General Fund. These expenses are projected to increase gradually at about 3% during the projection period

### **Debt Service**

The Town has three outstanding bond obligations totaling \$33 million, with annual debt service of approximately \$2.5 million; the Water Fund's share is \$1.175 million. The Town does not plan on issuing additional debt to fund capital improvement projects for water during the five-year planning period. Based on the assumptions used in the model, if the assumed demand cutbacks continue over the five-year rate period, debt service coverage requirements would not be met without rate increases.

### **Capital Expense**

The water five-year CIP plan outlines approximately \$13.4 million in capital projects over the next 5 years. The Town went through a comprehensive Master Plan and Seismic Study, and determined which projects to complete within the 5-year period. During this period the Town will design and build annual water main replacement programs to replace aging water mains, and rehabilitate and retrofit water tank facilities.

An option to install an alternative connection to the SFPUC at a higher elevation would result in significant operating costs savings for pumping and provide a more reliable source of water for emergencies (earthquake, fire). The Highline project is factored into the capital expense at \$300,000 per year to complete engineering and hydraulic studies. The project costs have been averaged over five years, which include a 2.5% construction cost inflation factor, and provides PAYGo funding of \$2.15 million per year for capital projects. The \$2.2 million cost associated with Automated Meter Infrastructure will be funded by a short-term loan from the General Fund, if approved. This loan will be repaid, with interest, outside of the five-year rate projection window.

## **REVENUE INCREASES**

Estimating current rate revenue took into account the adopted rate increase effective January 1, 2015. Actual FY 2013-14 customer accounts and consumption were used to determine the baseline revenue before conservation due to drought conditions. To determine how much to increase rates to compensate for conservation, the projected revenue requirements were compared with the projected revenue from current rates. The revenue projection also reflects reduced demand by customers. The shortfall must be covered by increasing revenue from the service and volumetric charges. This compari-

son is shown in **Figure 4-2**, which indicates a \$2,089,000 shortfall in projected FY 2015-16 rate revenue when compared with the FY 2015-16 revenue requirements.

**Figure 4-2. FY 2015-16 Revenue Requirement Projections**

<b>FY 15-16 Rate Revenue (assumes 42% cutback)</b>		
Service Charges	\$ 2,615,000	
Volumetric Charges		
Residential	7,000,000	
Commercial	110,000	
Subtotal - Volumetric Charges	\$ 7,110,000	
Total Rate Revenue		\$ 9,725,000
<b>FY 15-16 Revenue Requirement</b>		
Operating Expenses	\$ 4,250,000	
SFPUC Water	4,133,000	
Debt Service	1,281,000	
Contribution to Capital	2,150,000	
Subtotal	\$ 11,814,000	
Total Revenue Requirement		\$ 11,814,000
Total Revenue Shortfall		\$ (2,089,000)

Rate revenue must be increased 21% in order to cover the projected shortfall based on a continued 42% estimated conservation. While the results of water conservation are positive and further aid the Town in meeting the State-mandated 36% conservation target, there is the long-term effect of conservation on the Water Fund. In June 2015, the impacts of the SFPUC increases in purchased water cost, coupled with conservation impacts, were considered when determining the Town's bond rating. The rating agencies indicated that the Town must maintain its debt service coverage ratios and its reserve levels in order to maintain the rating going forward. If the reserve declines significantly the ability to maintain adequate coverage will lessen, risking a downgrade in the Town's rating.

## **RATE DESIGN**

### **Current Rates**

The Town's rate payers pay the sum of two charges for water service on a monthly basis: a service charge based on the size of the service connection plus a volume charge based on metered water use during the billing period. The current rates are summarized in **Figure 4-3**.

**Figure 4-3. Current Service and Volumetric Charges**

Service Charges (Monthly Charge per Connection)	
<u>Residential</u>	
3/4"	\$50.00
1"	\$50.00
1 1/2"	\$50.00
2"	\$50.00
<u>Commercial</u>	
1"	\$50.00
1 1/2"	\$100.00
2"	\$160.00
3"	\$300.00
6"	\$1,000.00
8"	\$1,600.00
Volume Charges (Per CCF)	
<u>Residential</u>	
0-10 HCF	\$7.14
11-25 HCF	\$8.44
26-50 HCF	\$9.68
51-100 HCF	\$11.58
Over 100 HCF	\$14.18
<u>Commercial</u>	
Uniform Charge	\$9.06

Residential customers pay tiered consumption charges, also referred to as “increasing block rates.” The current residential increasing block rates comprise five tiers. Residential customers pay rates for successive ranges of consumption (tier or block). The rate in each tier increases as consumption increases in proportion to the increasing cost of serving higher levels of demand, which place burdens on the capacity of the infrastructure as well as on the source of supply. The total quantity charge is the sum of the consumption in each tier multiplied times the corresponding rate in each tier.

### Service Charge Increases

The total \$2,615,000 in projected revenue from service charges is 27% of the total FY 2015-16 rate revenue.<sup>2</sup> As an industry practice and as a guideline of the California Urban Water Conservation Council, it is desirable to maintain the revenue from fixed

<sup>2</sup> 27% reflects reduced revenue from volume charges due to conservation. In years of normal water supply when water sales revenue is higher, only 22% of rate revenue comes from the service charges.

charges, like the service charges, at 30%. At this level, customer bills respond to conservation sufficiently to reward efficient use and discourage inefficiency. It is noted that revenue stability is improved as more revenue is recovered from the service charge; revenue stability will assist in maintaining the reserves and the debt coverage ratios, all which protect the Town's bond rating.

To improve revenue stability, it is proposed that the service charges increase each year for as many as the next five years. Each \$10 per month increase per meter translates to approximately \$500,000 of additional revenue, as shown in **Figure 4-4**.

**Figure 4-4. Calculation of the Proposed FY 2015-16 Service Charge Increase**

	Current Meter Count a	Current Monthly Rate b	Current Annual Revenue a*b*12 = c	Rate Revenue Increment a*\$10*12 = d	Total Rate Revenue c + d
<b>Monthly Service Charges</b>					
3/4"	144	\$50.00	\$ 86,400	\$ 17,280	\$ 103,680
1"	3,652	\$50.00	2,191,200	438,240	2,629,440
1 1/2"	201	\$50.00	120,600	24,120	144,720
2"	187	\$50.00	112,200	22,440	134,640
Residential	4,184		2,510,400	502,080	\$3,012,480
1"	55	\$50.00	33,000	6,600	39,600
1 1/2"	2	\$100.00	2,400	240	2,640
2"	26	\$160.00	49,920	3,120	53,040
3"	-	\$300.00	-	-	-
6"	-	\$1,000.00	-	-	-
8"	1	\$1,600.00	19,200	120	19,320
Commercial	84		104,520	10,080	\$ 114,600
Total	4,268		\$ 2,614,920	\$ 512,160	\$3,127,080

**Figure 4-5** presents the current and proposed service charges for the five-year period. Furthermore, the amounts shown in **Figure 4-5** are considered the maximum amount for adoption, and can be reviewed annually and adjusted up or down to the maximum adopted increase if necessary. The first increase will take effect February 2016; subsequent increases take effect every January thereafter.

**Figure 4-5. Current and Proposed Service Charges**

	Current	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
Service Charges (Monthly Fixed Charge per Connection)						
<u>Residential</u>	\$50.00	\$60.00	\$70.00	\$80.00	\$90.00	\$100.00
<u>Commercial</u>						
1"	\$50.00	\$60.00	\$70.00	\$80.00	\$90.00	\$100.00
1 1/2"	\$100.00	\$110.00	\$120.00	\$130.00	\$140.00	\$150.00
2"	\$160.00	\$170.00	\$180.00	\$190.00	\$200.00	\$210.00
3"	\$300.00	\$310.00	\$320.00	\$330.00	\$340.00	\$350.00
6"	\$1,000.00	\$1,010.00	\$1,020.00	\$1,030.00	\$1,040.00	\$1,050.00
8"	\$1,600.00	\$1,610.00	\$1,620.00	\$1,630.00	\$1,640.00	\$1,650.00

### Revenue Stabilization Charge

Based on the data presented in **Figure 4-2**, a 42% conservation cutback in demand corresponds to a \$2.0 million shortfall in revenue. While the currently adopted volumetric rates and tiers shown in **Figure 4-3** will be maintained, a revenue stabilization charge will be applied to the existing rate per tier to recover lost revenue from the reduction in demand. The stabilization charge per tier was derived to recover the lost revenue net of the revenue increase in the service charge shown in **Figure 4-4** of \$512,000. **Figure 4-6** presents the revenue associated with the current volumetric rates, and the proposed revenue stabilization charge for FY 2015-16:

**Figure 4-6. Calculation of the Proposed FY 2015-16 Volumetric Revenue**

	FY 2015-16 Estimated HCF a	Current Rate \$/HCF b	Stabilization Charge \$/HCF c	Total Volumetric \$/HCF b+c	Current Rate Revenue a*b	Stabilization Charge Revenue a*c	Total Volumetric Revenue a*(b+c)
<u>Residential</u>							
0-10 HCF	325,000	\$7.14	\$1.60	\$8.74	\$ 2,320,500	\$ 519,188	\$ 2,839,687
11-25 HCF	285,000	\$8.44	\$1.88	\$10.32	2,405,398	535,800	2,941,198
26-50 HCF	173,000	\$9.68	\$2.17	\$11.85	1,674,640	375,216	2,049,856
51-100 HCF	45,000	\$11.58	\$2.60	\$14.18	521,100	116,950	638,050
Over 100 HCF	5,600	\$14.18	\$3.18	\$17.36	79,408	17,796	97,204
Subtotal	833,600				\$ 7,001,046	\$ 1,564,950	\$ 8,565,996
Commercial	12,000	\$9.06	\$0.50	\$9.56	\$ 108,720	\$ 6,000	\$ 114,720
Total	845,600				\$ 7,109,766	\$ 1,570,950	\$ 8,680,716

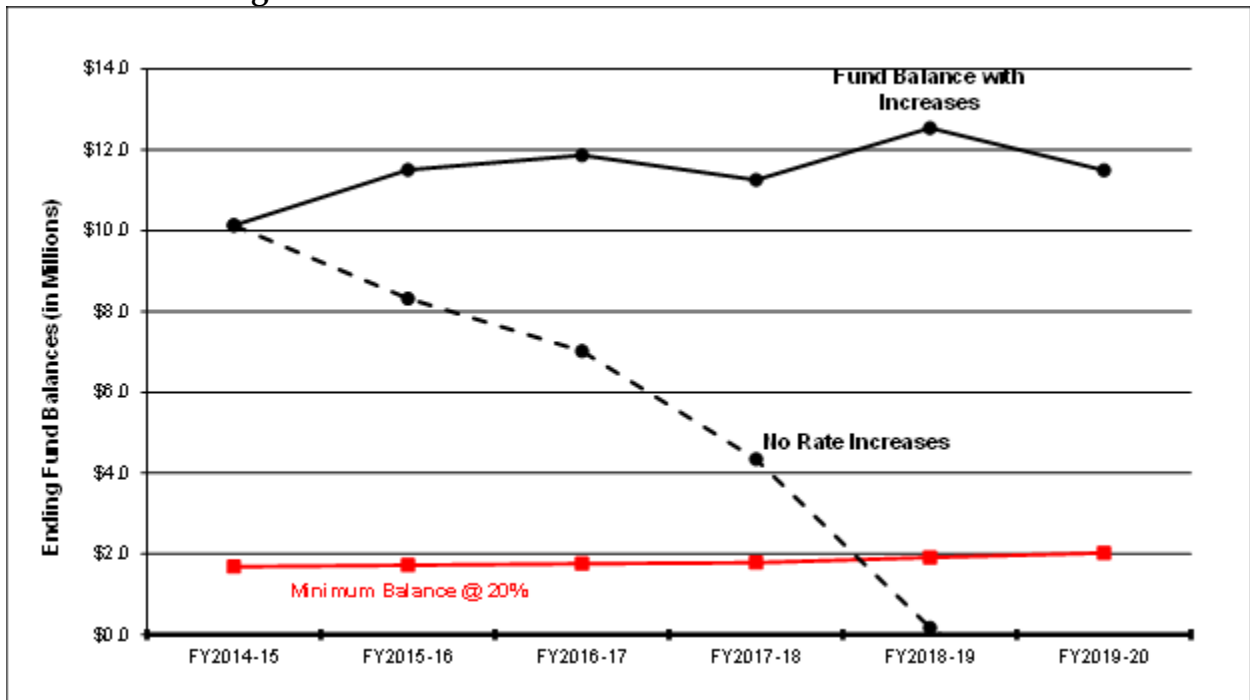
Note that the revenue stabilization charge equates to 22% of the current rates in each tier. For example, the \$1.60 shown in **Figure 4-6** is 22% of \$7.14 for tier 1, whereas \$3.18 is 22% of \$14.18 in tier 4. For commercial customers, a determination of their proportion

of the stabilization charge revenue was divided by the FY 2015-16 estimated HCF to derive the \$0.50/hcf additional charge. The revenue stabilization charge can be adjusted up or down, or eliminated, but not to exceed the maximum adopted rates.

**FUND BALANCE**

The Town’s reserve policy states that the minimum Operating Reserve balance be set equal to 20% of annual O&M expenses. The FY 2014-15 projected year-end fund balance is \$10,100,000, which is above the minimum balance for operations of \$1,700,000. **Figure 4-7** presents the sensitivity of severe usage cutbacks on the fund balance. If severe cutbacks persist over the five-year rate setting period, the additional revenue generated by the maximum recommended rate adjustments, as shown in **Figure 4-7** (solid black line) will keep the fund balance at the current levels, thereby protecting the Town’s debt service coverage and bond rating, while ensuring fixed maintenance and capital costs are funded.

**Figure 4-7. Water Fund Balance with Demand Cutbacks**



**CUSTOMER BILL COMPARISON**

**Figure 4-8** compares the residential customer bill for the current and proposed rates at the average monthly consumption level. The bills include both the service charge and the volume charges. If the average residential customer’s conservation efforts result in a 20% reduction from their pre-drought level of 29.1 HCF per month, their bill does not increase in the first year. In subsequent years, the bill may increase by \$10 per month, if the maximum service charge rate increase is implemented.

**Figure 4-8. Residential Current and Proposed Bill Comparison**

	Current	2/1/2016	1/1/2017	1/1/2018	1/1/2018	1/1/2018
Consumption (HCF/mo)	29.1	23.3	23.3	23.3	23.3	23.3
Fixed Component	\$ 50.00	\$ 60.00	\$ 70.00	\$ 80.00	\$ 90.00	\$ 100.00
Current Volume Component	\$ 237.69	\$ 183.48	\$ 183.48	\$ 183.48	\$ 183.48	\$ 183.48
Revenue Stabilization	\$ -	\$ 41.18	\$ 41.18	\$ 41.18	\$ 41.18	\$ 41.18
total	\$ 287.69	\$ 284.66	\$ 294.66	\$ 304.66	\$ 314.66	\$ 324.66

The Town's water rates are typically higher than comparable cities due to topography, density and water usage. The Town has 20 tanks on 18 sites with various pressure zones due to the steep topography and elevation. The Town has to pay to store and pump the water and maintain the pumps to push the water through the steep elevation changes. Cities with flatter elevations do not have those issues. In addition, the low density (i.e. larger lots per residential account) means that the costs are spread over fewer rate payers. The per capita water usage in the Town is also higher than many other cities, which contributes to the comparatively high overall bill.



## 5. STORM DRAIN FUNDING

### FUNDING STRATEGY

The Town completed a storm drain master plan in 2014 that indicated the need to fund \$55 million in capital improvements over the next 30 years. Most of the improvements replace aging storm drains that are no longer functioning due to corrosion and wear and are not working as originally designed to control stormwater runoff.

Funding a capital improvement program of this magnitude is impossible based on the available funding from the current storm drain fee, which, at \$7.34 per parcel generates approximately \$29,000 per year. A storm drain fee averaging roughly \$300 per parcel would be required to fund the necessary capital improvements. An evaluation of funding needs determined that capital improvements of \$1.2 million per year could be provided by the General Fund while efforts were undertaken to put in place a funding source.

Increasing storm drain fees is more complex than increasing water or wastewater fees, which can be increased in compliance with the protest process required under Proposition 218. Instead, increasing storm drain fees requires voter approval. Providing voters with sufficient information by which they can decide whether to approve the proposed storm drain fee requires additional time to work with the community.

The City Council concluded that consideration for developing a storm drain fee should be postponed until after the proposed increases in water and wastewater rates have been addressed; after which the Town will undertake the process for reviewing the storm drain funding.

### PRELIMINARY FUNDING REQUIREMENTS

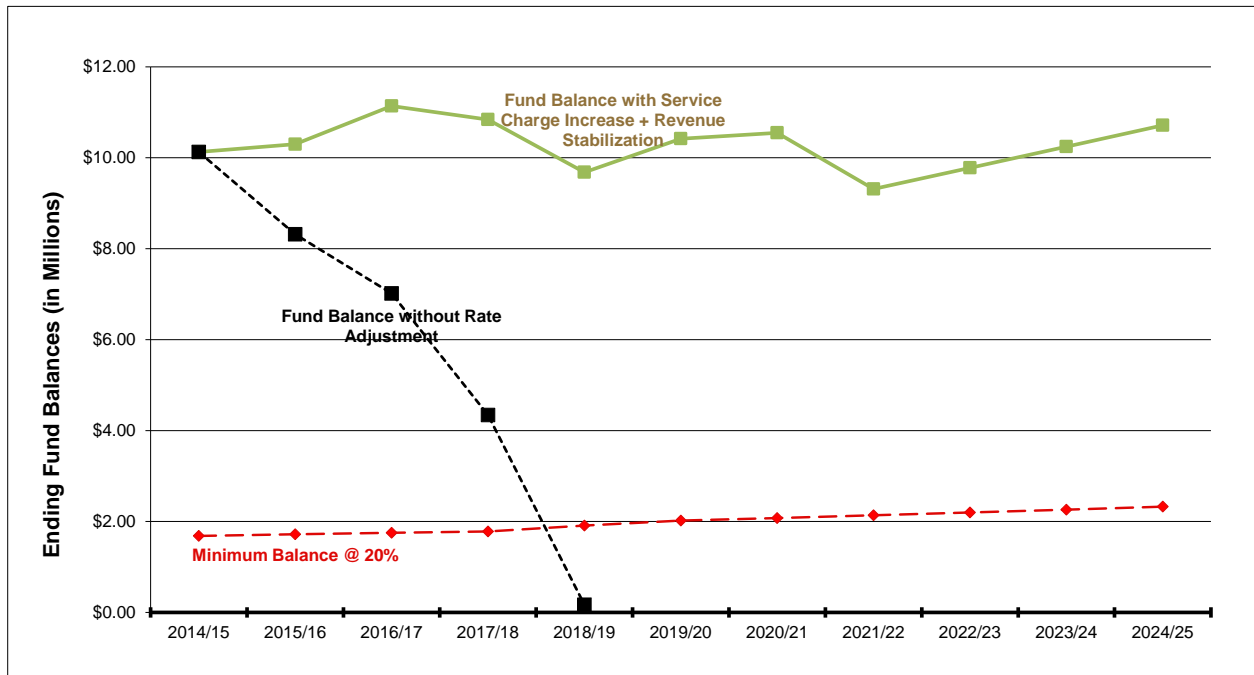
The City's 30-year storm drain master plan projects total \$55 million, of which, the Town plans to fund approximately \$6 million in capital projects that are deemed high liability over the next 5-year period. This averages to \$1.165 million annually or approximately \$300 per parcel. The Town will review the possibility of funding of these projects by establishing a separate storm drain fee coupled with a loan from the General Fund of up to \$300,000 per year.



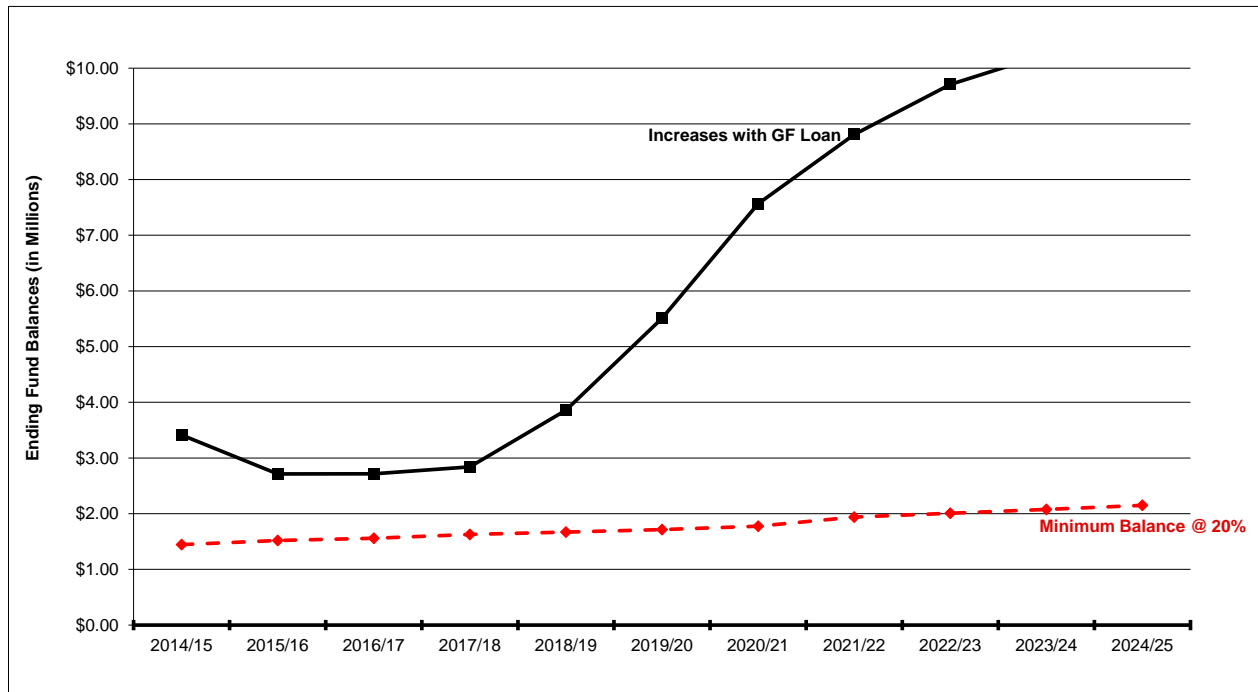
**APPENDIX:  
WASTEWATER,  
WATER, AND STORM DRAIN RATE MODEL**



	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Town of Hillsborough												
2	Water, Wastewater and Storm Drain Analysis												
3	Table 1. Summary												
19	<b>WATER</b>												
20		2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	
23	Debt Coverage Ratio	2.28	2.51	2.53	2.45	2.47	2.50	2.38	2.38	2.38	2.38	2.38	From Table 6
25	Total Current Revenues	\$11,382,138	\$9,841,399	\$9,841,399	\$9,844,999	\$9,846,799	\$9,848,599	\$9,848,599	\$9,848,599	\$9,848,599	\$9,848,599	\$9,848,599	From Table 7.8
26	Rate Adjustment Increment	\$0	\$1,971,875	\$2,119,249	\$2,345,436	\$2,965,625	\$3,484,721	\$3,616,689	\$3,914,780	\$4,222,070	\$4,538,843	\$4,865,395	From Table 3A
27	Revenue Requirement - Operations	(\$9,458,485)	(\$9,663,274)	(\$9,810,648)	(\$10,036,835)	(\$10,657,024)	(\$11,176,120)	(\$11,465,288)	(\$11,763,379)	(\$12,070,669)	(\$12,387,442)	(\$12,713,994)	From Table 2
28	Contribution to Reserves	\$1,923,653	\$2,150,000	\$2,150,000	\$2,153,600	\$2,155,400	\$2,157,200	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	To Below
30	Beginning Reserve Balance	\$11,224,069	\$10,127,557	\$10,299,298	\$11,138,903	\$10,841,388	\$9,681,626	\$10,419,835	\$10,548,924	\$9,314,179	\$9,778,859	\$10,245,861	
31	Contribution to Reserves	\$1,923,653	\$2,150,000	\$2,150,000	\$2,153,600	\$2,155,400	\$2,157,200	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	From Above
32	Available Reserves	\$13,147,722	\$12,277,557	\$12,449,298	\$13,292,503	\$12,996,788	\$11,838,826	\$12,419,835	\$12,548,924	\$11,314,179	\$11,778,859	\$12,245,861	To Summary - Above
33	Capital Projects (PAYGo)	(\$3,070,550)	(\$2,029,500)	(\$1,365,813)	(\$2,505,052)	(\$3,363,329)	(\$1,470,831)	(\$1,923,394)	(\$3,281,084)	(\$1,583,971)	(\$1,583,971)	(\$1,583,971)	From Table 5
34	Subtotal, Fund Balance	\$10,077,172	\$10,248,057	\$11,083,485	\$10,787,450	\$9,633,459	\$10,367,995	\$10,496,441	\$9,267,840	\$9,730,207	\$10,194,887	\$10,661,890	
35	Contribution to Stormdrain Capital	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	To Below
36	Subtotal, Fund Balance	\$10,077,172	\$10,248,057	\$11,083,485	\$10,787,450	\$9,633,459	\$10,367,995	\$10,496,441	\$9,267,840	\$9,730,207	\$10,194,887	\$10,661,890	
37	Add: Interest Income	\$50,386	\$51,240	\$55,417	\$53,937	\$48,167	\$51,840	\$52,482	\$46,339	\$48,651	\$50,974	\$53,309	From Table 1B
38	Ending Fund Balance	\$10,127,557	\$10,299,298	\$11,138,903	\$10,841,388	\$9,681,626	\$10,419,835	\$10,548,924	\$9,314,179	\$9,778,859	\$10,245,861	\$10,715,199	To Above
43	Balance with Service Charge Increase + Revenue Stabilization	\$10,127,557	\$10,299,298	\$11,138,903	\$10,841,388	\$9,681,626	\$10,419,835	\$10,548,924	\$9,314,179	\$9,778,859	\$10,245,861	\$10,715,199	
44	Fund Balance without Rate Adjustment	\$10,127,557	\$8,317,563	\$7,017,414	\$4,342,129	\$169,418	(\$2,628,934)	(\$6,169,017)	(\$11,364,881)	(\$15,170,922)	(\$19,293,737)	(\$23,743,103)	
45	Minimum Balance @ 20%	\$1,682,565	\$1,719,425	\$1,752,291	\$1,782,183	\$1,910,636	\$2,018,933	\$2,076,766	\$2,136,385	\$2,197,842	\$2,261,197	\$2,326,507	
47	Days Cash on Hand												
48	With Service Charge Increase + Revenue Stabilization	391	389	414	394	332	340	336	289	296	302	308	
49	Without Rate Adjustment	391	314	261	158	6	(86)	(196)	(353)	(459)	(568)	(682)	



	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Town of Hillsborough												
2	Water, Wastewater and Storm Drain Analysis												
3	Table 1. Summary												
98	<b>WASTEWATER</b>												
99													
100		2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	
101	Rate Increases (eff. July 1)	7.0%	10.0%	10.0%	10.0%	10.0%	7.0%	7.0%	0.0%	0.0%	0.0%	0.0%	To Table 3
102	Cumulative Increases		7.0%	17.7%	29.5%	42.4%	52.4%	63.1%	63.1%	63.1%	63.1%	63.1%	
103	Debt Coverage Ratio	1.87	2.04	2.57	2.14	2.60	2.95	3.26	3.09	2.91	2.73	2.53	From Table 6
104	Annual Charge per Parcel	\$2,173	\$2,325	\$2,558	\$2,813	\$3,095	\$3,311	\$3,543	\$3,543	\$3,543	\$3,543	\$3,543	
105													
106	Total Revenues after Increases	\$8,435,586	\$9,026,077	\$9,928,685	\$10,932,807	\$12,032,277	\$12,881,159	\$13,782,840	\$13,782,840	\$13,768,667	\$13,761,581	\$13,754,495	From Table 3
107	Revenue Requirement - Operations	(\$7,163,875)	(\$7,538,643)	(\$7,739,855)	(\$8,622,642)	(\$8,833,216)	(\$9,058,438)	(\$9,364,130)	(\$10,183,671)	(\$10,517,708)	(\$10,866,918)	(\$11,232,009)	From Table 2
108	Contribution to Reserves	\$1,271,711	\$1,487,434	\$2,188,830	\$2,310,165	\$3,199,061	\$3,822,721	\$4,418,710	\$3,599,169	\$3,250,960	\$2,894,664	\$2,522,485	To Below
109													
110	Beginning Reserve Balance	\$4,422,196	\$3,413,289	\$2,714,227	\$2,716,572	\$2,840,870	\$3,859,130	\$5,509,260	\$7,565,611	\$8,808,604	\$9,707,861	\$10,253,538	
111	Contribution to Reserves	\$1,271,711	\$1,487,434	\$2,188,830	\$2,310,165	\$3,199,061	\$3,822,721	\$4,418,710	\$3,599,169	\$3,250,960	\$2,894,664	\$2,522,485	From Above
112	Available Reserves	\$5,693,907	\$4,900,723	\$4,903,057	\$5,026,737	\$6,039,931	\$7,681,851	\$9,927,971	\$11,164,780	\$12,059,564	\$12,602,525	\$12,776,023	To Summary - Above
113	Capital Projects (PAYGo)	(\$1,435,500)	(\$2,200,000)	(\$2,200,000)	(\$2,200,000)	(\$2,200,000)	(\$2,200,000)	(\$2,400,000)	(\$2,400,000)	(\$2,400,000)	(\$2,400,000)	(\$2,400,000)	From Table 5
114	Subtotal, Fund Balance	\$4,258,407	\$2,700,723	\$2,703,057	\$2,826,737	\$3,839,931	\$5,481,851	\$7,527,971	\$8,764,780	\$9,659,564	\$10,202,525	\$10,376,023	
115	Contribution to Stormdrain Capital	(\$862,100)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	From Below
116	Subtotal, Fund Balance	\$3,396,307	\$2,700,723	\$2,703,057	\$2,826,737	\$3,839,931	\$5,481,851	\$7,527,971	\$8,764,780	\$9,659,564	\$10,202,525	\$10,376,023	
117	Add: Interest Income	\$16,982	\$13,504	\$13,515	\$14,134	\$19,200	\$27,409	\$37,640	\$43,824	\$48,298	\$51,013	\$51,880	From Table 1B
118	Ending Fund Balance	\$3,413,289	\$2,714,227	\$2,716,572	\$2,840,870	\$3,859,130	\$5,509,260	\$7,565,611	\$8,808,604	\$9,707,861	\$10,253,538	\$10,427,903	To Above
119													
120	No Rate Increase	\$3,413,289	\$2,714,227	\$717,630	(\$1,069,634)	(\$3,062,823)	(\$5,276,583)	(\$8,496,035)	(\$12,035,028)	(\$15,917,358)	(\$20,153,548)	(\$24,759,481)	
121	Fund Balance with Increases	\$3,413,289	\$2,714,227	\$2,716,572	\$2,840,870	\$3,859,130	\$5,509,260	\$7,565,611	\$8,808,604	\$9,707,861	\$10,253,538	\$10,427,903	
122	Minimum Balance @ 20%	\$1,444,975	\$1,519,929	\$1,560,171	\$1,628,090	\$1,670,204	\$1,715,249	\$1,776,387	\$1,940,295	\$2,007,103	\$2,076,945	\$2,149,963	
123													
133	Days Cash on Hand												
134	Fund Balance with 10% Rate Increases	174	131	128	120	159	222	295	316	337	344	339	
135	Fund Balance without Rate Adjustment	174	131	34	(45)	(127)	(213)	(331)	(431)	(552)	(677)	(805)	



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	Town of Hillsborough														
2	Water, Wastewater and Storm Drain Analysis														
3	Table 1B. General														
4															
5			2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	Source	Notes
6	<b>Assumptions</b>														
7	(1)	General Inflation	Per Budget	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%		To Table 2
8	(2)	Salaries & Benefits	Per Budget	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	Town Estimate - CalPERS & MOU	To Table 2
9	(3)	Interest on Earnings		0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%		To Table 1
10	(5)	Non-rate Revenues	Per Budget	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%		To Table 2
11	(7)	% Change in Demand		-25.0%	-22.7%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	Town Estm. - Executive Order B-29-15	To Tables 2,3,8
12	(8)	SFPUC Water Rates (\$/HCF)		\$2.93	\$3.75	\$3.78	\$3.79	\$4.31	\$4.72	\$5.01	\$5.16	\$5.31	\$5.47	SFPUC Rates/Town Estimate	To Table 2
13	(9)	Purchases (HCF)		1,238,287	957,609	957,609	957,609	957,609	957,609	957,609	957,609	957,609	957,609	FY13-14 UB Data incl'd 9% Losses	To Table 8
14	(10)	Construction Cost Inflation	Per Budget	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	Town Estimate	To Table 5
15															
16	<b>Fund Balance Policies</b>														
17		<u>Minimum balance</u>													
18		Purpose		For O&M cash flow during the year											
19		Minimum balance		Cannot go negative											
20		Target balance		20% of Annual Operating Expenses (includes bond reserve)											
21															
22		<u>Bond Reserve</u>													
23		Purpose		Bond Covenant Requirement											
24		Minimum balance		20% of Annual Debt Service											
25		Target balance		\$375,000											
26															
27		<u>SRF Reserve</u>													
28		Purpose		SRF Loan Covenant Requirement											
29		Minimum balance		Cannot go negative											
30		Target balance		1-year's annual loan repayment expense											
31															

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	Town of Hillsborough													
2	Stormwater Funding Analysis													
3	Table 2. Revenue Requirement													
4														
5														
6		Tbl. 1B	Budgeted 2014/15	Budgeted 2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	Notes
7	<b>Water</b>													
8	<b>Operating Expenses</b>													
9		(7), (8), (9)	\$3,628,181	\$3,591,032	\$3,619,760	\$3,629,336	\$4,127,293	\$4,519,912	\$4,655,510	\$4,795,175	\$4,939,030	\$5,087,201	\$5,239,817	SFPUC Increases and Growth
10			\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	SFPUC Debt Service
11		(2)	\$1,191,093	\$1,232,781	\$1,275,929	\$1,320,586	\$1,366,807	\$1,414,645	\$1,464,157	\$1,515,403	\$1,568,442	\$1,623,337	\$1,680,154	
12		(1)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
13		(1)	\$1,599,408	\$1,647,391	\$1,696,812	\$1,747,717	\$1,800,148	\$1,854,153	\$1,909,777	\$1,967,071	\$2,026,083	\$2,086,865	\$2,149,471	
14			\$6,960,182	\$7,012,704	\$7,134,001	\$7,239,139	\$7,835,748	\$8,330,210	\$8,570,944	\$8,819,148	\$9,075,055	\$9,338,904	\$9,610,943	
15				0.8%	1.7%	1.5%	8.2%	6.3%	2.9%	2.9%	2.9%	2.9%	2.9%	
16	<b>Non-Operating Expenditures</b>													
17			\$60,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	From Jcooke via email; Vehicle Repl. Reserve
18			\$1,392,642	\$1,434,421	\$1,477,454	\$1,521,778	\$1,567,431	\$1,614,454	\$1,662,888	\$1,712,774	\$1,764,157	\$1,817,082	\$1,871,595	Town Estm. - 3% annual increase
19			\$1,234,528	\$1,215,434	\$1,198,477	\$1,275,203	\$1,253,130	\$1,230,741	\$1,230,741	\$1,230,741	\$1,230,741	\$1,230,741	\$1,230,741	From Table 6
20			\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	From Table 6
21			\$2,752,811	\$2,865,496	\$2,891,573	\$3,012,622	\$3,036,203	\$3,060,836	\$3,109,270	\$3,159,157	\$3,210,540	\$3,263,465	\$3,317,977	
22				4.1%	0.9%	4.2%	0.8%	0.8%	1.6%	1.6%	1.6%	1.6%	1.7%	
23	<b>Non-Operating Revenues</b>													
24			(\$174,508)	(\$134,926)	(\$134,926)	(\$134,926)	(\$134,926)	(\$134,926)	(\$134,926)	(\$134,926)	(\$134,926)	(\$134,926)	(\$134,926)	From Table 8
25			(\$50,000)	(\$50,000)	(\$50,000)	(\$50,000)	(\$50,000)	(\$50,000)	(\$50,000)	(\$50,000)	(\$50,000)	(\$50,000)	(\$50,000)	
26			(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)	(\$10,000)	
27		(5)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	
28			(\$254,508)	(\$214,926)	(\$214,926)	(\$214,926)	(\$214,926)	(\$214,926)	(\$214,926)	(\$214,926)	(\$214,926)	(\$214,926)	(\$214,926)	
29			\$9,458,485	\$9,663,274	\$9,810,648	\$10,036,835	\$10,657,024	\$11,176,120	\$11,465,288	\$11,763,379	\$12,070,669	\$12,387,442	\$12,713,994	To Table 1
30				2%	2%	2%	6%	5%	3%	3%	3%	3%	3%	
31	<b>Wastewater</b>													
32	<b>Operating Expenses</b>													
33			\$1,207,500	\$1,351,490	\$1,376,371	\$1,425,482	\$1,448,090	\$1,476,407	\$1,550,227	\$1,627,739	\$1,709,126	\$1,794,582	\$1,884,311	Burlingame Email dated 11/17/2014; 5% starting in FY
34			\$700,000	\$735,000	\$771,750	\$810,338	\$850,854	\$893,397	\$938,067	\$984,970	\$1,034,219	\$1,085,930	\$1,140,226	Town Estimate
35		(2)	\$1,095,856	\$1,134,211	\$1,173,908	\$1,214,995	\$1,257,520	\$1,301,533	\$1,347,087	\$1,394,235	\$1,443,033	\$1,493,539	\$1,545,813	
36		(1)	\$1,080,146	\$1,112,550	\$1,145,927	\$1,180,305	\$1,215,714	\$1,252,185	\$1,289,751	\$1,328,443	\$1,368,297	\$1,409,346	\$1,451,626	
37			\$4,083,502	\$4,333,251	\$4,467,956	\$4,631,119	\$4,772,178	\$4,923,522	\$5,125,132	\$5,335,387	\$5,554,674	\$5,783,396	\$6,021,976	Net of Stormdrain
38				6.1%	3.1%	3.7%	3.0%	3.2%	4.1%	4.1%	4.1%	4.1%	4.1%	
39	<b>Non-Operating Expenditures</b>													
40			\$45,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	From Jcooke via email; Vehicle Repl. Reserve
41			\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	
42			\$1,631,015	\$1,712,566	\$1,798,194	\$1,888,104	\$1,982,509	\$2,081,635	\$2,185,717	\$2,295,02	\$2,409,753	\$2,530,240	\$2,656,752	Town Estm. - 5% annual increase
43			\$1,392,128	\$1,370,595	\$1,351,475	\$1,437,994	\$1,413,105	\$1,387,857	\$1,387,857	\$1,387,857	\$1,387,857	\$1,387,857	\$1,387,857	From Table 6
44			\$0	\$0	\$0	\$543,194	\$543,194	\$543,194	\$543,194	\$543,194	\$543,194	\$543,194	\$543,194	From Table 6
45			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	Refer to Policy - Table 1B
46			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	From Table 6
47			\$3,141,373	\$3,266,391	\$3,332,899	\$4,052,523	\$4,122,038	\$4,195,916	\$4,299,998	\$4,409,284	\$4,524,034	\$4,644,521	\$4,771,033	
48				4.0%	2.0%	21.6%	1.7%	1.8%	2.5%	2.5%	2.6%	2.7%	2.7%	
49	<b>Non-Operating Revenues</b>													
50		(5)	(\$41,000)	(\$41,000)	(\$41,000)	(\$41,000)	(\$41,000)	(\$41,000)	(\$41,000)	(\$41,000)	(\$41,000)	(\$41,000)	(\$41,000)	
51		(5)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	(\$20,000)	
52			(\$61,000)	(\$61,000)	(\$61,000)	(\$61,000)	(\$61,000)	(\$61,000)	(\$61,000)	(\$61,000)	(\$61,000)	(\$61,000)	(\$61,000)	
53				0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
54	<b>Rate Stabilization</b>													
55			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$500,000	\$500,000	\$500,000	\$500,000	From Below - See Proof
56			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$500,000	\$500,000	\$500,000	\$500,000	
57			\$7,163,875	\$7,538,643	\$7,739,855	\$8,622,642	\$8,833,216	\$9,058,438	\$9,364,130	\$10,183,671	\$10,517,708	\$10,866,918	\$11,232,009	To Table 1
58				5%	3%	11%	2%	3%	3%	9%	3%	3%	3%	
59														
60														
61	Source: Town of Hillsborough FY 2015/16 Budget Sewer and Water.xlsx, unless indicated													
62														



	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Town of Hillsborough													
2	Water, Wastewater and Storm Drain Analysis													
3	Table 3. Revenue Increases - Wastewater and Storm Drain													
4														
5		No. of	Estimated	Projected										
6		Months												
7		in FY	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	Notes
8	<b>WASTEWATER</b>													
9	<b>Current Rate Revenue</b>													
10	Service Charges		\$8,435,586	\$8,435,586	\$8,435,586	\$8,444,278	\$8,448,624	\$8,452,970	\$8,452,970	\$8,452,970	\$8,444,278	\$8,439,932	\$8,435,586	Growth - From Table 7
11	Revenue Requirement		(\$7,163,875)	(\$7,538,643)	(\$7,739,855)	(\$8,622,642)	(\$8,833,216)	(\$9,058,438)	(\$9,364,130)	(\$10,183,671)	(\$10,517,708)	(\$10,866,918)	(\$11,232,009)	From Table 2
12	To/(From) operations before Rate Incr.		\$1,271,711	\$896,943	\$695,731	(\$178,364)	(\$384,592)	(\$605,468)	(\$911,160)	(\$1,730,701)	(\$2,073,430)	(\$2,426,986)	(\$2,796,423)	
13														
14	Increase in Rate Revenue			7%	10%	10%	10%	7%	7%	0%	0%	0%	0%	From Table 1
15	Cumulative Increase in Rate Revenue													
16	<b>Revenue from Rate Increases</b>													
17	FY 2015-16 (eff. July 1, 2015)	12		\$590,491	\$590,491	\$591,099	\$591,404	\$591,708	\$591,708	\$591,708	\$591,099	\$590,795	\$590,491	
18	FY 2016-17 (eff. July 1, 2016)	12			\$902,608	\$903,538	\$904,003	\$904,468	\$904,468	\$904,468	\$903,538	\$903,073	\$902,608	
19	FY 2017-18 (eff. July 1, 2017)	12				\$993,892	\$994,403	\$994,915	\$994,915	\$994,915	\$993,892	\$993,380	\$992,868	
20	FY 2018-19 (eff. July 1, 2018)	12					\$1,093,843	\$1,094,406	\$1,094,406	\$1,094,406	\$1,093,281	\$1,092,718	\$1,092,155	
21	FY 2019-20 (eff. July 1, 2019)	12						\$842,693	\$842,693	\$842,693	\$841,826	\$841,393	\$840,960	
22	FY 2020-21 (eff. July 1, 2020)	12							\$901,681	\$901,681	\$900,754	\$900,290	\$899,827	
23	FY 2021-22 (eff. July 1, 2021)	12								\$0	\$0	\$0	\$0	
24	FY 2022-23 (eff. July 1, 2022)	12									\$0	\$0	\$0	
25	FY 2023-24 (eff. July 1, 2023)	12										\$0	\$0	
26	FY 2043-25 (eff. July 1, 2024)	12											\$0	
27	<b>Total Revenue from Rate Increases</b>		\$0	\$590,491	\$1,493,099	\$2,488,529	\$3,583,653	\$4,428,189	\$5,329,870	\$5,329,870	\$5,324,389	\$5,321,649	\$5,318,909	
28	<b>Total Current Revenue</b>		\$8,435,586	\$8,435,586	\$8,435,586	\$8,444,278	\$8,448,624	\$8,452,970	\$8,452,970	\$8,452,970	\$8,444,278	\$8,439,932	\$8,435,586	From above
29	<b>Total Revenue</b>		\$8,435,586	\$9,026,077	\$9,928,685	\$10,932,807	\$12,032,277	\$12,881,159	\$13,782,840	\$13,782,840	\$13,768,667	\$13,761,581	\$13,754,495	To Table 1
30	Revenue Requirement		(\$7,163,875)	(\$7,538,643)	(\$7,739,855)	(\$8,622,642)	(\$8,833,216)	(\$9,058,438)	(\$9,364,130)	(\$10,183,671)	(\$10,517,708)	(\$10,866,918)	(\$11,232,009)	
31	To/(From) operations after Rate Incr.		\$1,271,711	\$1,487,434	\$2,188,830	\$2,310,165	\$3,199,061	\$3,822,721	\$4,418,710	\$3,599,169	\$3,250,960	\$2,894,664	\$2,522,485	To Table 1
32														
33	<b>STORMDRAIN</b>													
34	<b>Current Rate Revenue</b>													
35	Assessment		\$29,485	\$29,485	\$29,485	\$29,514	\$29,529	\$29,544	\$29,544	\$29,544	\$29,544	\$29,544	\$29,544	Growth - From Table 7
36														
37	Increase in Rate Revenue			0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	From Table 1
38	Cumulative Increase in Rate Revenue													
39	<b>Revenue from Rate Increases</b>													
40	FY 2015-16 (eff. July 1, 2015)	12		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
41	FY 2016-17 (eff. July 1, 2016)	12			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
42	FY 2017-18 (eff. July 1, 2017)	12				\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
43	FY 2018-19 (eff. July 1, 2018)	12					\$0	\$0	\$0	\$0	\$0	\$0	\$0	
44	FY 2019-20 (eff. July 1, 2019)	12						\$0	\$0	\$0	\$0	\$0	\$0	
45	FY 2020-21 (eff. July 1, 2020)	12							\$0	\$0	\$0	\$0	\$0	
46	FY 2021-22 (eff. July 1, 2021)	12								\$0	\$0	\$0	\$0	
47	FY 2022-23 (eff. July 1, 2022)	12									\$0	\$0	\$0	
48	FY 2023-24 (eff. July 1, 2023)	12										\$0	\$0	
49	FY 2043-25 (eff. July 1, 2024)	12											\$0	
50	<b>Total Revenue from Rate Increases</b>		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
51	<b>Total Current Revenue</b>		\$29,485	\$29,485	\$29,485	\$29,514	\$29,529	\$29,544	\$29,544	\$29,544	\$29,544	\$29,544	\$29,544	From above
52	<b>Total Revenue</b>		\$29,485	\$29,485	\$29,485	\$29,514	\$29,529	\$29,544	\$29,544	\$29,544	\$29,544	\$29,544	\$29,544	To Table 1
53														

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
1	Town of Hillsborough																		
2	Water, Wastewater and Storm Drain Analysis																		
3	Table 3. Revenue Increases - Water																		
4																			
5																			
6	Water Meters (1)	2015/16	Bi-monthly Base Charge 1/1/2015	Ann. Revenue 2015/16	Bi-monthly Base Charge 1/1/2016	Ann. Revenue 2015/16		Bi-monthly Base Charge 1/1/2017	Ann. Revenue 2016/17		Bi-monthly Base Charge 1/1/2018	Ann. Revenue 2017/18		Bi-monthly Base Charge 1/1/2019	Ann. Revenue 2018/19		Bi-monthly Base Charge 1/1/2020	Ann. Revenue 2019/20	
7	Residential																		
8	3/4"	144	\$ 100	\$ 86,400	\$ 120	\$ 103,680		\$ 140	\$ 120,960		\$ 160	\$ 138,240		\$ 180	\$ 155,520		\$ 200	\$ 172,800	
9	1"	3,652	\$ 100	2,191,200	\$ 120	2,629,440		\$ 140	3,067,680		\$ 160	3,505,920		\$ 180	3,944,160		\$ 200	4,382,400	
10	1 1/2"	201	\$ 100	120,600	\$ 120	144,720		\$ 140	168,840		\$ 160	192,960		\$ 180	217,080		\$ 200	241,200	
11	2"	187	\$ 100	112,200	\$ 120	134,640		\$ 140	157,080		\$ 160	179,520		\$ 180	201,960		\$ 200	224,400	
12	Subtotal	4,184		2,510,400		3,012,480	502,080		3,514,560		4,016,640		4,518,720		5,020,800				
13	Commercial																		
14	1"	55	\$ 100	33,000	\$ 120	39,600		\$ 140	46,200		\$ 160	52,800		\$ 180	59,400		\$ 200	66,000	
15	1 1/2"	2	\$ 200	2,400	\$ 220	2,640		\$ 240	2,880		\$ 260	3,120		\$ 280	3,360		\$ 300	3,600	
16	2"	26	\$ 320	49,920	\$ 340	53,040		\$ 360	56,160		\$ 380	59,280		\$ 400	62,400		\$ 420	65,520	
17	3"	-	\$ 600	-	\$ 620	-		\$ 640	-		\$ 660	-		\$ 680	-		\$ 700	-	
18	6"	-	\$ 2,000	-	\$ 2,020	-		\$ 2,040	-		\$ 2,060	-		\$ 2,080	-		\$ 2,100	-	
19	8"	1	\$ 3,200	19,200	\$ 3,220	19,320		\$ 3,240	19,440		\$ 3,260	19,560		\$ 3,280	19,680		\$ 3,300	19,800	
20	Subtotal	84		104,520		114,600	10,080		124,680		134,760		144,840		154,920				
21	Total Annual Revenue	4,268		2,614,920		3,127,080	512,160		3,639,240	1,024,320	4,151,400	1,536,480		4,663,560	2,048,640		5,175,720	2,560,800	
22																			
23	Beginning Balance	\$11,224,069	7/1/2014																
24	FY14-15 Revenue (w/13%)	\$11,382,138	Includes 25% cutback from FY13-14 Demand																
25	Less:																		
26	Operating	(\$9,458,485)	From Table 2																
27	Capital	(\$3,070,550)	From Table 5																
28	Ending Balance	\$10,077,172	6/30/2015																
29	Loss in Reserve:			(\$1,146,897)															
30	Beginning Balance	\$10,077,172	7/1/2015																
31	FY15-16 Revenue	\$9,841,399	Includes 42% cutback from FY13-14																
32	Less:																		
33	Operating	(\$9,663,274)																	
34	Capital	(\$2,150,000)																	
35	Ending Balance	\$8,105,297	6/30/2016																
36	Loss in Reserve:			\$1,971,875															
37	Less: Service Charge Rate Increment			(\$512,160)															
38	Total Revenue from Volumetric Rate Increases			\$1,459,715															
39	Beginning Balance	\$10,077,172	7/1/2016																
40	FY16-17 Revenue	\$10,353,559	Includes 42% cutback from FY13-14 & 1/1/2016 Increased Service Charge Revenue																
41	Less:																		
42	Operating	(\$9,810,648)																	
43	Capital	(\$2,150,000)																	
44	Ending Balance	\$8,470,083	6/30/2017																
45	Loss in Reserve:			\$1,607,089															
46	Less: Service Charge Rate Increment			(\$512,160)	Current year SC increment														
47	Total Revenue from Volumetric Rate Increases			\$1,094,929															
48	Beginning Balance	\$10,077,172																	
49	FY17-18 Revenue	\$10,865,719	Includes 42% cutback from FY13-14 & 1/1/2016, 1/1/2017 Increased Service Charge Revenue																
50	Less:																		
51	Operating	(\$10,036,835)																	
52	Capital	(\$2,150,000)																	
53	Ending Balance	\$8,756,056																	
54	Loss in Reserve:			\$1,321,116															
55	Less: Service Charge Rate Increment			(\$512,160)															
56	Total Revenue from Rate Increases			\$808,956															
57	Beginning Balance	\$10,077,172																	
58	FY18-19 Revenue	\$11,377,879	Includes 42% cutback from FY13-14 & 1/1/2016, 1/1/2017 and 1/1/18 Increased Service Charge Revenue																
59	Less:																		
60	Operating	(\$10,657,024)																	
61	Capital	(\$2,150,000)																	
62	Ending Balance	\$8,648,026																	
63	Loss in Reserve:			\$1,429,145															
64	Less: Service Charge Rate Increment			(\$512,160)															
65	Total Revenue from Rate Increases			\$916,985															
66	Beginning Balance	\$10,077,172																	
67	FY19-20 Revenue	\$11,890,039	Includes 42% cutback from FY13-14 & 1/1/2016, 1/1/2017 and 1/1/18 and 1/1/19 Increased Service Charge Revenue																
68	Less:																		
69	Operating	(\$11,176,120)																	
70	Capital	(\$2,150,000)																	
71	Ending Balance	\$8,641,090																	
72	Loss in Reserve:			\$1,436,081															
73	Less: Service Charge Rate Increment			(\$512,160)															
74	Total Revenue from Rate Increases			\$923,921															
75																			

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	<b>Town of Hillsborough</b>												
2	<b>Water, Wastewater and Storm Drain Analysis</b>												
3	<b>Table 5. Capital Improvement Projects</b>												
4													
5		<b>Estm Actual</b>					<b>Budgeted</b>						
6		<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>Notes</b>
7	<b>Water Projects</b>												
8	Skyfarm 3 and Tournament New Pressure Tanks		150,000										
9	Vista Water Tank and Pump Station Improvements	70,000	750,000										
10	Cherry Creek Pump Station Replacement	100,200			1,000,000	1,089,350							
11	Water Tank Improvements	1,820,850											
12	Demolish Forrestview Tanks #1 and #2				26,190	417,660							
13	Demolish Major Hayes Tank and Piping	13,500	-	-	-	240,000							
14	Water Main Replacement Program	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000						
15	AMR Meter Upgrades	36,000											
16	Pressure Reducing Valve Improvements	30,000	80,000										To be paid by General Fund
17	High Water Line Connection	-	-	300,000	300,000	300,000	300,000	300,000	1,500,000				
18	Anticipated Annual Project Costs	-	-	-	-	-	-	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000	
19	Total Project Costs	3,070,550	1,980,000	1,300,000	2,326,190	3,047,010	1,300,000	1,700,000	2,900,000	1,400,000	1,400,000	1,400,000	
20	Total Project Costs (with inflation)	3,070,550	2,029,500	1,365,813	2,505,052	3,363,329	1,470,831	1,923,394	3,281,084	1,583,971	1,583,971	1,583,971	
21													
22	<b>Stormdrain Projects</b>												
23	<b>Inflow/Infiltration Reduction</b>												
24	Macadamia Storm Drain				687,048								
25	Sandra/Hayne Storm Drain Repair		255,990										
26	Walnut Intercept Storm Drain Project	365,600											
27	Shady Lane Storm Drain Replacement	300,000											
28	Black Mountain/Avondale to Shady Creek SD replacement	196,500											
29	Spencer Lake Outfall System Replacement			50,000	416,500								
30	Carryover to following year												
31	MP High Priority Projects (annual cost over 30 years)	-	75,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000		
32	MP Medium Priority (annual cost over 30 years)												
33	MP Low Priority (annual cost over 30 years)												
34	Subtotal	862,100	330,990	1,250,000	2,303,548	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000		
35	<b>Water Quality Protection</b>												
36	To be determined	0	0	0	0	0	0	0	0	0	0	0	
37	Subtotal	-	-	-	-	-	-	-	-	-	-	-	
38	Total Project Costs	862,100	330,990	1,250,000	2,303,548	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000		
39	Total Project Costs (with inflation)	862,100	339,265	1,313,281	2,480,669	1,324,575	1,357,690	1,357,690	1,357,690	1,357,690	1,357,690		
40													
41													
42	<b>Wastewater Projects</b>												
43	El Cerrito/Crystal Springs Phase II*	-	-	-	-	-							
44	Priority Basins Inflow & Infiltration Rehabilitation*	400,000	2,512,000	1,670,000	1,720,000	1,771,703	1,824,854						Alternative - Debt Financed
45	El Cerrito Relief Line (City of San Mateo)*	50,000	1,747,000										
46	Smoke Testing & Video Inspections Priority Basins	325,000		160,000		160,000							
47	Newhall/Forest View Hydraulic Capacity Improvements			971,222									
48	Flow Metering/Modeling			130,000		130,000							
49	Dale Avenue Pump Station/Force Main (San Mateo)												
50	WWTP Hydraulic Improvements (San Mateo)												
51	Other WWTP Improvements (San Mateo)		125,000	125,000	125,000	125,000	125,000	125,000	125,000	125,000	125,000	125,000	
52	WWTP Improvements (Burlingame)	297,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000	
53	Sanchez Ave Area Sanitary Sewer Rehab.(Burlingame)	406,000	200,000										
54	Crystal Springs Flow Meter		100,000										
55	Miscellaneous Sewer System Repairs	200,000	200,000	100,000	100,000	100,000	100,000						
56	Sewer Lift Station Improvements		100,050			430,725							
57	Sewer System Repair - Pipe Bursting	877,500											
58	Anticipated Annual Project Costs	-	-	-	-	-	-	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	
59	Total Project Costs	2,555,500	5,044,050	3,216,222	2,005,000	2,777,428	2,109,854	1,685,000	1,685,000	1,685,000	1,685,000	1,685,000	
60	Total Project Costs (with inflation)	2,555,500	5,170,151	3,379,043	2,159,166	3,065,761	2,387,106	1,906,423	1,906,423	1,906,423	1,906,423	1,906,423	
61													
62	Source: Email from Town of Hillsborough Staff CIP Water and Sewer for Rate Study.pdf												
63	* = Includes only the portion of the project that will be funded through rate revenue and not financed through loans/debt.												
64													

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Town of Hillsborough												
2	Water, Wastewater and Storm Drain Analysis												
3	Table 6. Debt Service Schedule												
4													
5													
6													
7		2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	Notes
8	COP 2000 Series A: Matures 6/1/2030												
9	Principal	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	From Schedule
10	Interest	\$21,614	\$20,506	\$19,398	\$18,288	\$17,180	\$16,072	\$16,072	\$16,072	\$16,072	\$16,072	\$16,072	From Schedule
11	Total	\$221,614	\$220,506	\$219,398	\$218,288	\$217,180	\$216,072	\$216,072	\$216,072	\$216,072	\$216,072	\$216,072	
12													
13	COP 2000 Series B: Matures 6/1/2030												
14	Principal	\$300,000	\$300,000	\$300,000	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000	From Schedule
15	Interest	\$284,703	\$272,673	\$260,644	\$248,614	\$232,574	\$216,535	\$216,535	\$216,535	\$216,535	\$216,535	\$216,535	From Schedule
16	Total	\$584,703	\$572,673	\$560,644	\$648,614	\$632,574	\$616,535	\$616,535	\$616,535	\$616,535	\$616,535	\$616,535	
17													
18	COP 2003 Series A: Matures 6/1/2033												
19	Principal	\$400,000	\$400,000	\$400,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	From Schedule
20	Interest	\$463,439	\$447,319	\$431,199	\$415,080	\$394,930	\$374,781	\$374,781	\$374,781	\$374,781	\$374,781	\$374,781	From Schedule
21	Total	\$863,439	\$847,319	\$831,199	\$915,080	\$894,930	\$874,781	\$874,781	\$874,781	\$874,781	\$874,781	\$874,781	
22													
23	COP 2006 Series A: Matures 6/1/2035												
24	Principal	\$325,000	\$335,000	\$350,000	\$365,000	\$380,000	\$395,000	\$395,000	\$395,000	\$395,000	\$395,000	\$395,000	From Schedule
25	Interest	\$387,614	\$375,372	\$362,752	\$349,569	\$335,819	\$321,504	\$321,504	\$321,504	\$321,504	\$321,504	\$321,504	From Schedule
26	Total	\$712,614	\$710,372	\$712,752	\$714,569	\$715,819	\$716,504	\$716,504	\$716,504	\$716,504	\$716,504	\$716,504	
27													
28	<b>Subtotal:Debt Service</b>	\$2,382,370	\$2,350,870	\$2,323,993	\$2,496,551	\$2,460,503	\$2,423,892	\$2,423,892	\$2,423,892	\$2,423,892	\$2,423,892	\$2,423,892	
29	<b>Other Costs</b>	\$244,286	\$235,159	\$225,959	\$216,646	\$205,732	\$194,706	\$194,706	\$194,706	\$194,706	\$194,706	\$194,706	0.745% of outstanding principal
30	<b>Total Payments</b>	\$2,626,656	\$2,586,029	\$2,549,952	\$2,713,197	\$2,666,235	\$2,618,598	\$2,618,598	\$2,618,598	\$2,618,598	\$2,618,598	\$2,618,598	
31													
32	Source: F 30 comprehensive debt service schedule 6-30-14 (bonds).xls												
33													
34	<b>47% Water Enterprise Share</b>	\$1,234,528	\$1,215,434	\$1,198,477	\$1,275,203	\$1,253,130	\$1,230,741	\$1,230,741	\$1,230,741	\$1,230,741	\$1,230,741	\$1,230,741	To Table 2
35	<b>53% Sewer Enterprise Share</b>	\$1,392,128	\$1,370,595	\$1,351,475	\$1,437,994	\$1,413,105	\$1,387,857	\$1,387,857	\$1,387,857	\$1,387,857	\$1,387,857	\$1,387,857	To Table 2
36													
37	<b>(WATER) CEC - Energy Conservation Loan (ECAA): Matures 12/22/2026</b>												
38	Principal	\$57,802	\$58,362	\$58,967	\$59,558	\$60,155	\$60,745	\$60,745	\$60,745	\$60,745	\$60,745	\$60,745	From Schedule
39	Interest	\$7,839	\$7,279	\$6,675	\$6,084	\$5,486	\$4,896	\$4,896	\$4,896	\$4,896	\$4,896	\$4,896	From Schedule
40	Total	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	\$65,641	
41													
42	Source: ECCA Amortization Roll Forward as of 6-30-14.xls												
43													
44	<b>(SEWER) SRF Loan - El Cerrito Phase II</b>												
45	Proceeds	\$ 12,000,000											
46	Interest Rate	2.10%											
47	Years to Maturity	30											
48													
49	Principal				\$291,194	\$297,309	\$303,553	\$309,928	\$316,436	\$323,081	\$329,866	\$336,793	8
50	Interest				\$252,000	\$245,885	\$239,641	\$233,267	\$226,758	\$220,113	\$213,328	\$206,401	
51	Total			\$0	\$543,194	\$543,194	\$543,194	\$543,194	\$543,194	\$543,194	\$543,194	\$543,194	
52													
53	<b>(SEWER) SRF Loan - Priority Basins [ONLY IF DEBT PURSUED AS AN OPTION]</b>												
54	Proceeds	\$ -											
55	Issuance Costs (@1.75%)	\$ -											
56	Net Proceeds	\$ -											
57	Interest Rate (at 1/12/2015)	5.0%											
58	Years to Maturity	30											
59													
60				1	2	3	4	5	6	7	8	8	
61	Principal			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
62	Interest			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
63	Total			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	To table 2
64													
65	Total SRF Loan Payments	\$0	\$0	\$0	\$543,194	\$543,194	\$543,194	\$543,194	\$543,194	\$543,194	\$543,194	\$543,194	
66													
67	Source: Town of Hillsborough FY 2015/16 Budget_Sewer and Water.xlsx												
68													

	A	B	C	D	E	F	G	H	I	J	K	L	M	
1	Town of Hillsborough													
2	Water, Wastewater and Storm Drain Analysis													
3	Table 6. Debt Service Schedule													
4														
5														
6														
69		2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	Notes	
70	<b>DEBT COVERAGE RATIO</b>													
70	<b>WATER</b>													
71	<b>Gross Revenue</b>													
72	Water Surcharges	\$0	\$1,971,875	\$2,119,249	\$2,345,436	\$2,965,625	\$3,484,721	\$3,616,689	\$3,914,780	\$4,222,070	\$4,538,843	\$4,865,395	From Table 1	
73	Water Charges	\$11,382,138	\$9,841,399	\$9,841,399	\$9,844,999	\$9,846,799	\$9,848,599	\$9,848,599	\$9,848,599	\$9,848,599	\$9,848,599	\$9,848,599	From Table 1	
74	Total Gross Revenue	\$11,382,138	\$11,813,274	\$11,960,648	\$12,190,435	\$12,812,424	\$13,333,320	\$13,465,288	\$13,763,379	\$14,070,669	\$14,387,442	\$14,713,994		
75	<b>Operating Expenses</b>													
76	Purchased Water	\$3,628,181	\$3,591,032	\$3,619,760	\$3,629,336	\$4,127,293	\$4,519,912	\$4,655,510	\$4,795,175	\$4,939,030	\$5,087,201	\$5,239,817	From Table 2	
77	SFPUC Surcharge	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	\$541,500	From Table 2	
78	Salaries & Benefits	\$1,191,093	\$1,232,781	\$1,275,929	\$1,320,586	\$1,366,807	\$1,414,645	\$1,464,157	\$1,515,403	\$1,568,442	\$1,623,337	\$1,680,154	From Table 2	
79	Contract Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	From Table 2	
80	Materials & Service	\$1,599,408	\$1,647,391	\$1,696,812	\$1,747,717	\$1,800,148	\$1,854,153	\$1,909,777	\$1,967,071	\$2,026,083	\$2,086,865	\$2,149,471	From Table 2	
81	Internal Service Fund Transfer	\$60,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	From Table 2	
82	Overhead Allocation	\$1,392,642	\$1,434,421	\$1,477,454	\$1,521,778	\$1,567,431	\$1,614,454	\$1,662,888	\$1,712,774	\$1,764,157	\$1,817,082	\$1,871,595	From Table 2	
83	Total Operating Expenses	\$8,412,824	\$8,597,125	\$8,761,455	\$8,910,917	\$9,553,179	\$10,094,664	\$10,383,832	\$10,681,923	\$10,989,212	\$11,305,986	\$11,632,537		
84														
85	<b>Net Available Revenues</b>	\$2,969,314	\$3,216,149	\$3,199,193	\$3,279,518	\$3,259,246	\$3,238,656	\$3,081,456	\$3,081,456	\$3,081,456	\$3,081,456	\$3,081,456		
86														
87	<b>Debt Service (water)</b>	\$1,300,169	\$1,281,075	\$1,264,119	\$1,340,844	\$1,318,772	\$1,296,382	\$1,296,382	\$1,296,382	\$1,296,382	\$1,296,382	\$1,296,382		
88	Debt Coverage Ratio	2.28	2.51	2.53	2.45	2.47	2.50	2.38	2.38	2.38	2.38	2.38	To Table 1	
89														
90	<b>SEWER</b>													
91	<b>Gross Revenue</b>													
92	Sewer Service Charge	\$8,435,586	\$9,026,077	\$9,928,685	\$10,932,807	\$12,032,277	\$12,881,159	\$13,782,840	\$13,782,840	\$13,782,840	\$13,768,667	\$13,761,581	\$13,754,495	From Table 3
93	Total Gross Revenue	\$8,435,586	\$9,026,077	\$9,928,685	\$10,932,807	\$12,032,277	\$12,881,159	\$13,782,840	\$13,782,840	\$13,768,667	\$13,761,581	\$13,754,495		
94	<b>Operating Expenses</b>													
95	Disposal Operating - Burlingame	\$1,207,500	\$1,351,490	\$1,376,371	\$1,425,482	\$1,448,090	\$1,476,407	\$1,550,227	\$1,627,739	\$1,709,126	\$1,794,582	\$1,884,311	From Table 2	
96	Disposal Operating - San Mateo	\$700,000	\$735,000	\$771,750	\$810,338	\$850,854	\$893,397	\$938,067	\$984,970	\$1,034,219	\$1,085,930	\$1,140,226	From Table 2	
97	Salaries & Benefits	\$1,095,856	\$1,134,211	\$1,173,908	\$1,214,995	\$1,257,520	\$1,301,533	\$1,347,087	\$1,394,235	\$1,443,033	\$1,493,539	\$1,545,813	From Table 2	
98	Materials & Service	\$1,080,146	\$1,112,550	\$1,145,927	\$1,180,305	\$1,215,714	\$1,252,185	\$1,289,751	\$1,328,443	\$1,368,297	\$1,409,346	\$1,451,626	From Table 2	
99	Weed Abatement	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	\$73,230	From Table 2	
100	Internal Service Fund Transfer	\$45,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	From Table 2	
101	Overhead Allocation	\$1,631,015	\$1,712,566	\$1,798,194	\$1,888,104	\$1,982,509	\$2,081,635	\$2,185,717	\$2,295,002	\$2,409,753	\$2,530,240	\$2,656,752	From Table 2	
102	Total Operating Expenses	\$5,832,747	\$6,229,047	\$6,449,380	\$6,702,453	\$6,937,917	\$7,188,387	\$7,494,078	\$7,813,619	\$8,147,656	\$8,496,866	\$8,861,958		
103														
104	<b>Net Available Revenues</b>	\$2,602,839	\$2,797,030	\$3,479,304	\$4,230,354	\$5,094,360	\$5,692,772	\$6,288,762	\$5,969,221	\$5,621,011	\$5,264,715	\$4,892,537		
105														
106	<b>Debt Service (sewer)</b>	\$1,392,128	\$1,370,595	\$1,351,475	\$1,981,189	\$1,956,299	\$1,931,051	\$1,931,051	\$1,931,051	\$1,931,051	\$1,931,051	\$1,931,051		
107	Debt Coverage Ratio	1.87	2.04	2.57	2.14	2.60	2.95	3.26	3.09	2.91	2.73	2.53	To Table 1	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Town of Hillsborough													
2	Water, Wastewater and Storm Drain Analysis													
3	Table 7. Water Meter Charges													
4		<u>2013/14</u>	<u>2014/15</u>	<u>2015/16</u>	<u>2016/17</u>	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>	<u>2022/23</u>	<u>2023/24</u>	<u>2024/25</u>	Notes
5	Water Meters (1)													
6	Residential	Based on FY 2013-14 Customer Billing Data Actuals												
7	3/4"	143	143	144	144	146	147	148	148	148	148	148	148	148
8	1"	3,652	3,652	3,652	3,652	3,652	3,652	3,652	3,652	3,652	3,652	3,652	3,652	3,652
9	1 1/2"	200	200	201	201	201	201	201	201	201	201	201	201	201
10	2"	187	187	187	187	187	187	187	187	187	187	187	187	187
11	Subtotal	4,182	4,182	4,184	4,184	4,186	4,187	4,188	4,188	4,188	4,188	4,188	4,188	4,188
12	Commercial													
13	1"	55	55	55	55	55	55	55	55	55	55	55	55	55
14	1 1/2"	2	2	2	2	4	5	6	6	6	6	6	6	6
15	2"	28	28	26	26	26	26	26	26	26	26	26	26	26
16	3"	-	-	-	-	-	-	-	-	-	-	-	-	-
17	6"	-	-	-	-	-	-	-	-	-	-	-	-	-
18	8"	1	1	1	1	1	1	1	1	1	1	1	1	1
19	Total	4,268	4,268	4,268	4,268	4,272	4,274	4,276	4,276	4,276	4,276	4,276	4,276	4,276
20	No of New Connections	-	-	-	-	4	2	2	-	-	-	-	-	-
21														To Table 3 - Stormdrain
22	Meter Charges													
25	Residential - up to 2"	\$ 90	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
26	Commercial													
27	1"	\$ 90	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
28	1 1/2"	\$ 180	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200
29	2"	\$ 288	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320	\$ 320
30	3"	\$ 540	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600
31	6"	\$ 1,800	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
32	8"	\$ 2,880	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200	\$ 3,200
33														
34	Meter Sales													
35	Residential													
36	3/4"	\$ 72,930	\$ 81,510	\$ 86,400	\$ 86,400	\$ 87,600	\$ 88,200	\$ 88,800	\$ 88,800	\$ 88,800	\$ 88,800	\$ 88,800	\$ 88,800	\$ 88,800
37	1"	1,862,520	2,081,640	2,191,200	2,191,200	2,191,200	2,191,200	2,191,200	2,191,200	2,191,200	2,191,200	2,191,200	2,191,200	2,191,200
38	1 1/2"	102,000	114,000	120,600	120,600	120,600	120,600	120,600	120,600	120,600	120,600	120,600	120,600	120,600
39	2"	95,370	106,590	112,200	112,200	112,200	112,200	112,200	112,200	112,200	112,200	112,200	112,200	112,200
40	Subtotal	2,132,820	2,383,740	2,510,400	2,510,400	2,511,600	2,512,200	2,512,800	2,512,800	2,512,800	2,512,800	2,512,800	2,512,800	2,512,800
41	Commercial													
42	1"	28,050	31,350	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000	33,000
43	1 1/2"	2,040	2,280	2,400	2,400	4,800	6,000	7,200	7,200	7,200	7,200	7,200	7,200	7,200
44	2"	45,696	51,072	49,920	49,920	49,920	49,920	49,920	49,920	49,920	49,920	49,920	49,920	49,920
45	3"	-	-	-	-	-	-	-	-	-	-	-	-	-
46	6"	-	-	-	-	-	-	-	-	-	-	-	-	-
47	8"	16,320	18,240	19,200	19,200	19,200	19,200	19,200	19,200	19,200	19,200	19,200	19,200	19,200
48	Total	\$ 2,224,926	\$ 2,486,682	\$ 2,614,920	\$ 2,614,920	\$ 2,618,520	\$ 2,620,320	\$ 2,622,120	\$ 2,622,120	\$ 2,622,120	\$ 2,622,120	\$ 2,622,120	\$ 2,622,120	\$ 2,622,120
49														To Table 3
50	(1) Source: meter size count query.xls; Outyears: Water Budget FY14-15 to reflect growth													
51														

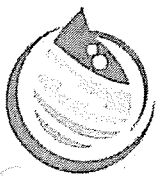
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	
1	Town of Hillsborough														
2	Stormdrain Funding Analysis														
3	Table 8. Volumetric Charges														
4															
5		2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	Notes	
6															
7		Based on FY 2013-14 Customer Billing Data Actuals													
8	Conservation (3)		-25%	-22.7%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	From Table 1B
9	Total Purchases (ccf)	1,640,636	1,230,477	951,569	951,569	951,569	951,569	951,569	951,569	951,569	951,569	951,569	951,569	951,569	From Table 1B
10	Losses	(135,465)	(101,599)	(78,570)	(78,570)	(78,570)	(78,570)	(78,570)	(78,570)	(78,570)	(78,570)	(78,570)	(78,570)	(78,570)	Estm. = 9% of Purchases
11	Projected Sales (ccf)	1,505,171	1,128,878	872,999	872,999	872,999	872,999	872,999	872,999	872,999	872,999	872,999	872,999	872,999	
12				-42.000%	-42.000%	-42.000%									
13	% Water Use, by tier	Used FY 2013-14 Billing Data to analyze Tiers													
14	Bimonthly:														
15	0-20	35.04%	35.04%	37.97%	37.97%	37.97%	37.97%	37.97%	37.97%	37.97%	37.97%	37.97%	37.97%	37.97%	
16	20.1-50	31.79%	31.79%	33.11%	33.11%	33.11%	33.11%	33.11%	33.11%	33.11%	33.11%	33.11%	33.11%	33.11%	
17	50.1-100	22.03%	22.03%	19.82%	19.82%	19.82%	19.82%	19.82%	19.82%	19.82%	19.82%	19.82%	19.82%	19.82%	
18	100.1-200	7.71%	7.71%	5.42%	5.42%	5.42%	5.42%	5.42%	5.42%	5.42%	5.42%	5.42%	5.42%	5.42%	
19	200+	0.40%	0.40%	0.65%	0.65%	0.65%	0.65%	0.65%	0.65%	0.65%	0.65%	0.65%	0.65%	0.65%	
20	Totals	96.97%	96.97%	96.98%	96.98%	96.98%	96.98%	96.98%	96.98%	96.98%	96.98%	96.98%	96.98%	96.98%	
21	Schools	1.47%	1.47%	1.47%	1.47%	1.47%	1.47%	1.47%	1.47%	1.47%	1.47%	1.47%	1.47%	1.47%	
22	Monthly	1.55%	1.55%	1.55%	1.55%	1.55%	1.55%	1.55%	1.55%	1.55%	1.55%	1.55%	1.55%	1.55%	
23	Totals	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	
24															
25	Water use, ccf														
26	Bimonthly:														
27	0-20	446,266	395,586	331,501	331,501	331,501	331,501	331,501	331,501	331,501	331,501	331,501	331,501	331,501	
28	20.1-50	429,703	358,895	289,046	289,046	289,046	289,046	289,046	289,046	289,046	289,046	289,046	289,046	289,046	
29	50.1-100	344,627	248,683	173,031	173,031	173,031	173,031	173,031	173,031	173,031	173,031	173,031	173,031	173,031	
30	100.1-200	176,480	87,058	47,332	47,332	47,332	47,332	47,332	47,332	47,332	47,332	47,332	47,332	47,332	
31	200+	61,312	4,506	5,690	5,690	5,690	5,690	5,690	5,690	5,690	5,690	5,690	5,690	5,690	
32	Totals	1,458,388	1,094,728	846,600	846,600	846,600	846,600	846,600	846,600	846,600	846,600	846,600	846,600	846,600	
33	Schools	22,130	16,597	12,835	12,835	12,835	12,835	12,835	12,835	12,835	12,835	12,835	12,835	12,835	
34	Monthly	23,403	17,553	13,574	13,574	13,574	13,574	13,574	13,574	13,574	13,574	13,574	13,574	13,574	
35	Totals	1,503,921	1,128,878	873,009	873,009	873,009	873,009	873,009	873,009	873,009	873,009	873,009	873,009	873,009	
36															
37															
38	Source: Town of Hillsborough FY 2013/14 UB History														
39															

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Town of Hillsborough													
2	Stormdrain Funding Analysis													
3	Table 8. Volumetric Charges													
4														
5		<u>2013/14</u>	<u>2014/15</u>	<u>2015/16</u>	<u>2016/17</u>	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>	<u>2022/23</u>	<u>2023/24</u>	<u>2024/25</u>	<u>Notes</u>
42	Bimonthly:													
43	0-20	\$ 6.32	\$ 7.14	\$ 7.14	\$ 7.14	\$ 7.14	\$ 7.14	\$ 7.14	\$ 7.14	\$ 7.14	\$ 7.14	\$ 7.14	\$ 7.14	\$ 7.14
44	20.1-50	\$ 7.47	\$ 8.44	\$ 8.44	\$ 8.44	\$ 8.44	\$ 8.44	\$ 8.44	\$ 8.44	\$ 8.44	\$ 8.44	\$ 8.44	\$ 8.44	\$ 8.44
45	50.1-100	\$ 8.57	\$ 9.68	\$ 9.68	\$ 9.68	\$ 9.68	\$ 9.68	\$ 9.68	\$ 9.68	\$ 9.68	\$ 9.68	\$ 9.68	\$ 9.68	\$ 9.68
46	100.1-200	\$ 10.25	\$ 11.58	\$ 11.58	\$ 11.58	\$ 11.58	\$ 11.58	\$ 11.58	\$ 11.58	\$ 11.58	\$ 11.58	\$ 11.58	\$ 11.58	\$ 11.58
47	200+	\$ 12.55	\$ 14.18	\$ 14.18	\$ 14.18	\$ 14.18	\$ 14.18	\$ 14.18	\$ 14.18	\$ 14.18	\$ 14.18	\$ 14.18	\$ 14.18	\$ 14.18
48	Schools	\$ 8.02	\$ 9.06	\$ 9.06	\$ 9.06	\$ 9.06	\$ 9.06	\$ 9.06	\$ 9.06	\$ 9.06	\$ 9.06	\$ 9.06	\$ 9.06	\$ 9.06
49	Monthly (1)	\$ 9.94	\$ 9.94	\$ 9.94	\$ 9.94	\$ 9.94	\$ 9.94	\$ 9.94	\$ 9.94	\$ 9.94	\$ 9.94	\$ 9.94	\$ 9.94	\$ 9.94
50														
51	Water Sales (2)													
52	Bimonthly:													
53	0-20	\$ 2,820,401	\$ 2,597,418	\$ 2,366,917	\$ 2,366,917	\$ 2,366,917	\$ 2,366,917	\$ 2,366,917	\$ 2,366,917	\$ 2,366,917	\$ 2,366,917	\$ 2,366,917	\$ 2,366,917	\$ 2,366,917
54	20.1-50	3,209,881	2,785,384	2,439,548	2,439,548	2,439,548	2,439,548	2,439,548	2,439,548	2,439,548	2,439,548	2,439,548	2,439,548	2,439,548
55	50.1-100	2,953,453	2,214,025	1,674,940	1,674,940	1,674,940	1,674,940	1,674,940	1,674,940	1,674,940	1,674,940	1,674,940	1,674,940	1,674,940
56	100.1-200	1,808,920	927,081	548,105	548,105	548,105	548,105	548,105	548,105	548,105	548,105	548,105	548,105	548,105
57	200+	769,466	58,754	80,684	80,684	80,684	80,684	80,684	80,684	80,684	80,684	80,684	80,684	80,684
58	Totals	11,562,122	8,582,662	7,110,194	7,110,194	7,110,194	7,110,194	7,110,194	7,110,194	7,110,194	7,110,194	7,110,194	7,110,194	7,110,194
59	Schools	177,483	138,286	116,285	116,285	116,285	116,285	116,285	116,285	116,285	116,285	116,285	116,285	116,285
60	Monthly	232,684	174,508	134,926	134,926	134,926	134,926	134,926	134,926	134,926	134,926	134,926	134,926	134,926
61	Totals	\$ 11,972,288	\$ 8,895,456	\$ 7,361,405	\$ 7,361,405	\$ 7,361,405	\$ 7,361,405	\$ 7,361,405	\$ 7,361,405	\$ 7,361,405	\$ 7,361,405	\$ 7,361,405	\$ 7,361,405	\$ 7,361,405
62	(2) % of Revenue		70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%
63			\$ (3,076,832)	\$ (4,610,883)	\$ 4,610,883									
83	(1) The single quantity charge shown for monthly customers is not an adopted rate.													
84	It is the average rate for those customers and is estimated to be 97% percent of the 4th tier													
85														
86	(2) Water sales revenues is based on a percent of water use at the previous years' charges (increases are effective Jan 1)													
87	assumes 70% of consumption in first half of the fiscal year (summer to winter) including accruals													
88														
89	(3) Conservation in this estimate is voluntary; not mandatory. Conservation are not applied to													
90	the first tier.													
91														




**Exhibit L**  
**SFPUC June 9, 2016 Letter to Wholesale Water Customers**





**San Francisco**  
**Water Power Sewer**  
 Operator of the Hetch Hetchy Regional Water System

525 Golden Gate Avenue, 13th Floor  
 San Francisco, CA 94102  
 T 415.554.3155  
 F 415.554.3161  
 TTY 415.554.3488

TO: SFPUC Wholesale Customers 

FROM: Steven R. Ritchie, Assistant General Manager, Water

DATE: June 9, 2016

RE: State Water Resources Control Board Self-Certification of  
 Supply Reliability for Three Additional Years of Drought  
 and  
 Update to Final Water Supply Availability Estimate

This memo provides the analysis to support the State Water Resources Control Board Self-Certification of Supply Reliability for Three Additional Years of Drought, and it also provides an update to the Final Water Supply Availability Estimate the SFPUC furnished to the Wholesale Customers on April 6, 2016.

On May 18, 2016, the State Water Resources Control Board adopted new standards for drought emergency water conservation regulation. The new standards require water utilities to conduct an analysis that demonstrates the utility is able to meet average annual 2013-2014 water demand under a repeat of the hydrology of water years 2013-2015. Attachment A provides the SFPUC's analysis. As shown in the attachment, the SFPUC would have sufficient supply to meet the average annual demand of 2013-2014 over the next three years with a repeat of water year 2013-2015 hydrology with no shortages necessary for any SFPUC customers (Table 1). Table 2 in the attachment provides the average annual 2013-2014 demand for each wholesale customer and thus, the water supply available to each customer for the next three years from the SFPUC regional water system under the State Board-required analysis. This analysis will be posted on the sfwater.org website by June 15, 2016.

While the SFPUC can meet the State Board requirements without requiring shortages, the SFPUC is requesting its customers maintain a 10% voluntary reduction from 2013 use. We make this request because the SFPUC Regional Water System storage will not fill at the end of the snowmelt period this year. In the event the next water year is dry, the SFPUC needs ample carryover storage to protect against additional water use reductions. Table 2 in the attachment provides 2013 water use for each Wholesale Customer for your reference.

Thank you for your ongoing efforts to conserve water. They've helped us to refill the system as we continue to recover from these years of drought.

cc.: Nicole Sandkulla, CEO/General Manager, BAWSCA

- Edwin M. Lee  
Mayor
- Francesca Vietor  
President
- Anson Moran  
Vice President
- Ann Moller Caen  
Commissioner
- Vince Courtney  
Commissioner
- Ike Kwon  
Commissioner
- Harlan L. Kelly, Jr.  
General Manager

Attachment





# Attachment A

## Self-Certification of Supply Reliability for Three Additional Years of Drought

### Calculation Notes

#### Purpose

The State Water Resources Control Board (SWRCB) adopted on May 18, 2016 a new statewide water conservation approach. The SFPUC needs to self-certify sufficient water supply assuming an average of calendar years 2013-2014 annual demand for wholesale and retail service areas and three more dry years like the ones recorded from water year 2013 through 2015. If a shortage exists at the end of the third year, the conservation standard would equal the amount of shortage. The conservation standard would apply from June 2016 through January 2017. The purpose of this document is to explain assumptions, approach used and findings.

#### Assumptions

- The Hetch Hetchy Regional Water System water supply reliability is assessed following the SWRCB Resolution no. 2016-0029.
- Hydrologic conditions are a repeat of water years 2013, 2014 and 2015 for the next three years. The SWRCB text proposes to use a repeat of precipitation totals. Instead, the analysis uses a repeat of annual flows.
- Total system delivery is the average of calendar years 2013 and 2014, which is 241 thousand acre-feet, TAF (215 million gallon per day, MGD). Data sources are the SWRCB Monthly Data Reporting for retail deliveries and Finance Sales Data for wholesale deliveries.
- Initial reservoir storages on October 1, 2016 are extracted from the Reservoir Operations Projections model using a median snowmelt runoff forecast and updated early May 2016. Total system storage is forecasted at 1,246 TAF. As a reference, total system storage was 1,095 TAF on October 1, 2013.

#### Approach

- The approach is a simple comparison of water available to SFPUC versus demand on an annual basis for the next three years (Table 1).
- The comparison includes system losses such as 1) evaporation, 2) mandatory and supplemental releases below Hetchy and Bay Area reservoirs.
- Even if reservoir inflows were very low in WY2013-2015, there was sufficient water available to SFPUC to operate the RWS including maximizing the use of Water Bank. In addition, forecasted storage conditions for October 2016 are similar to the ones in 2013. For those two reasons, it is assumed that SFPUC could repeat its operation assuming a repeat of WY2013-2015 and system simulation is not necessary to prove supply reliability.

## Findings

- Available water supply is greater than demand for three additional years of drought. In the third year, available water supply is 982 TAF and the demand only 241 TAF (Table 1).
- Conservation standard for SFPUC service area mandated by the SWRCB is 0% reduction
- Projected supply available to SFPUC and each SFPUC wholesale customer under SWRCB assumptions equals the average of CY 2013 and 2014 demands (Table 2).

Table 1. SFPUC Water Supply Reliability for Three Additional Years of Drought

Total Potable Water Demand	Unit	Retail	Wholesale	Total
Potable Water Production in Calendar Year 2013	TAF	84.2	168.2	252.4
Potable Water Production in Calendar Year 2014	TAF	76.4	153.2	229.6
Average CY2013-2014	TAF			241.0

Total Available Supply	Unit	WY2017	WY2018	WY2019
		Repeat of 2013	Repeat of 2014	Repeat of 2015
Total System Storage on Oct 1	TAF	1,246	1,175	938
<u>Annual Inflows</u>				
Tuolumne River Water Available	TAF	182	34	50
Bay Area Reservoir Inflows	TAF	33	8	27
<u>Annual Evaporation</u>				
Tuolumne System Evaporation	TAF	23	17	12
Bay Area Evaporation	TAF	13	13	13
<u>Annual System Releases</u>				
Tuolumne Basin	TAF	4	4	4
Bay Area Reservoirs	TAF	5	5	5
<b>Available Water Supply</b>	<b>TAF</b>	<b>1,416</b>	<b>1,179</b>	<b>982</b>
<b>Total Potable Water Demand</b>	<b>TAF</b>	<b>241.5</b>	<b>241.5</b>	<b>241.5</b>
Total System Storage on Sep 30	TAF	1,175	937	739

Table 2. Volume of water available to SFPUC and each SFPUC Wholesale Customer under SWRCB assumptions

	CY 2013 Demand (MG)	CY 2014 Demand (MG)	CY 2013- 2014 Average Demand (MG)	Projected Supply Under SWRCB Methodology (MG)		
				WY 2017	WY 2018	WY 2019
Alameda County WD	3,187.3	3,947.1	3,567.2	3,567.2	3,567.2	3,567.2
Brisbane	151.2	108.6	129.9	129.9	129.9	129.9
Burlingame	1,601.9	1,321.3	1,461.6	1,461.6	1,461.6	1,461.6
Cal Water- Bear Gulch	4,602.5	4,341.0	4,471.8	4,471.8	4,471.8	4,471.8
Cal Water-San Carlos	1,405.0	1,249.4	1,327.2	1,327.2	1,327.2	1,327.2
Cal Water-San Mateo	3,827.5	3,660.5	3,744.0	3,744.0	3,744.0	3,744.0
Cal Water- SSF	2,425.0	2,242.2	2,333.6	2,333.6	2,333.6	2,333.6
Coastside County WD	682.4	644.8	663.6	663.6	663.6	663.6
Cordilleras MWA	2.0	1.8	1.9	1.9	1.9	1.9
Daly City	1,399.8	1,147.3	1,273.6	1,273.6	1,273.6	1,273.6
East Palo Alto	587.9	605.7	596.8	596.8	596.8	596.8
Estero MID	1,517.3	1,411.8	1,464.5	1,464.5	1,464.5	1,464.5
Guadalupe Valley MID	64.4	125.1	94.7	94.7	94.7	94.7
Hayward	5,713.9	5,099.9	5,406.9	5,406.9	5,406.9	5,406.9
Hillsborough	1,265.3	1,039.5	1,152.4	1,152.4	1,152.4	1,152.4
Menlo Park	1,343.9	1,016.9	1,180.4	1,180.4	1,180.4	1,180.4
Mid-Peninsula WD	1,113.7	963.9	1,038.8	1,038.8	1,038.8	1,038.8
Millbrae	798.2	740.6	769.4	769.4	769.4	769.4
Milpitas	2,421.8	2,113.0	2,267.4	2,267.4	2,267.4	2,267.4
Mountain View	3,393.6	2,920.6	3,157.1	3,157.1	3,157.1	3,157.1
North Coast County WD	1,040.5	1,026.7	1,033.6	1,033.6	1,033.6	1,033.6
Palo Alto	4,256.2	3,756.8	4,006.5	4,006.5	4,006.5	4,006.5
Purissima Hills WD	751.5	658.2	704.9	704.9	704.9	704.9
Redwood City	3,423.3	3,060.4	3,241.8	3,241.8	3,241.8	3,241.8
San Bruno	635.6	530.5	583.0	583.0	583.0	583.0
San Jose	1,662.8	1,668.0	1,665.4	1,665.4	1,665.4	1,665.4
Santa Clara	803.8	674.2	739.0	739.0	739.0	739.0
Sunnyvale	3,550.2	2,734.0	3,142.1	3,142.1	3,142.1	3,142.1
Stanford University	821.9	789.8	805.9	805.9	805.9	805.9
Westborough WD	331.2	292.2	311.7	311.7	311.7	311.7
<b>Wholesale Total</b>	<b>54,782</b>	<b>49,892</b>	<b>52,337</b>	<b>52,337</b>	<b>52,337</b>	<b>52,337</b>
<b>SFPUC</b>	<b>27,429</b>	<b>25,235</b>	<b>26,332</b>	<b>26,332</b>	<b>26,332</b>	<b>26,332</b>
<b>Total</b>	<b>82,210</b>	<b>75,127</b>	<b>78,669</b>	<b>78,669</b>	<b>78,669</b>	<b>78,669</b>
<b>Total (in thousands of acre-feet)</b>	<b>252.4</b>	<b>230.6</b>	<b>241.5</b>	<b>241.5</b>	<b>241.5</b>	<b>241.5</b>





**Exhibit M**  
**Declaration of Water Shortage Emergency**



**RESOLUTION NO. XX-**

**DRAFT RESOLUTION DECLARING A WATER SHORTAGE  
EMERGENCY**

**WHEREAS**, PURSUANT to California Water Code Section 350 et seq., the Council has conducted duly noticed public hearings to establish the criteria under which a water shortage emergency may be declared;

**WHEREAS**, The Town is the water purveyor for the property owners and inhabitants of Hillsborough;

**WHEREAS**, The demand for water service is not expected to lessen;

**WHEREAS**, The water supply is inadequate to meet the ordinary demands and requirements without depleting the Town's water supply to the extent that there may be insufficient water for human consumption, sanitation and fire protection; and

**WHEREAS**, This condition is likely to exist until precipitation in the San Francisco Public Utilities Commission watersheds dramatically increases or, in the case of a disaster, until water system damage resulting from the disaster is repaired and normal water service is restored.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Hillsborough hereby directs the Mayor to find, determine, declare and conclude that a water shortage emergency condition exists that threatens the adequacy of water supply until the Town's water supply is deemed adequate. After the declaration of a water shortage emergency, the Mayor is directed to determine the appropriate Water Shortage Contingency Plan Stage and Actions, as outlined in the Town's 2015 Urban Water Management Plan, and, in the event of a Stage 4 or 5 drought, impose water use formula and penalties established in the Hillsborough Municipal Code Chapter 13.16 or implement the Town's Water Shortage Emergency Response Plan.

**BE IT FURTHER RESOLVED**, the Council shall periodically conduct proceedings to determine additional restrictions and regulations which may be necessary to safeguard the adequacy of the water supply for domestic, sanitation, fire protection and environmental requirements.

\_\_\_\_\_  
Mayor of the Town of Hillsborough

\_\_\_\_\_  
Attest: City Clerk

This resolution was adopted by the City Council of the Town of Hillsborough at its regular meeting held on the \_\_\_\_ of \_\_\_\_ 20xx, by the following vote of the members thereof:

AYES: Council Members \_\_\_\_\_

NOES: Council Members \_\_\_\_\_

ABSENT: Council Members \_\_\_\_\_

ABSTAIN: Council Members \_\_\_\_\_

**Exhibit N**  
**Ordinance 731 Adopting Water Service Charges**



**ORDINANCE NO. 731**

**ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH  
AMENDING SECTIONS 13.20.020 AND 13.20.040 OF THE HILLSBOROUGH  
MUNICIPAL CODE TO ADOPT MAXIMUM WATER SERVICE CHARGES AND  
MAXIMUM FIXED WATER SERVICE CHARGES FOR THE  
FIVE YEAR PERIOD EFFECTIVE FEBRUARY 2016**

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH, AS FOLLOWS:

**Section 1.** The title of Section 13.20.020 of the Hillsborough Municipal Code is hereby amended to read, "Fixed Water Service Charges."

**Section 2.** Hillsborough Municipal Code Section 13.20.020, Subsection A is hereby amended to modify the Town's existing water fixed service charges to establish a five-year schedule of not-to-exceed amounts as set forth in the table below. The text of Section 13.20.020.A. shall read as follows:

A. The Town may charge fixed service charges at or below the adopted amounts set forth for each year in the table below, but not in excess of the maximum charges. Such schedule of maximum charges is to be effective February 2016, and the maximum charges for each year are to be increased according to the schedule set forth in the table below. Each year the City Council will review the need to increase the fixed service charge based on prevailing financial requirements. The increase will only occur if it is determined that the presently projected need still exists and in no event will it exceed the maximum rate set forth on the following table.

	Effective Date					
	Current	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
Maximum Fixed Water Service Charges (If billed Monthly, per Connection)						
<u>Residential</u>	\$50	\$60	\$70	\$80	\$90	\$100
<u>Commercial Meter Size</u>						
1"	\$50	\$60	\$70	\$80	\$90	\$100
1 1/2"	\$100	\$110	\$120	\$130	\$140	\$150
2"	\$160	\$170	\$180	\$190	\$200	\$210
3"	\$300	\$310	\$320	\$330	\$340	\$350
6"	\$1,000	\$1,010	\$1,020	\$1,030	\$1,040	\$1,050
8"	\$1,600	\$1,610	\$1,620	\$1,630	\$1,640	\$1,650

	Effective Date					
	Current	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
Maximum Fixed Water Service Charges (If billed Bi-Monthly, per Connection)						
<u>Residential</u>	\$100	\$120	\$140	\$160	\$180	\$200
<u>Commercial</u>						
1"	\$100	\$120	\$140	\$160	\$180	\$200
1 1/2"	\$200	\$220	\$240	\$260	\$280	\$300
2"	\$320	\$340	\$360	\$380	\$400	\$420
3"	\$600	\$620	\$640	\$660	\$680	\$700
6"	\$2,000	\$2,020	\$2,040	\$2,060	\$2,080	\$2,100
8"	\$3,200	\$3,220	\$3,240	\$3,260	\$3,280	\$3,300

**Section 3.** Hillsborough Municipal Code Section 13.20.040.B. is hereby amended to modify the Town's existing water volume charges to the not-to-exceed amounts shown on the table below, including the addition of a revenue stabilization charge. The text of Section 13.20.040.B. is hereby amended to read as follows:

B. The Town may charge rates at or below the rates shown for each year in the table below, but may not charge rates in excess of those rates. Such schedule of maximum rates is to be effective February 2016, and the maximum rates for each year are to be charged according to the schedule set forth in the table below.

The revenue stabilization charge established for each year in the schedule set forth in the table below is added to the existing water volume charges to yield the total volume charge that will be used for calculating bills. Each year, or more frequently at the City Council's election, the City Council will review the amount of the revenue stabilization charge and may adjust it up or down to meet the water system's revenue requirements, but in no event above the maximum rate established for that year or more than the estimated reasonable proportional cost of providing water service to each parcel. If the City Council increases the revenue stabilization charge by less than the maximum for one year, it may thereafter increase the charge up to the maximum established for that year and in subsequent years up to the maximum for each such year. The City Council may also terminate the revenue stabilization charge if no longer required. The amount of each year's revenue stabilization charge will vary depending on usage levels, which are anticipated to be affected by the severity of the continuing drought or heavy rainfall. The following table shows the maximum revenue stabilization charge to be adopted for each of the next five years, the existing volume charges, and the combined volume charge with maximum revenue stabilization charge.



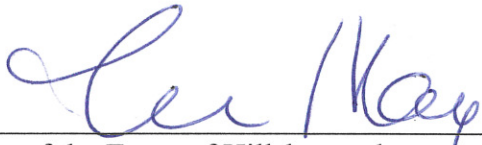
Maximum Water Service Rates (If billed Monthly)							
		Current	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
Volume Charges per Hundred Cubic Feet (HCF)							
0-10 HCF		\$7.14	\$7.14	\$7.14	\$7.14	\$7.14	\$7.14
11-25 HCF		\$8.44	\$8.44	\$8.44	\$8.44	\$8.44	\$8.44
26-50 HCF		\$9.68	\$9.68	\$9.68	\$9.68	\$9.68	\$9.68
51-100 HCF		\$11.58	\$11.58	\$11.58	\$11.58	\$11.58	\$11.58
Over 100 HCF		\$14.18	\$14.18	\$14.18	\$14.18	\$14.18	\$14.18
Revenue Stabilization Charge		Total Volume Charge with Revenue Stabilization Charge per HCF					
0-10 HCF		\$1.60	-	\$8.74	\$8.74	\$8.74	\$8.74
11-25 HCF		\$1.89	-	\$10.33	\$10.33	\$10.33	\$10.33
26-50 HCF		\$2.17	-	\$11.85	\$11.85	\$11.85	\$11.85
51-100 HCF		\$2.60	-	\$14.18	\$14.18	\$14.18	\$14.18
Over 100 HCF		\$3.18	-	\$17.36	\$17.36	\$17.36	\$17.36

Maximum Water Service Rates (If billed Bi-Monthly)							
		Current	2/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
Volume Charges per Hundred Cubic Feet (HCF)							
0-20 HCF		\$7.14	\$7.14	\$7.14	\$7.14	\$7.14	\$7.14
21-50 HCF		\$8.44	\$8.44	\$8.44	\$8.44	\$8.44	\$8.44
51-100 HCF		\$9.68	\$9.68	\$9.68	\$9.68	\$9.68	\$9.68
101-200 HCF		\$11.58	\$11.58	\$11.58	\$11.58	\$11.58	\$11.58
Over 200 HCF		\$14.18	\$14.18	\$14.18	\$14.18	\$14.18	\$14.18
Revenue Stabilization Charge		Total Volume Charge with Revenue Stabilization Charge per HCF					
0-20 HCF		\$1.60	-	\$8.74	\$8.74	\$8.74	\$8.74
21-50 HCF		\$1.89	-	\$10.33	\$10.33	\$10.33	\$10.33
51-100 HCF		\$2.17	-	\$11.85	\$11.85	\$11.85	\$11.85
101-200 HCF		\$2.60	-	\$14.18	\$14.18	\$14.18	\$14.18
Over 200 HCF		\$3.18	-	\$17.36	\$17.36	\$17.36	\$17.36

**Section 4.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be unconstitutional or otherwise invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the Town of Hillsborough hereby declares that it would have adopted the remainder of this ordinance, including each section, subsection, sentence, clause, phrase, or portion irrespective of the invalidity of any other article, section, subsection, sentence, clause, phrase, or portion.

**Section 5.** This ordinance shall be printed and posted upon the three official bulletin boards of the Town of Hillsborough and shall be effective 30 days after adoption by the City Council.

  
\_\_\_\_\_  
Attest: City Clerk

  
\_\_\_\_\_  
Mayor of the Town of Hillsborough

ORDINANCE NO. 731 of the TOWN OF HILLSBOROUGH introduced on December 14, 2015, and adopted on January 11, 2016, by the following vote of the City Council:

AYES: Councilmembers May, Chuang, Benton, Christianson, Royse

NOES: Councilmembers None

ABSENT: Councilmembers None

ABSTAIN: Councilmembers None

**Exhibit O**  
**SFPUC Emergency Preparedness Plan**



## 8.4 PREPARATION FOR CATASTROPHIC SUPPLY INTERRUPTION

The SFPUC maintains various planning documents which collectively address its emergency preparedness and planned response in case of a catastrophic interruption of water supplies due to power outages, earthquakes or other disasters. Additionally, the WSIP, previously discussed in **Section 6.1.2**, includes capital projects related to seismic reliability and overall system reliability.

### 8.4.1 Emergency Preparedness Plans

Following the 1989 Loma Prieta Earthquake, the SFPUC created a departmental Emergency Operations Plan (EOP). The SFPUC EOP was originally released in 1992, and has been updated as necessary ever since, most recently in September 2012. The SFPUC EOP addresses a broad range of potential emergency situations that may affect the SFPUC and supplements the City's Emergency Response Plan (formerly known as the City's EOP), which was prepared by the Department of Emergency Management and most recently updated in 2010. Specifically, the purpose of the SFPUC EOP is to describe its emergency management organization, roles and responsibilities, and emergency policies and procedures.

In addition, SFPUC divisions and bureaus have their own EOPs (in alignment with the SFPUC EOP), which detail that entity's specific emergency management organization, roles and responsibilities, and emergency policies and procedures. The SFPUC tests its EOPs on a regular basis by conducting emergency exercises. Through these exercises, the SFPUC learns how well the plans and procedures will or will not work in response to an emergency. EOP improvements are based on the results of these exercises and real-world event response and evaluation. The SFPUC also has an emergency response training plan that is based on federal, State, and local standards and exercise and incident improvement plans. SFPUC employees have emergency training requirements that are based on their emergency response roles.

### 8.4.2 Emergency Drinking Water Planning

In February 2005, the SFPUC published the City Emergency Drinking Water Alternatives report. The purpose of this project was to develop a plan for supplying emergency drinking water in the City after damage and/or contamination of the SFPUC raw and/or treated water systems resulting from a major disaster. Since the publication of this report, the SFPUC has implemented a number of projects to increase its capability to support the provision of emergency drinking water during an emergency. These projects include:

- Completion of many WSIP projects and other capital upgrades to improve security, detection, and communication;
- Public Information and materials for home and business;
- Construction of a disinfection and fill station at the existing San Francisco Zoo well, and obtaining a permit to utilize this well as a standby emergency drinking water source;
- Planned construction of six wells under the San Francisco Groundwater Supply Project, two of which will also serve as emergency drinking water supplies, including a distribution system to fill emergency water tankers;

- Purchase and engineering of emergency-related equipment, including water tanker trucks and water distribution manifolds, to help with distribution post-disaster; and
- Coordination of planning with City departments, neighboring jurisdictions, and other public and private partners to maximize resources and supplies for emergency response.

With respect to emergency response for the RWS, the SFPUC has prepared the RWS Emergency Response and Recovery Plan (ERRP), completed in 2003 and last updated in 2006. The purpose of the ERRP is to describe the RWS emergency management organizations, roles and responsibilities within those organizations, and emergency management procedures. This contingency plan addresses how to respond to and to recover from a major RWS seismic event, or other major disaster. The ERRP complements the other SFPUC emergency operations plans at the department, division, and bureau levels for major system emergencies.

The SFPUC has also prepared the RWS Water Quality Notifications and Communications Plan. This plan, which was first prepared in 1996 and was most recently updated in 2010, provides contact information, procedures, and guidelines to be implemented by several SFPUC divisions, wholesale customers, and BAWSCA. The plan treats water quality issues as potential or actual supply problems, which fall under the emergency response structure of the ERRP.

#### **8.4.3 Power Outage Preparedness and Response**

The SFPUC's water transmission system is primarily gravity fed from the Hetch Hetchy Reservoir to the City. Within the in-City distribution system, key pump stations have generators in place and all others have connections in place that would allow portable generators to be used.

Although water conveyance throughout the RWS would not be greatly impacted by power outages because it is gravity fed, the SFPUC has prepared for potential regional power outages as follows:

- The Tesla Treatment Facility, the SWWTP, and the San Antonio Pump Station have back-up power in place in the form of generators or diesel-powered pumps. Additionally, both the SWWTP and San Antonio Pump Station would not be impacted by a failure of the regional power grid because these facilities are powered by hydropower generated by the Hetch Hetchy Water and Power System.
- Both the HTWTP and the Baden Pump Station (part of the Peninsula System) have back-up generators in place.
- Administrative facilities that will act as emergency operation centers also have back-up power.
- The SFPUC has an emergency water supply connection with the SCVWD, the SCVWD intertie, which also has back-up generators in place.
- Additionally, as described in the next section, the WSIP includes projects that expand the SFPUC's ability to remain in operation during power outages and other emergency situations.

#### **8.4.4 Capital Projects for Seismic Reliability and Overall System Reliability**

As discussed previously, the SFPUC is also undertaking a WSIP to enhance the ability of the SFPUC water system to meet identified service goals for water quality, seismic reliability, delivery reliability, and water supply.

As illustrated previously, the WSIP projects include several projects located in San Francisco to improve the seismic reliability of the in-City distribution system, including more wells that can be used as emergency drinking water sources. The WSIP also incorporates many projects related to the RWS to address both seismic reliability and overall system reliability. The WSIP is currently at 90% completion.

In addition to the improvements that will come from the WSIP, the City has already constructed system interties for use during catastrophic emergencies, short-term facility maintenance and upgrade activities, and times of water shortages. These interties—the EBMUD-Hayward-SFPUC Intertie, SCVWD Intertie, and South Bay Aquaduct Interties—are described in **Section 7.4.3**.

- A 35 mgd intertie with EBMUD allowing EBMUD to serve the City of Hayward’s demand and/or supply the SFPUC directly (and vice versa);
- A 40-mgd system intertie between the SFPUC and SCVWD; and,
- One permanent and one temporary intertie to the South Bay Aqueduct, which would enable the SFPUC to receive State Water Project water.

The WSIP also includes projects related to standby power facilities at various locations. These projects will provide for standby electrical power at six critical facilities to allow these facilities to remain in operation during power outages and other emergency situations. Permanent engine generators will be provided at four locations (San Pedro Valve Lot, Millbrae Facility, Alameda West, and HTWTP), while hookups for portable engine generators will be provided at two locations (San Antonio Reservoir and Calaveras Reservoir).

## 8.5 MINIMUM SUPPLY FOR NEXT THREE YEARS

The table below projects retail and wholesale supplies for the next three years, assuming the conditions of years 1, 2, and 3 of a multiple dry year event.

**Table 8-6. Minimum Supplies for Next Three Years**

*[Standardized Table 8-4 Retail: Minimum Supply Next Three Years]*

*[Standardized Table 8-4 Wholesale: Minimum Supply Next Three Years]*

Year	2016	2017	2018
Multiple Dry Years	Year 1	Year 2	Year 3
Retail Supplies <sup>a</sup>	83.4	79.9	79.9
Wholesale Supplies <sup>b</sup>	152.9	129.2	129.2

a Retail supplies are comprised of RWS (up to 81 mgd in dry year 1, and up to 77.5 mgd in dry years 2 and 3 of a multiple dry year event assuming a 2015 base year), groundwater (2.2 mgd), and recycled water (0.2 mgd). Near-term projections for non-potable supplies are not available and would be minimal, and are therefore not included in this table. This row includes supplies to Groveland CSD (approximately 0.5 mgd).

b Wholesale supplies are comprised of RWS only. The corresponding standardized table in **Appendix B** includes supplies to Groveland CSD (approximately 0.5 mgd).

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**Exhibit P**  
**Hillsborough Emergency Response Plan**



*TOWN of HILLSBOROUGH*  
**Emergency Response Plan**



*System No. 4110016*

Date of Publication: October 7, 2004

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## **A WaterISAC Fact Sheet**

## **B Emergency Contact Lists**

Government Agencies

FBI Reporting Criteria

California Dept of Health Service Notification Plan

San Francisco PUC Emergency Communications Plan

Hillsborough Public Works Staff Phone List

Hillsborough Public Works Chain of Command

Vendor Contact List

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Reduced Water Supply Alert

Water Contamination Alert

Boil Water Order

Do Not Use Water Order

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## **E Emergency Procedures**

SFPUC Meter Bypassing Procedures

Pump Station Bypassing Procedures

Water Tank Bypassing Procedures

Locations of Interconnections to Adjacent Water Systems

# Glossary

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BAWSCA.....	Bay Area Water Supply & Conservation Association
CDHS .....	California Department of Health Services
CS-2 .....	Crystal Springs #2 Transmission Main [SFPUC]
DOC .....	Department Operations Center
EBS .....	Emergency Broadcast System
EOC.....	Emergency Operations Center
FEMA.....	Federal Emergency Management Agency
HGL .....	Hydraulic Grade Line
JIO.....	Joint Information Center
MG .....	Million gallons
MGD .....	Millions gallons per day
OES .....	California Office of Emergency Services
PIO.....	Joint Information Center
PRV .....	Pressure Regulating Valve
SCADA.....	System Control and Data Acquisition
SEMS .....	Standardized Emergency Management System
SFPUC .....	San Francisco Public Utilities Commission
SSPL.....	Sunset Transmission Main [SFPUC]
WARN .....	Water Agency Response Network
Senior Water System Operator .....	Lead Maintenance Worker
Water System Operator.....	Maintenance Worker

# 1. Introduction

---

## 1.1 Requirement

The *Public Health Security and Bioterrorism Preparedness and Response Act of 2002* (PL 107-188) requires community water systems to conduct vulnerability assessments (VA) under the authority of the U.S. Environmental Protection Agency (USEPA). The law also requires water utilities to develop a new emergency response plan (ERP) or enhance an existing ERP within 6 months of completing the VA.

The Hillsborough Water Department submitted their VA to the EPA on April 27, 2004.

Hillsborough Water Department sent certificate of ERP completion to EPA on October 27, 2004

*This plan is " For Official Use Only" and should not be released for general distribution.*

## 1.2 Purpose

The purpose of this document is to identify planning and specific response actions to be taken during an emergency that will maintain quantity and quality of water, protect employees, minimize disruption to the public, and preserve property. The document addresses water emergencies that will be handled primarily by the utility as well as the utility's support and cooperation with other agencies during large-scale emergencies. This ERP accomplishes the following:

- Develops an Emergency Response Team (ERT) and identifies responsibilities for each team member.
- Establishes an Emergency Operations Center (EOC) with essential components.
- Establishes procedures for internal and external notification and crisis communications, including emergency contact information.
- Helps the utility minimize the impact of an emergency on its facilities by developing general actions and procedures and providing critical response information.
- Helps the utility protect the health and safety of its employees, its customers, and the general public.
- Provides training guidelines to develop and conduct emergency response training for utility staff.
- Provides guidelines for distribution, revision, and updates of the ERP.

The ERP is intended to supplement existing standard operating procedures, existing utility emergency response plans and procedures, and emergency response plans created by other agencies.

## 1.3 Authorities and References

The following Authorities and References provide the framework for this ERP:

- **Public Health Security and Bioterrorism Preparedness Act (PL 107 – 188)** - Requires community water systems to conduct vulnerability assessments (VA) under the authority of the U.S. Environmental Protection Agency (USEPA). The law also requires water utilities to develop a new emergency response plan (ERP) or enhance an existing ERP within 6 months of completing the VA.
- **California Emergency Services Act (1952, 1970, 1986, 1992)** – Authorizes political subdivisions (e. g. cities and water districts) of the State to conduct emergency operations.
- **Government Code 8607** – Requires use of SEMS to recover certain emergency response costs.
- **California Department of Health Services, Office of Drinking Water, Public Notification** – Describes public notification and water quality procedures in the event of emergencies

## 1.4 Emergency Planning Assumptions

This plan is based upon a number of planning assumptions and considerations that include, but are not necessarily limited to, the following:

- Depending on the scope and magnitude of the incident, this Water Emergency Management Plan and/or the Town of Hillsborough Emergency Operations Center (EOC) may be partially or fully activated;
- The Town will take immediate actions to address threats to life safety or property damage in accordance with established emergency procedures;
- Public Works maintenance, engineering and clerical staff may be called upon to serve specific functions in the Town's Emergency Operations Center (EOC);
- All Town of Hillsborough staff are public utility employees; as such, all Town of Hillsborough employees are considered to be Disaster Service Workers and may be called upon during an emergency; and
- Close coordination and communication will be required with the Town of Hillsborough's water wholesaler whenever the quality or quantity of water is impacted by an emergency.
- State and Federal support, if required will be requested and provided through the San Mateo County EOC.



## 1.5 Water System Overview

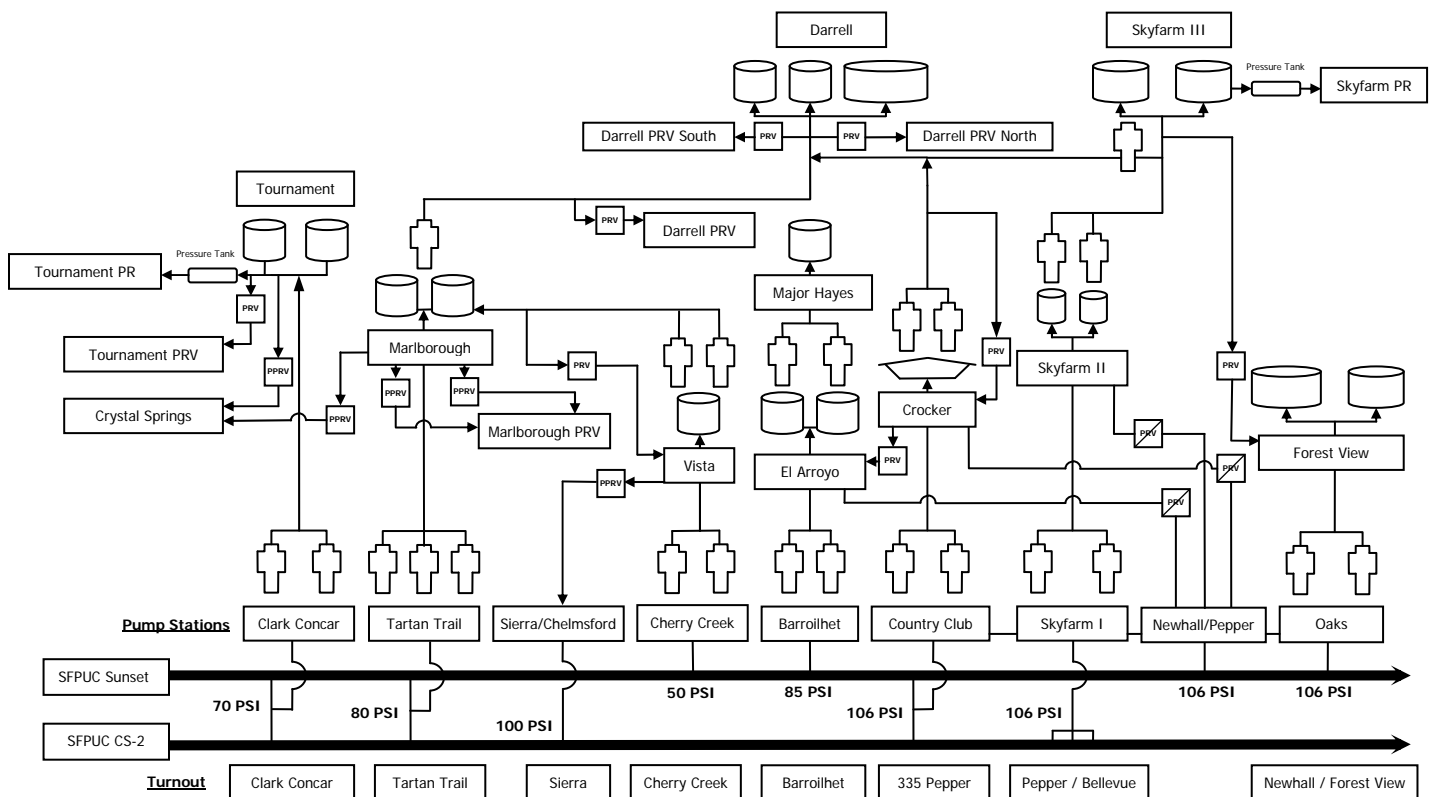
The Hillsborough Water System provides water to a population of 10,825 through 4,235 service connections. It is a water retailer that purchases water from the San Francisco Public Utilities Commission [SFPUC]. The system is divided into 15 pressure zones. Of these, 5 are pressurized by the SFPUC through their meters at the local entry points to the Hillsborough distribution system. The remaining 13 zones are supplied by pumping water uphill from the SFPUC turnouts through 13 pump stations to 18 storage reservoirs.

These reservoirs have a maximum capacity of 8.325 MG. The actual volume of water stored averages 5.8 MG. System demand ranges from a low of 1.25 MGD in the winter to 6.02 MGD in the summer. Two of the reservoir sites supply water to the highest elevations of the Town's system through two hydro-pneumatic booster pump stations. All the reservoirs supply water by gravity to the pressure zones located in the intermediate elevations. 12 pressure reducing stations [2 others can be used in emergencies] are used to supply water at the lower pressure zones.

The sole source of water for the Town's system is the SFPUC, which supplies water to our system from two of their principal transmission pipelines. The 60-inch Sunset and 72-inch Crystal Springs #2 mains run roughly parallel from north to south through the Town'd service area. The SFPUC provides water to Hillsborough through 9 metered turnouts.

### Hillsborough Water System Schematic

(Figure 1)



## 1.6 Summary of Hazards and Emergency Action Levels

Daily updates regarding terrorist hazards to the water system can be obtained by members of the Water Information Sharing and Analysis Center (WaterISAC) described in the Fact Sheet in **Appendix A**. Membership with WaterISAC also provides a system for receiving emails regarding terrorist threats.

The emergency response protocol checklists provide a list of potential emergencies that could occur as a result of a natural, technological, or man-made disaster. The checklists also provide a general list of response actions for each event.

Table 1 shows an emergency action level guide to use during an emergency event. This guide is based on information from the VA for the water system.

**TABLE 1**

### Emergency Action Levels

<b>Emergency Action Levels</b>	<b>Emergency Response Organization Action</b>	<b>Example</b>	<b>Criteria</b>
Level 1 Emergency	Handled by Operations Managers and their staff No DOC or EOC activation Monitor situation	Scheduled Pump Repairs Water Main Break Short-term power outage	Potential problem identified No external impacts
Level 2 Emergency	Notification of Emergency Coordinator and Department Head DOC activation Possible EOC activation	SFPUC Transmission Main Break Contaminant suspected in SFPUC mains but not detected at system turnouts	Problem can be fixed in < 24 hours 0 deaths/illnesses, <\$10K damages, <24 hours duration and < 50 customers affected
Level 3 Emergency	Notification of Emergency Coordinator, Department Head, Public Safety, elected Town officials Town EOC activation Possible County/Regional EOC activations	Long-term local power outage Contamination detected in the Town's water system	Major event affecting a large part of the water system up to 2 days duration 1 death/illness, >\$100K damages, >24 hours duration and >100 customers affected
Level 4 Emergency	Notification of Emergency Coordinator and Emergency Squad Leader Town EOC activation County/Regional EOC activations	Long-term regional power outage Widespread contamination of SFPUC system or treatment plants & Town system	System-wide and regional impact (other utilities such as gas and electric are likely to be affected as well) > 1 death/illness, >\$1M damages, > 2 days duration and >1,000 customers affected.

## Homeland Security Terrorist Advisory System (Figure 2)



The Federal Office of Homeland Security developed a terrorist advisory system for the general public (*Figure 2*), next page. The American Water Works Association (AWWA) e-mails each member water system in the event that the advisory condition changes and will suggest emergency preparations that should be considered.

## 1.7 Emergency Response Objectives

Major goals of the Town's response to an emergency are to:

- Assure life safety and property protection;
- Provide for public health;
- Contain damage and secure hazards;
- Make emergency repairs; and
- Maintain essential services.

## 1.8 Emergency Response Priorities

Competition for limited resources will occur during major emergency events. To assist in emergency response decision-making, the following response priorities, in order of importance, have been established as a guide for allocating resources and coordinating response activities:

- Firefighting/suppression capability;
- Containment of contaminated water;
- Critical facilities (e.g. Town Hall, Hillsborough Police and Fire Stations);
- Evacuation shelters and schools.

Within these priorities, additional criteria to be considered when establishing response and restoration priorities include:

- The number of persons affected;
- Time and resources required to complete the repair;
- Availability of other means of meeting the need; and
- Accessibility to the site.

## 2 Organizational Roles and Responsibilities

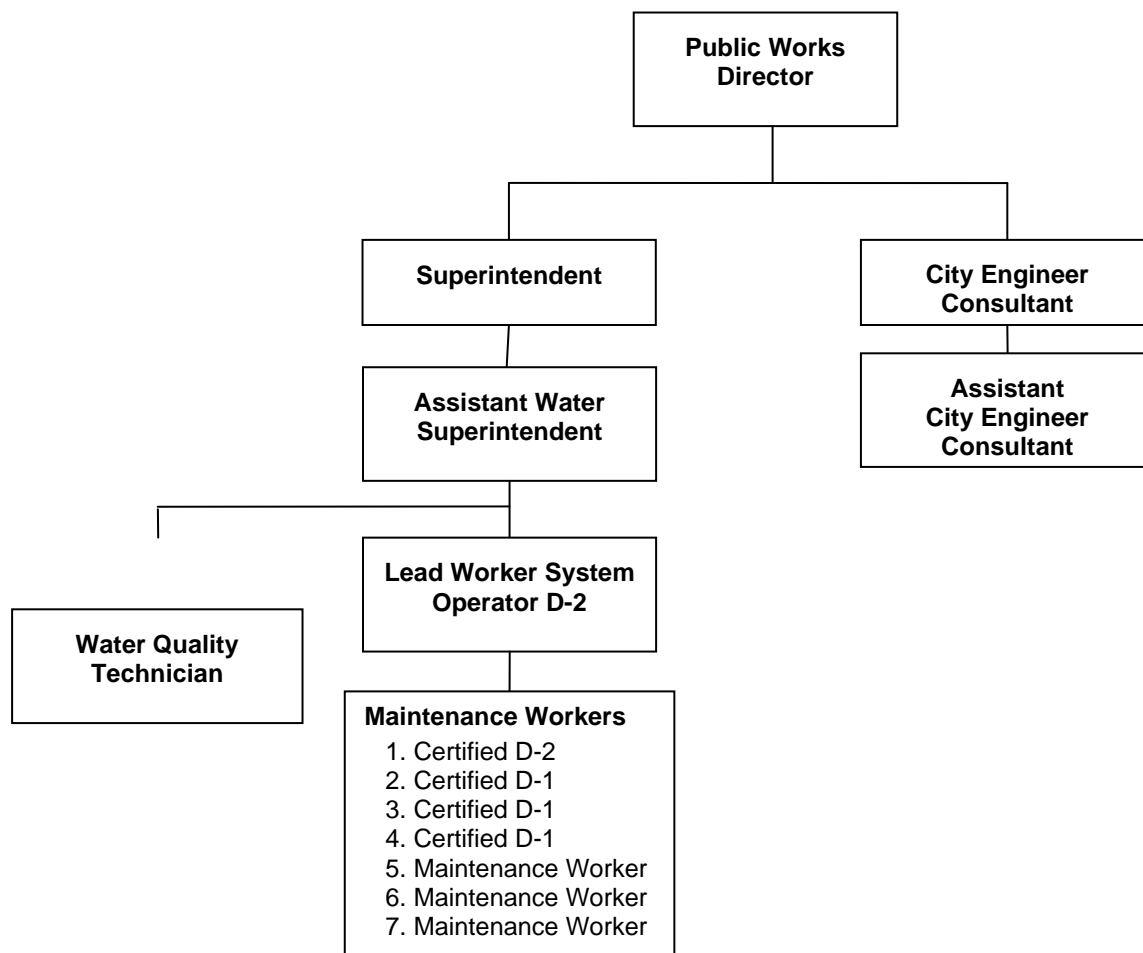
### 2.1 Town of Hillsborough Water System Organization

The Town of Hillsborough operates its water system under general supervision of the Public Works Director. The City Engineer provides engineering and administrative services to the Director. Clerical support for all these positions is provided by one position.

Management of the daily operations of the water crew is provided by the Assistant Water Superintendent. He directs the water maintenance crew, which includes the Lead Maintenance Worker, four certified maintenance workers and three uncertified maintenance workers... Water quality programs are handled by the Water Quality Technician.

#### Hillsborough Water System Organization Chart

(Figure 3)



## 2.2 Standardized Emergency Management Systems (SEMS)

This document applies to emergency events that affect Hillsborough's water system. In the event of an emergency that involves Hillsborough *and* neighboring agencies, the Standardized Emergency Management System (SEMS) tracking will be implemented. By following SEMS protocol, the Town is eligible for State reimbursements for emergency response related costs. The SEMS organization can consist of five principle sections that could be activated during an emergency...

The sections are:

### **Management Section**

The / Director of Emergency Services has overall management responsibility for the incident. A Command Staff element is provided for handling such matters as Public Information, Safety and interagency liaison. Multi-jurisdiction incidents will involve a Unified Command, which will bring together Incident Commanders to develop a common action plan for available resources.

### **Operations Section**

The Operations Section is responsible for the management of all incident tactical activities. The Incident Commander heads this section. On multi-disciplinary incidents, the Operations Section Chief may have deputies. The Operations Section can be subdivided into Branches, e.g., Law Branch, Fire Branch, and Medical Branch, etc. Branches may be further divided into divisions and smaller units. Staging areas for resources are under the management of this Section

### **Planning Section**

This section is headed by the Planning Section Chief and is structured into several units, depending upon the needs of the incident. Situation Assessment and Resources Status are examples of the kinds of units that may be formed within this Section. The Planning Section collects and analyzes all data regarding incident operations, develops alternatives for tactical action plans, conducts planning meetings and prepares the incident action plan for extended emergencies.

### **Logistics Section**

This section is headed by the Logistics Section Chief, and is responsible for meeting the logistical needs of the Operations Section. This can include procuring equipment and supplies, providing of food and medical support to incident assigned personnel, and meeting the transportation requirements of the incident. The Logistics Section can be divided into Branches and Units as the situation requires.

### **Finance Section**

This section will be activated when required to maintain records on personnel and equipment time, to provide payments to vendors for supplies and equipment, and to track costs. It is crucial for possible expenditure reimbursements that accurate emergency-related cost records be maintained. Without this documentation, reimbursements to the Town cannot be justified. Coordination with Finance staff is necessary

## 3 Emergency Response Plan Components

---

Hillsborough's Emergency Response Plan incorporates the organization and planning components of the Federal Emergency Management Agency (FEMA) and the California Office of Emergency Services (OES) guidelines. It describes the Emergency Response Plan and the Town's DOC or EOC organization structure, and outlines procedures and responsibilities for each group. As indicated below, activation of the components of this plan is determined by the level of response required to mitigate the emergency.

### 3.1 Department Operations Center, DOC

The DOC consists of the Department Head, Assistant City Engineer, Assistant Water Superintendent and may also include other Public Works Supervisors who are asked to provide support to the Water Department when low-level emergency water situations arise that are beyond the resources of the Water Department alone to handle. This includes situations with multiple concurrent incidents or management of single incidents lasting longer than one shift. The DOC will usually be set up at the Corporation Yard at 1320 La Honda Road. The Public Works Director will be contacted there whenever the DOC is activated.

The DOC will also be activated whenever the EOC requires coordination of activities related to water system operations. Due to Hillsborough's limited staff resources, Public Works staff will continue to provide functional support to the EOC in handling water systems operations, and the management of the incident will be under the direction of staff in the EOC.

### 3.2 Hillsborough Emergency Operations Center, EOC

Hillsborough's EOC Command Staff Organization Chart consists of the five SEMS management functions. The Town of Hillsborough's Emergency Operations Center is located at the Council Chambers, Hillsborough Town Hall, 1600 Floribunda Avenue Hillsborough, CA. The telephone number to contact the City Manager is (650) 375-7481. While acting in the capacity of the Director of Emergency Services in the EOC, the phone there is (650) 375-7404)

The City Manager may activate the EOC or, in his absence, by the following designated representatives:

**Assistant City Manager**

**Fire Chief**

**Police Chief**

**Battalion Chief**

**Watch Commander**



Anytime emergency conditions meet one or more of the following criteria, the EOC may be activated.

- Conditions require a response which is or is likely to be beyond the capability and the resources of the Hillsborough Public Works Department to manage alone;
- The emergency requires response from Hillsborough Public Safety personnel
- The emergency may require the response of multiple agencies to manage;
- The situation is anticipated to last for an extended period of time and will cause long-term disruption to service in the community;
- Anytime it is determined and is concurred in by at least two other Department Heads that a coordinated response to an event will benefit the citizens of the Town of Hillsborough; and,
- Anytime a Public Safety Field Commander considers an incident being responded to as having the potential of expanding to the point that activation of the EOC will enhance the response and mitigation effort.

### 3.3 Public Works Staff EOC Roles & Responsibilities

When the Hillsborough EOC is activated, staff from Public Works management will join the other designated Town personnel to staff the emergency management team. The Town's EOC Response Plan and EOC procedure binders are located inside the closet in the Council Chamber.

### 3.4 Water Wholesalers' Emergency Plans

The SFPUC emergency operations plan incorporates actions that affect the water supplied to its consecutive retailer customers. The SFPUC Plan details procedures for communicating with its customers and contains sample disaster scenarios that illustrate implementation of response procedures taken by it and its customer water retail agencies. A copy of the SFPUC Plan is provided to Hillsborough and is located in the Assistant Water Superintendent's office. Another copy is located at the EOC.

### 3.5 SFPUC's Rapid Notification Plan

SFPUC's Rapid Notification Communications Plan, as required by DHS, is an alphanumeric pager and fax message system used to notify and provide water quality, water supply, and system operation information to retailers. Hillsborough Water Department staff may receive two types of SFPUC pager messages (alpha numeric):

- **Action Message** – to request retailers to reduce demand or go to alternate supplies, etc.
- **Alert Message** – to alert retailers of water quality or supply problems

All pager messages from SFPUC are typically identified at the end of the message with "SFPUC, (name)." SFPUC will follow up pager messages with a fax. In addition to pager messages above, SFPUC will send advisory messages via fax. Town staff can, in return, send pager messages to selected SFPUC personnel.

The following Hillsborough Public Works Department staff carries these pagers:

- Public Works Director
- Assistant Water Superintendent
- Assistant City Engineer
- On-call response worker

## 4 Plan Activation Sequence

---

### 4.1 Department Operations Center, DOC

Most short-term, low level emergencies can be handled at the Hillsborough Public Works Department level without activation of the DOC. The DOC may be activated at the discretion of the Public Works Director or the Assistant Water Superintendent if the duration of an event exceeds one shift to restore water service.

### 4.2 DOC Water Emergency Management Plan Roles

The DOC Water Emergency Management Plan may be activated when low to mid-level emergency water situations arise that Public Works staff can handle. An example is short-term water supply curtailment from our wholesaler, the SFPUC. The Assistant Water Superintendent or the Lead Maintenance Worker may activate the DOC or, in their absence, by the City Engineer.

These individuals are authorized to implement responses to water quality, water supply, and system operation information received. In the event that a public notification is required, coordination with the City Manager, Assistant City Manager, City Clerk, City Engineer, or Public Works Director should be implemented.

Public Works managers shall contact staff as necessary for assistance in the field and/or office. Table 1 lists roles and responsibilities during a DOC activated event on the next page. Generally the DOC will be under the direct control of the Public Works Director, at the Public Works Administration Building, located at 1320 La Honda Road.

**Table 1 – DOC Staff Roles & Responsibilities**

<b>SEMS Function</b>	<b>Role</b>	<b>Responsibilities</b>
<b>Incident Command Management Section</b>	<b>Public Works Director</b> (A) Asst. City Engineer (A) Assistant Water Superintendent (A) Water Lead Maintenance Worker	<ul style="list-style-type: none"> <li>Assess pre-established triggers.</li> <li>Determine level of emergency and notification.</li> <li>Provides status reports to City Manager.</li> <li>Coordinate issuing emergency water use reduction alert, boil water notice, unsafe water alert if indicated.</li> </ul>
<b>Operations Section</b>	<b>Asst. Water Superintendent</b> (A) Water Lead Worker	<ul style="list-style-type: none"> <li>Make notifications as directed.</li> <li>Coordinate with external agencies as necessary.</li> <li>Prepare customer notification messages.</li> <li>Contact water wholesalers and other agencies as necessary</li> </ul>
<b>Planning Section</b>	<b>Public Works Director</b> <b>City Engineer</b> (A) Asst. City Engineer (A) Water Quality Technician	<ul style="list-style-type: none"> <li>Assist with assessing impact of problem.</li> <li>Identify short- and long-term impacts of event on Town operations.</li> <li>Assess problem and estimated duration.</li> <li>Identify immediate appropriate actions to be taken by Town personnel.</li> <li>Coordinate Public Notification and information.</li> </ul>
<b>Logistics Section</b>	<b>Street Supervisor</b> (A) Sewer Supervisor (A) Secretary	<ul style="list-style-type: none"> <li>Arranges for relief staffing as necessary.</li> <li>Procures supplies and equipment as requested.</li> <li>Arranges for other crew support as necessary.</li> <li>Meet transportation needs of the incident.</li> <li>Provide food and medical support to incident assigned personnel.</li> <li>Supervise crews to assist with damage assessment and repair of facilities.</li> <li>Establish and maintain status board.</li> <li>Identify alternative corrective strategies.</li> <li>Obtain required maps, schematics and drawings as necessary.</li> </ul>
<b>Finance Section</b>	<b>Finance Director</b> (A) Assistant Finance Director (A) Finance Clerks	<ul style="list-style-type: none"> <li>Prepare summary system status reports.</li> <li>Maintain records on personnel and equipment time.</li> <li>Provide payments to vendors for supplies and equipment.</li> <li>Track costs.</li> </ul>

(A) Alternate

### 4.3 Contact Information

**Appendix B** contains a number of phone lists for contacting other government agencies, the California Department of Health Services (CDHS), the Town's water supply wholesaler (the SFPUC), Town personnel, and a list of local vendors and service suppliers. It includes notification sequences and lists phone numbers (work, home, cell), pager numbers, and fax numbers where available.

### 4.4 EOC Activation Triggers/Criteria

There are two possible threats that may trigger implementation of this portion of the plan:

- **Water Shortage Event**

An event (non-drought) where there is not enough water to meet the normal demands of the Town.

- **Water Contamination Event**

An event where the water quality may not meet Safe Drinking Water Standards. summarizes the Town's short-term and long-term stages of response depending on the water supply situation. In all cases, the response is dictated not only by supply that is lost, but also by the amount of storage available, the demand at the time of the emergency, and the expected time to recover from the problem. During an emergency, supply, demand and storage, as well as system response to the implemented action, must be monitored continuously to determine if and when the next response action or category should be activated. Hillsborough' SCADA system data may also be available to provide EOC managers important information.

In some cases, the Town may not know how long an interruption in water supply will last. In this event, staff should assume a long-term interruption may occur.

**Table 2 - Activation Triggers and Potential Actions**

<b>Response Category</b>	<b>Activation Triggers</b>	<b>Potential Activation Actions</b>
<b>Level 0</b>	<ul style="list-style-type: none"> <li>• Changes in wholesalers' source water blends due to seasonal changes or plant maintenance.</li> <li>• No loss in water supply.</li> </ul>	None.
<b>Level 1</b>	<ul style="list-style-type: none"> <li>• Possible partial or full shutdowns of either SFPUC supply sources.</li> </ul>	Fill reservoirs and standby. Notify Director
<b>Level 2 (Possible DOC activation)</b>	<ul style="list-style-type: none"> <li>• Complete loss of either SFPUC's CS-2 or SSPL supply (lasting &lt; 24 hrs.**).</li> </ul>	Manually turn on pumps to fill reservoirs ASAP.  Close SFPUC turnout(s) when pressure drops.

Response Category	Activation Triggers	Potential Activation Actions
<p><b>Level 3</b> <b>(DOC activation)</b></p>	<ul style="list-style-type: none"> <li>• Complete loss of either SFPUC CS-2 or SSPL supply (lasting &gt; 24 hrs. **).</li> </ul>	<p>Manually turn on pumps to fill reservoirs ASAP.</p> <p>Close SFPUC turnout(s) when pressure drops.</p> <p>Open Newhall/Pepper - zone intertie valves.</p> <p>Notify Director, Chiefs of Police and Fire Departments</p>
<p><b>Level 4</b> <b>(EOC activation)</b></p>	<ul style="list-style-type: none"> <li>• Complete loss of both SFPUC's CS-2 and SSPL supplies (lasting &lt; 24 hrs. **).</li> </ul>	<p>Manually turn on pumps to fill reservoirs ASAP.</p> <p>Close SFPUC turnout(s) when pressure drops.</p> <p>Open Newhall/Pepper - zone intertie valves.</p> <p>Notify customers.</p> <p>Implement temporary water conservation measures.</p> <p>Notify Director, Chiefs of Police and Fire Departments</p>
<p><b>Level 5</b> <b>(EOC activation)</b></p>	<ul style="list-style-type: none"> <li>• Complete loss of both SFPUC's CS-2 and SSPL supplies (lasting &gt; 24 hrs. **).</li> </ul>	<p>Manually turn on pumps to fill reservoirs ASAP.</p> <p>Close SFPUC turnout(s) when pressure drops.</p> <p>Open Newhall/Pepper - zone intertie valves.</p> <p>Implement &amp; enforce mandatory rationing.</p> <p>Notify City Manager, Department Heads and County OES.</p> <p>Request assistance through II-WARN agreement</p> <p>Notify Director, Chiefs of Police and Fire Departments</p>

\*\* The 24-hour period is an estimate only. The actual time period shall be the length of time that the Town can supply reservoir water.

@ Activation actions are described in greater detail in the Water Shortage Event Procedures flowchart **is shown on page 22** and the Water Contamination Event Procedures flowchart is **shown on page 23**.

## 4.5 Water Shortage Event

This Water Emergency Management Plan may be implemented in an event where there is not enough water to meet the normal demands (non-drought) of the Town. The flow chart on **page 22** shows procedures that staff may follow during a water shortage event.

## 4.6 Water Contamination Event

This Water Emergency Management Plan may be implemented in a water contamination event and/or when the Town's water may not meet Safe Drinking Water Act water quality standards. Several scenarios exist:

- **Contamination occurs outside the Town's distribution system and has not yet reached the Town's turnouts.**

The SFPUC detected contaminated water and the water in their system, but it has not yet reached the Town's turnouts (no contamination of the Town's distribution system). Under normal average day conditions, a plug flow from SFPUC's Sunol Water Treatment Plant and Irvington Tunnel would take about 4-1/2 hours to reach the Town.

- **Contamination occurs outside the Town's distribution system and has reached the Town's turnouts.**

The SFPUC is delivering contaminated water and the water has already reached the Town's turnouts and distribution system (confirmed through monitoring). Town EOC personnel may decide to issue a Boil Water Notice/Order if the contamination is due to biological contamination or an Unsafe Water Alert in the event boiling is not sufficient.

- **Contamination occurs within the Town's distribution system.**

Contaminated water is within the Town's distribution system. Town personnel may recommend to the CDHS approval to issue a Boil Water Notice/Order if the contamination is due to biological contamination or an Unsafe Water Alert in the event boiling is not sufficient.

335 Pepper  
Barroilhet  
Cherry Creek

**(Page 23)** shows procedures that staff may follow during a water contamination event, which may eventually lead to a water shortage event.

## 4.7 Staff Recall and Reporting Locations

When the Hillsborough EOC is activated, in addition to the key personnel assigned to the EOC, other Town staff from any non-public safety departments may be assigned to assist in one of the sections in the EOC.

When the EOC is not activated, the Public Works Director will instruct Public Works staff to provide necessary field and/or office assistance. Reporting location is, in order of preference unless inaccessible, the Corporation Yard, Town Hall, or Fire Station 32, located at 330 Ascot Road.

## 4.8 WARN Mutual Aid Agreement

In the event Town resources (equipment, personnel) are inadequate to manage the emergency, assistance may be obtained through a mutual aid agreement with neighboring agencies. Emergency assistance requests shall be directed to the appropriate designated official(s) from the WARN list of participating water agencies. **See Appendix A.**

## 4.9 Notifications

In addition to general SEMS implementation notifications, upon activation of the Water Emergency Management Plan, the City Engineer will be responsible to ensure that the following agencies are notified:

- California Department of Health Services (CDHS)
- San Francisco Public Utilities Commission (SFPUC)
- San Mateo County Department of Health
- Neighboring water agencies including City of San Mateo and City of Burlingame.

**Appendix B** has several phone contact lists to refer to for notifying these agencies. Contacts for local and regional public safety personnel and Homeland security are also included for reference.

**Figure 2: Flowchart – Water Shortage Event Procedures**

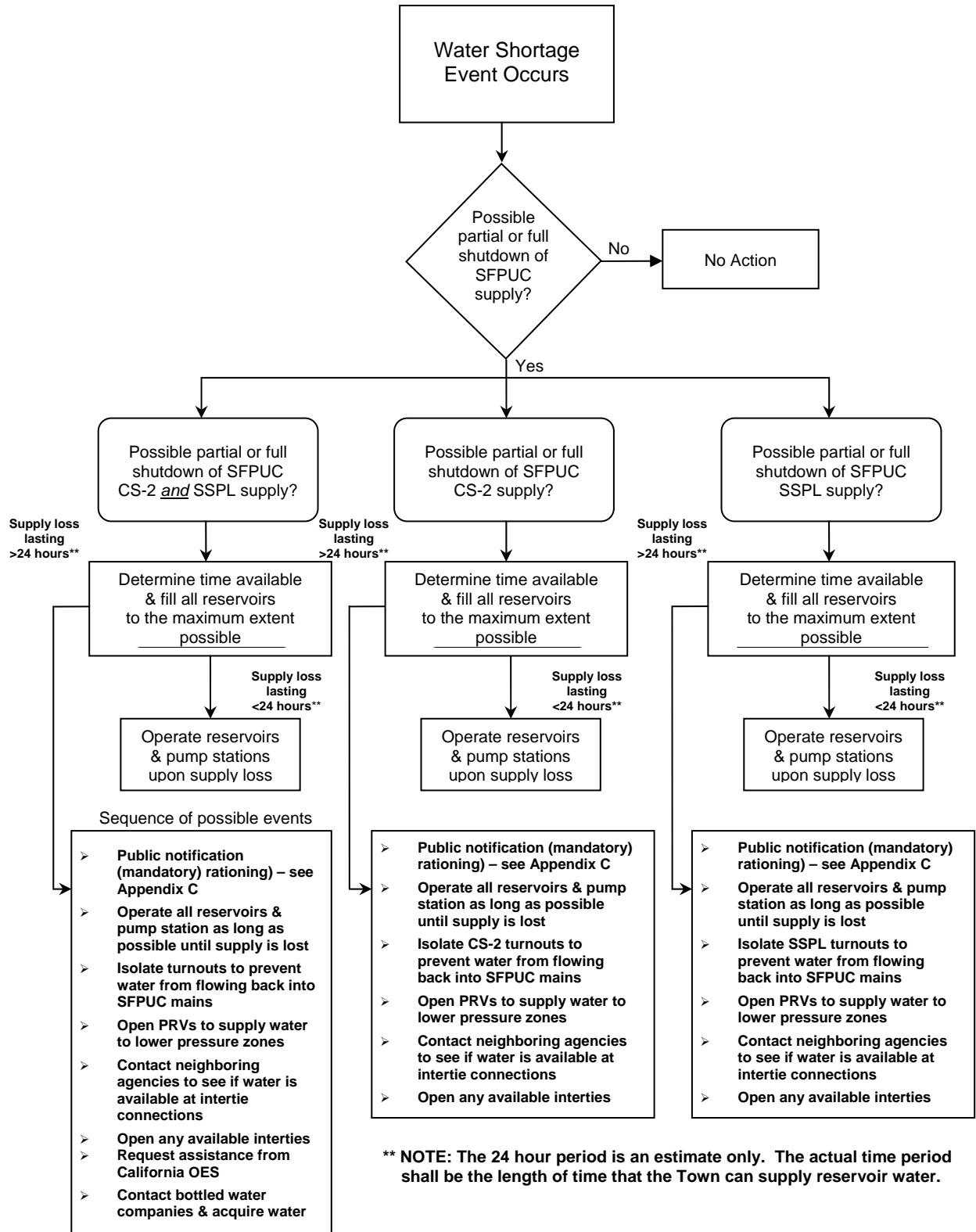
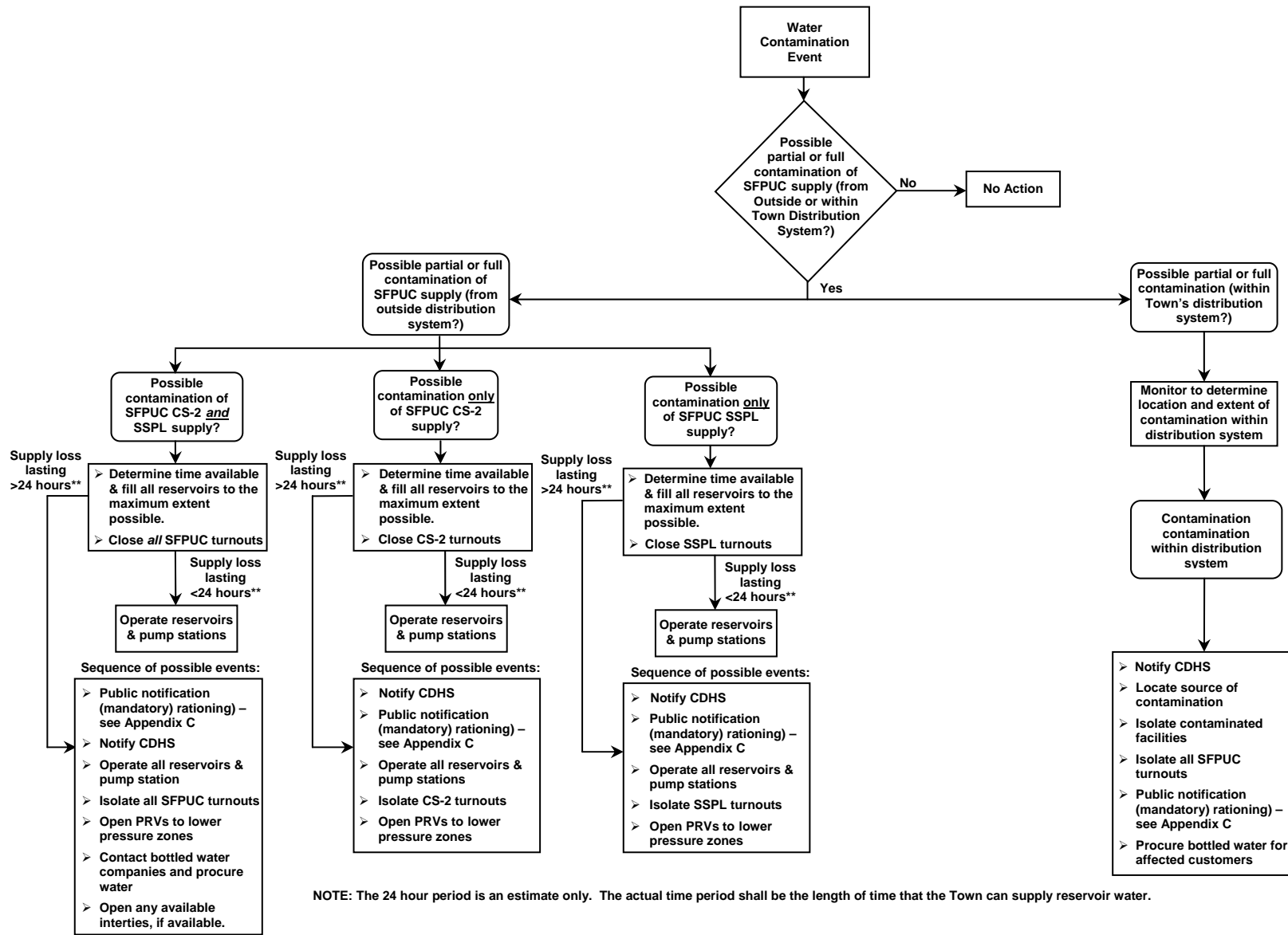




Figure 3 - Flowchart - Water Contamination Event Procedures



## 4.10 Damage Assessment

In order to assure system operability and reliability following a major event causing actual or potential damage to equipment or facilities, the Town will perform a damage assessment for all water system facilities buildings and components. All Hillsborough water facilities (turnouts, reservoirs, pump stations, PRVs, and water mains) must be assessed. Those facilities confirmed to have sustained damage shall go through three successive damage assessment stages:

- Initial damage assessment to document extent of damage, to estimate preliminary cost of repair, and to establish repair priorities;
- Safety assessments to determine if structures are safe to enter and operate; and
- Follow-up assessments to provide a detailed engineering report on damages and approaches to permanent repair.

# 5 Crisis Communication Plan

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## 5.1 Introduction and Purpose

During a crisis, clear and timely communication can save lives, property, and credibility. This Crisis Communications Plan outlines the roles, responsibilities, and steps for effective communication during a crisis.

The purpose of this Crisis Communications Plan is to:

- Identify the Crisis Communications Team and define the roles and responsibilities of each team member.
- Outline clear and easy-to-follow procedures for communicating with various groups during a crisis.
- Provide tools for use during a crisis to facilitate timely, accurate communication with identified groups.
- Provide key messages for crisis communications.

**Appendix B** contains emergency contact information for members of the Town's ERT; service providers, including chemical and equipment suppliers; local emergency response agencies; federal, state, and local regulatory agencies; media contacts; and sensitive customers.

**Appendix C** contains prepared messages that the Hillsborough Public Works Department can use to notify its customers and the public media about typical water emergencies affecting the water supply or water quality in its service area.

## 5.2 Crisis Communications Team

The members of the crisis communications team include the following personnel:

- Communications/Media Coordinator..... Asst. Town Manager
- EOC Spokesperson ..... Police Commander
- Administrative Coordinator ..... Director of Public Works
- Technical Resource Group  
(Same as Emergency Response Team)..... City Engineer,  
Assistant City engineer  
Assistant Water Superintendent  
Water Quality Technician

## 5.3 Crisis Communication Procedures

Hillsborough plans to set up a phone message to help direct calls directly for an adequate response.

- **Utility staff and next-of-kin:** The Corporation Yard office will have one phone line dedicated solely for use of staff and their families. Whenever practical, each field repair crew will have a radio or cellular phone available on the work site, so Corporation Yard staff to reach them.
- **Vendors, contractors, and visitors** will be directed to contact the EOC Logistics Section phone number: (650) 375-7451
- **Hillsborough water customers** will be directed to contact the normal customer service or water quality phone numbers: (650) 375-7402
- **News Media** will be directed to the PIO’s phone number: (650) 375-7407 in the Management Section of the EOC.
- **Local, State, and Federal agencies** will contact the EOC Director of Emergency Services direct phone number: (650) 375-7404. (Alternate EOC phone numbers are (650) 375-7481 through 7489)

## 5.4 Crisis Communications Tools

**Appendix C** contains selected prepared emergency public notices and press releases that will be used by the EOC PIO to disseminate disaster information to external audiences during an emergency. Dedicated phone lines will be provided at the EOC to communicate with the media.

## 5.5 Key Messages

In cases where the SEMS system is activated and outside governmental agencies become involved, the PIO for the event will coordinate contact with the public media. Key ideas to conveying in a water emergency include:

- The Hillsborough Public Works Department is working (*with support from other agencies, if applicable*) to identify the nature and duration of the water emergency. Protection of public health and fire suppression are its highest priority. It will provide regular status reports on the progress of its investigation
- The Hillsborough Public Works Department has mobilized its resources (*with support from other agencies, if applicable*) to minimize the impact of the water emergency to its customers and will work continuously until the water emergency is over. It will provide regular updates on the status of its mitigation efforts to the impacted parties.
- Hillsborough Public Works Department (*or lead investigating agency*) will publish a statement of responsibility for the event (if appropriate) and/or will conduct a follow-up investigation for responsibility of an event as soon as possible.
- Hillsborough Public Works believes that the events creating the water emergency are unacceptable and that it is committed to the goal of preventing such events from creating a crisis from ever occurring again in the future.

# 6 Plan Deactivation

Once the emergency situation has been corrected, water system operations shall be systematically brought back to normal. Any Boil Water or Unsafe Water notices can only be terminated by the CDHS. This protocol is necessary to ensure that public health standards are met and to prevent damage to the water facilities and operational problems.

## 6.1 Deactivation Triggers/Criteria

Certain triggers exist for the deactivation of the emergency response. As would be expected, deactivation is in reverse order of the activation process, as shown in **Table 3 on the next page**. The category of the deactivation process is the category attained in the activation process.

**Table 3 - Deactivation Triggers and Potential Actions**

<b>Response Category</b>	<b>Deactivation Triggers</b>	<b>Potential Deactivation Actions</b>
<b>Level 5</b>	Complete recovery of both SFPUC CS-2 and SSPL transmission mains (after supply loss lasting >24 hours).	<ul style="list-style-type: none"> <li>➤ Notify customers.</li> <li>➤ Open valves to turnouts.</li> <li>➤ Turn on pump stations.</li> <li>➤ Close PRV valves to lowest zones.</li> <li>➤ Remove mandatory rationing.</li> </ul>
<b>Level 4</b>	Complete recovery of both SFPUC CS-2 and SSPL transmission mains (after supply loss lasting <24 hours).	<ul style="list-style-type: none"> <li>➤ Notify customers.</li> <li>➤ Open valves to turnouts.</li> <li>➤ Turn on pump stations.</li> <li>➤ Close PRV valves to lowest zones.</li> </ul>
<b>Level 3</b>	Complete recovery of either SFPUC CS-2 or SSPL transmission mains (after supply loss lasting >24 hours).	<ul style="list-style-type: none"> <li>➤ Notify customers.</li> <li>➤ Open valves to selected turnouts.</li> <li>➤ Turn on selected pump stations.</li> <li>➤ Close PRV valves to lowest zones.</li> </ul>
<b>Level 2</b>	Complete recovery of either SFPUC CS-2 or SSPL transmission mains (after supply loss lasting <24 hours).	<ul style="list-style-type: none"> <li>➤ Open turnout(s).</li> <li>➤ Turn on pump stations.</li> <li>➤ Close PRV valves to lowest zones.</li> </ul>
<b>Level 1</b>	Recovery of the partial or full shutdown of the SFPUC supplies sources.	➤ None
<b>Level 0</b>	Changes in wholesalers' source water blends due to seasonal changes or plant maintenance.	➤ None. Advise customer service staff of condition to respond to customers' inquiries.

## 6.2 Notifications

All groups and individuals that were notified of plan activation will be notified of deactivation via message pager, telephone, or fax. The deactivation notification message will include the date and time of deactivation and a 24-hour contact number for further information if necessary.

## 6.3 Post-Event Actions

The Hillsborough Water Department will publish a Post-Event Report that will detail what happened and why. The report will detail what measures were taken to handle the emergency and describe what it will do to prevent a re-occurrence of the conditions that created the emergency. This report will be included in the ERP file for future reference.

Town of Hillsborough 5/17/2016

## 6.4 Critiques

As soon as practical following deactivation of the plan, Hillsborough Staff involved in the incident shall conduct a critique to evaluate the effectiveness of the measures taken to mitigate the water emergency and restore normal service to our customers.

In the event of EOC activation, the critique shall be as described in the EOC protocol. In the event of a local water emergency activation, the City Engineer shall take lead critique responsibility as directed by the Director. The purpose of these evaluations is to review the responses to the emergency event and to identify any areas for improvement. The Town can then determine if the emergency situation was rapidly and accurately assessed; appropriate notifications were made and corrective actions were implemented; verifications of pager messages were received; and the procedures outlined in the plan were sufficient to provide the necessary direction.

The Town will revise this plan if necessary and include recommendations for any additional training, drill or exercises that are warranted.

## 6.5 After-Action Report

Within thirty days of the conclusion of the critique, the Public Works Director will instruct the City Engineer and/or Assistant Water Superintendent to write an After-Action Report to include a summary of the incident, a discussion of the critique comments and an Action Plan and Schedule for implementing recommended improvements. The After-Action Report shall be distributed to the City Manager, Council and the CDHS, if required by that agency.

**Exhibit Q**  
**Suspended Water Use Notice**







# TOWN OF HILLSBOROUGH

Department of Public Works  
1600 Floribunda Avenue  
Hillsborough, CA 94010-6418  
Phone 650-375-7444

DATE

## Suspended or Reduced Water Supply

“On   Date   at about   Time  , the **Hillsborough Water Department** received notice from our water supplier, the **San Francisco Public Utilities Commission** that the   NAME of SFPUC Pipeline   has been turned off by the SFPUC for Details. This facility provides most of the water supply for our Town. The areas affected are scattered throughout most of the Town. The duration of this outage is not known at this time.

The Hillsborough Water Department has declared a water emergency. Mandatory water use reduction is in effect. All Hillsborough water customers must stop all non-essential use of water until the emergency is over. Please do not use water for any other use than for drinking or sanitary use.

If you have any questions please contact the Public Works Department at 650-375-7444

**Appendix B  
Public Hearing Notices**

**Website publication regarding update to 2015 UWMP**

**Town of Hillsborough  
UPDATE OF URBAN WATER MANAGEMENT PLAN**

The Town of Hillsborough is reviewing and updating its 2015 Urban Water Management Plan (UWMP or Plan) and Water Shortage Contingency Plan (WSCP). The UWMP and WSCP were last updated in 2016. We encourage all of our customers to participate in this review process. We will make any proposed revisions to the UWMP and WSCP available for public review and will hold a public hearing in July 2021. In the meantime, if you would like to learn more about the current Plans, schedule for considering changes to it, or how to participate in the process, please contact:

Paul Willis, P.E. QSE/QSP  
Director of Public / City Engineer  
Town of Hillsborough  
1600 Floribunda Avenue  
Hillsborough, CA 94010  
(650) 375-7444  
pwills@hillsborough.net

## February 16, 2021 Public Notice

**From:** Ed Cooney <[EDCooney@HILLSBOROUGH.NET](mailto:EDCooney@HILLSBOROUGH.NET)>

**Sent:** Tuesday, February 16, 2021 8:03 AM

**To:** Adrienne Carr <[acarr@nccwd.com](mailto:acarr@nccwd.com)>; [rmoilan@calwater.com](mailto:rmoilan@calwater.com) <[rmoilan@calwater.com](mailto:rmoilan@calwater.com)>; [leonard.ash@acwd.com](mailto:leonard.ash@acwd.com) <[leonard.ash@acwd.com](mailto:leonard.ash@acwd.com)>; [dsmithson@calwater.com](mailto:dsmithson@calwater.com) <[dsmithson@calwater.com](mailto:dsmithson@calwater.com)>; [jflanagan@ci.brisbane.ca.us](mailto:jflanagan@ci.brisbane.ca.us) <[jflanagan@ci.brisbane.ca.us](mailto:jflanagan@ci.brisbane.ca.us)>; [tmcauliffe@burlingame.org](mailto:tmcauliffe@burlingame.org) <[tmcauliffe@burlingame.org](mailto:tmcauliffe@burlingame.org)>; [wdonnelly@dalycity.org](mailto:wdonnelly@dalycity.org) <[wdonnelly@dalycity.org](mailto:wdonnelly@dalycity.org)>; [cheryl.munoz@hayward-ca.gov](mailto:cheryl.munoz@hayward-ca.gov) <[cheryl.munoz@hayward-ca.gov](mailto:cheryl.munoz@hayward-ca.gov)>; [ctlamm@menlopark.org](mailto:ctlamm@menlopark.org) <[ctlamm@menlopark.org](mailto:ctlamm@menlopark.org)>; [sreider@ci.millbrae.ca.us](mailto:sreider@ci.millbrae.ca.us) <[sreider@ci.millbrae.ca.us](mailto:sreider@ci.millbrae.ca.us)>; [milpitasworks@ci.milpitas.ca.gov](mailto:milpitasworks@ci.milpitas.ca.gov) <[milpitasworks@ci.milpitas.ca.gov](mailto:milpitasworks@ci.milpitas.ca.gov)>; [lisa.bilir@cityofpaloalto.org](mailto:lisa.bilir@cityofpaloalto.org) <[lisa.bilir@cityofpaloalto.org](mailto:lisa.bilir@cityofpaloalto.org)>; [ichapel@redwoodcity.org](mailto:ichapel@redwoodcity.org) <[ichapel@redwoodcity.org](mailto:ichapel@redwoodcity.org)>; [mreinhardt@sanbruno.ca.gov](mailto:mreinhardt@sanbruno.ca.gov) <[mreinhardt@sanbruno.ca.gov](mailto:mreinhardt@sanbruno.ca.gov)>; [henry.louie@sanjoseca.gov](mailto:henry.louie@sanjoseca.gov) <[henry.louie@sanjoseca.gov](mailto:henry.louie@sanjoseca.gov)>; [smehta@santaclaraca.gov](mailto:smehta@santaclaraca.gov) <[smehta@santaclaraca.gov](mailto:smehta@santaclaraca.gov)>; [asmith@fostercity.org](mailto:asmith@fostercity.org) <[asmith@fostercity.org](mailto:asmith@fostercity.org)>; [samv@purissimawater.org](mailto:samv@purissimawater.org) <[samv@purissimawater.org](mailto:samv@purissimawater.org)>; [bmanning@stanford.edu](mailto:bmanning@stanford.edu) <[bmanning@stanford.edu](mailto:bmanning@stanford.edu)>; [kfallaha@cityofepa.org](mailto:kfallaha@cityofepa.org) <[kfallaha@cityofepa.org](mailto:kfallaha@cityofepa.org)>; [elizabeth.flegel@mountainview.gov](mailto:elizabeth.flegel@mountainview.gov) <[elizabeth.flegel@mountainview.gov](mailto:elizabeth.flegel@mountainview.gov)>; [laura.hidas@acwd.com](mailto:laura.hidas@acwd.com) <[laura.hidas@acwd.com](mailto:laura.hidas@acwd.com)>; [kjenkins@calwater.com](mailto:kjenkins@calwater.com) <[kjenkins@calwater.com](mailto:kjenkins@calwater.com)>; [rbreault@ci.brisbane.ca.us](mailto:rbreault@ci.brisbane.ca.us) <[rbreault@ci.brisbane.ca.us](mailto:rbreault@ci.brisbane.ca.us)>; [amorimoto@burlingame.org](mailto:amorimoto@burlingame.org) <[amorimoto@burlingame.org](mailto:amorimoto@burlingame.org)>; [gkrauss@dalycity.org](mailto:gkrauss@dalycity.org) <[gkrauss@dalycity.org](mailto:gkrauss@dalycity.org)>; 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[info@mwsd.net](mailto:info@mwsd.net) <[info@mwsd.net](mailto:info@mwsd.net)>; [dbarrow@westboroughwater.com](mailto:dbarrow@westboroughwater.com) <[dbarrow@westboroughwater.com](mailto:dbarrow@westboroughwater.com)>; Nicole Sandkulla <[NSandkulla@bawsca.org](mailto:NSandkulla@bawsca.org)>

**Cc:** Paul Willis <[PWillis@HILLSBOROUGH.NET](mailto:PWillis@HILLSBOROUGH.NET)>

**Subject:** Town of Hillsborough - Notice of Preparation of the 2020 Urban Water Management Plan

Please find below Hillsborough's 2020 UWMP Notice of Preparation.

Regards,

Ed Cooney

415-606-6786

=====

Dear Water Suppliers,

The Urban Water Management Planning Act (California Water Code §10608–10656) requires the Town of Hillsborough to update its Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) every 5 years. Hillsborough is currently reviewing its existing UWMP and associated WSCP, which were updated in 2016, and considering revisions to the documents. We invite your agency’s participation in this revision process.

A draft of the 2020 UWMP and WSCP will be made available for public review and a public hearing will be scheduled later this year to officially adopt both the UWMP and WSCP plans once finalized. In the meantime, if you would like more information regarding the Town’s 2015 UWMP and WSCP, the schedule for updating these documents, have questions or would like to participate in the preparation of the 2020 UWMP and WSCP, please contact me.

Sincerely,

Paul Willis, P.E. QSD/QSP

Director of Public Works / City Engineer

Town of Hillsborough

Phone: (650)375-7444

**TOWN OF HILLSBOROUGH**  
**Town's Website and Mercury Newspaper – Notice of Public Hearing**

**Mercury Newspaper Publication - 60 days' Notice of Intent - Updating 2015  
Urban Water Management Plan**

**Notice Date - March 18, 2021**

**TOWN OF HILLSBOROUGH**  
**PUBLIC HEARING ON UPDATE OF URBAN WATER MANAGEMENT  
PLAN (UWMP) AND WATER SHORTAGE CONTINGENCY PLAN (WSCP)**

California law requires the Town of Hillsborough to review and update its UWMP and WSCP every five years. The Hillsborough City Council will hold a public hearing to consider proposed revisions and updates to its UWMP for 2020-2025 and its WSCP within the next several months. Hillsborough encourages public participation in this review process.

Hillsborough's 2020 UWMP and WSCP and details about their updates can be viewed at <https://www.hillsborough.net/263/Water-Supply>. Please contact Ed Cooney, Project Manager, at 650-375-7444 for more information.

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Account Number: **3761690**

Customer: **TOWN OF HILLSBOROUGH\***  
**1600 FLORIBUNDA AVE.**  
**HILLSBOROUGH, CA 94010**

Phone: **650-375-7444**

Transaction Date: **3/15/2021**

Transaction Type: **Payment**

Payment Amount: **396.00**

Payment Method: **Credit Card**

Credit Card Number: **\*\*\*\*\*8095**

Expiration Date: **12/28/2022**

Reference Number: **051959**

Charge to: **North CNP**

Order Number: **0006560891**

Credit to Transaction Number: **P951736**

Invoice Text: **UWMP and WSCP review**

Invoice Notes:

Please note: If you pay by bank card, your card statement will show "CAL NEWSPAPER ADV" or "CALIFORNIA NEWSPAPER ADVERTISING SERVICES", depending on the type of card used.

Date printed: Monday, March 15, 2021

3027483

C:\Program Files\NEWSCYCLE Solutions\AdBase Services\Adbase\WebServices\2478fac2-b43c-4f59-8b4a-7c1476865ece\_BANG Payment Receipt.rpt # BP331-04/07/16

## June 1, 2021 Public Notice

**From:** Ed Cooney <[ECOoney@HILLSBOROUGH.NET](mailto:ECOoney@HILLSBOROUGH.NET)>

**Sent:** Tuesday, June 1, 2021 5:22 PM

**To:** Adrienne Carr <[acarr@nccwd.com](mailto:acarr@nccwd.com)>; [rmoilan@calwater.com](mailto:rmoilan@calwater.com) <[rmoilan@calwater.com](mailto:rmoilan@calwater.com)>; [leonard.ash@acwd.com](mailto:leonard.ash@acwd.com) <[leonard.ash@acwd.com](mailto:leonard.ash@acwd.com)>; [dsmithson@calwater.com](mailto:dsmithson@calwater.com) <[dsmithson@calwater.com](mailto:dsmithson@calwater.com)>; [jflanagan@ci.brisbane.ca.us](mailto:jflanagan@ci.brisbane.ca.us) <[jflanagan@ci.brisbane.ca.us](mailto:jflanagan@ci.brisbane.ca.us)>; [tmcauliffe@burlingame.org](mailto:tmcauliffe@burlingame.org) <[tmcauliffe@burlingame.org](mailto:tmcauliffe@burlingame.org)>; [wdonnelly@dalcycity.org](mailto:wdonnelly@dalcycity.org) <[wdonnelly@dalcycity.org](mailto:wdonnelly@dalcycity.org)>; [cheryl.munoz@hayward-ca.gov](mailto:cheryl.munoz@hayward-ca.gov) <[cheryl.munoz@hayward-ca.gov](mailto:cheryl.munoz@hayward-ca.gov)>; [ctlamm@menlopark.org](mailto:ctlamm@menlopark.org) <[ctlamm@menlopark.org](mailto:ctlamm@menlopark.org)>; [sreider@ci.millbrae.ca.us](mailto:sreider@ci.millbrae.ca.us) <[sreider@ci.millbrae.ca.us](mailto:sreider@ci.millbrae.ca.us)>; [milpitasworks@ci.milpitas.ca.gov](mailto:milpitasworks@ci.milpitas.ca.gov) <[milpitasworks@ci.milpitas.ca.gov](mailto:milpitasworks@ci.milpitas.ca.gov)>; [lisa.bilir@cityofpaloalto.org](mailto:lisa.bilir@cityofpaloalto.org) <[lisa.bilir@cityofpaloalto.org](mailto:lisa.bilir@cityofpaloalto.org)>; [jchapel@redwoodcity.org](mailto:jchapel@redwoodcity.org) <[jchapel@redwoodcity.org](mailto:jchapel@redwoodcity.org)>; [mreinhardt@sanbruno.ca.gov](mailto:mreinhardt@sanbruno.ca.gov) <[mreinhardt@sanbruno.ca.gov](mailto:mreinhardt@sanbruno.ca.gov)>; [henry.louie@sanjoseca.gov](mailto:henry.louie@sanjoseca.gov) <[henry.louie@sanjoseca.gov](mailto:henry.louie@sanjoseca.gov)>; [smehta@santaclaraca.gov](mailto:smehta@santaclaraca.gov) <[smehta@santaclaraca.gov](mailto:smehta@santaclaraca.gov)>; [asmith@fostercity.org](mailto:asmith@fostercity.org) <[asmith@fostercity.org](mailto:asmith@fostercity.org)>; [samv@purissimawater.org](mailto:samv@purissimawater.org) <[samv@purissimawater.org](mailto:samv@purissimawater.org)>; [bmanning@stanford.edu](mailto:bmanning@stanford.edu) <[bmanning@stanford.edu](mailto:bmanning@stanford.edu)>; [kfallaha@cityofepa.org](mailto:kfallaha@cityofepa.org) <[kfallaha@cityofepa.org](mailto:kfallaha@cityofepa.org)>; [elizabeth.flegel@mountainview.gov](mailto:elizabeth.flegel@mountainview.gov) <[elizabeth.flegel@mountainview.gov](mailto:elizabeth.flegel@mountainview.gov)>; [laura.hidas@acwd.com](mailto:laura.hidas@acwd.com) <[laura.hidas@acwd.com](mailto:laura.hidas@acwd.com)>; [kjenkins@calwater.com](mailto:kjenkins@calwater.com) <[kjenkins@calwater.com](mailto:kjenkins@calwater.com)>; [rbreault@ci.brisbane.ca.us](mailto:rbreault@ci.brisbane.ca.us) <[rbreault@ci.brisbane.ca.us](mailto:rbreault@ci.brisbane.ca.us)>; [amorimoto@burlingame.org](mailto:amorimoto@burlingame.org) <[amorimoto@burlingame.org](mailto:amorimoto@burlingame.org)>; [gkrauss@dalcycity.org](mailto:gkrauss@dalcycity.org) <[gkrauss@dalcycity.org](mailto:gkrauss@dalcycity.org)>; [pheisinger@cityofepa.org](mailto:pheisinger@cityofepa.org) <[pheisinger@cityofepa.org](mailto:pheisinger@cityofepa.org)>; [alex.ameri@hayward-ca.gov](mailto:alex.ameri@hayward-ca.gov) <[alex.ameri@hayward-ca.gov](mailto:alex.ameri@hayward-ca.gov)>; [phlowe@menlopark.org](mailto:phlowe@menlopark.org) <[phlowe@menlopark.org](mailto:phlowe@menlopark.org)>; [klim@ci.millbrae.ca.us](mailto:klim@ci.millbrae.ca.us) <[klim@ci.millbrae.ca.us](mailto:klim@ci.millbrae.ca.us)>; [tndah@ci.milpitas.ca.gov](mailto:tndah@ci.milpitas.ca.gov) <[tndah@ci.milpitas.ca.gov](mailto:tndah@ci.milpitas.ca.gov)>; [lisa.au@mountainview.gov](mailto:lisa.au@mountainview.gov) <[lisa.au@mountainview.gov](mailto:lisa.au@mountainview.gov)>; [karla.dailey@cityofpaloalto.org](mailto:karla.dailey@cityofpaloalto.org) <[karla.dailey@cityofpaloalto.org](mailto:karla.dailey@cityofpaloalto.org)>; [watermanager@redwoodcity.org](mailto:watermanager@redwoodcity.org) <[watermanager@redwoodcity.org](mailto:watermanager@redwoodcity.org)>; [jtian@sanbruno.ca.gov](mailto:jtian@sanbruno.ca.gov) <[jtian@sanbruno.ca.gov](mailto:jtian@sanbruno.ca.gov)>; [jeffrey.provenzano@sanjoseca.gov](mailto:jeffrey.provenzano@sanjoseca.gov) <[jeffrey.provenzano@sanjoseca.gov](mailto:jeffrey.provenzano@sanjoseca.gov)>; [gwelling@santaclaraca.gov](mailto:gwelling@santaclaraca.gov) <[gwelling@santaclaraca.gov](mailto:gwelling@santaclaraca.gov)>; [mnasser@sunnyvale.ca.gov](mailto:mnasser@sunnyvale.ca.gov) <[mnasser@sunnyvale.ca.gov](mailto:mnasser@sunnyvale.ca.gov)>; [ndorais@fostercity.org](mailto:ndorais@fostercity.org) <[ndorais@fostercity.org](mailto:ndorais@fostercity.org)>; [tammyr@midpeninsulawater.org](mailto:tammyr@midpeninsulawater.org) <[tammyr@midpeninsulawater.org](mailto:tammyr@midpeninsulawater.org)>; [philw@purissimawater.org](mailto:philw@purissimawater.org) <[philw@purissimawater.org](mailto:philw@purissimawater.org)>; [sritchie@sflower.org](mailto:sritchie@sflower.org) <[sritchie@sflower.org](mailto:sritchie@sflower.org)>; [juliann@stanford.edu](mailto:juliann@stanford.edu) <[juliann@stanford.edu](mailto:juliann@stanford.edu)>; [info@mwsd.net](mailto:info@mwsd.net) <[info@mwsd.net](mailto:info@mwsd.net)>; [dbarrow@westboroughwater.com](mailto:dbarrow@westboroughwater.com) <[dbarrow@westboroughwater.com](mailto:dbarrow@westboroughwater.com)>; Nicole Sandkulla <[NSandkulla@bawsca.org](mailto:NSandkulla@bawsca.org)>

**Cc:** Paul Willis <[PWillis@HILLSBOROUGH.NET](mailto:PWillis@HILLSBOROUGH.NET)>

**Subject:** Hillsborough UWMP Update Notice - City Council Meeting Discussion Item

Please find below information regarding Hillsborough's 2015 UWMP update.

Regards,

Ed Cooney  
415-606-6786

=====

Dear Water Suppliers,

The Town of Hillsborough is in the process of updating its 2015 Urban Water Management Plan (UWMP) and Water Shortage Contingency Plan (WSCP). Hillsborough has scheduled an UWMP discussion item during its regularly scheduled City Council Meeting at 6 p.m. on June 14, 2021 (<https://www.hillsborough.net/144/City-Council>). The discussion item will include presentations by Hillsborough and BAWSCA staff.

The information discussed will include: the Bay Delta Plan, SFPUC Water Shortage Reliability Projections, Population and Housing Projections, Water Shortage Contingency Plan Stages/Actions and Hillsborough's UWMP Public Hearing and Adoption Schedule. Hillsborough encourages public participation and input in its UWMP update process.

Drafts of the updated UWMP and WSCP will be made available for public review on Hillsborough's Water Supply webpage when they are available: <https://www.hillsborough.net/263/Water-Supply>. Please contact me if you have questions or would like more information regarding the Town's 2015 UWMP and WSCP update.

Sincerely,

Paul Willis, P.E. QSD/QSP  
Director of Public Works / City Engineer  
Town of Hillsborough  
Phone: (650)375-7444





# TOWN OF HILLSBOROUGH

Department of Public Works  
1600 Floribunda Avenue  
Hillsborough, CA 94010-6418  
Phone 650-375-7444

## Notice of Public Hearing

Rectangular Snip

**HILLSBOROUGH CITY COUNCIL**  
**1600 FLORIBUNDA AVENUE**  
**HILLSBOROUGH, CALIFORNIA, 94010**

### **Town of Hillsborough Draft 2020 Urban Water Management Plan; and Water Shortage Contingency Plan**

**Public Meetings And Hearings:** The Urban Water Management Planning Act (California Water Code Division 6, Part 2.55, Sections §10608–10608.64) requires the Town of Hillsborough (“the Town”) to update its Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) every 5 years.

The Hillsborough City Council will hold a public hearing to receive and consider input regarding the proposed revisions and updates to the UWMP and WSCP at its regular meeting on August 9, 2021 at 6:00 p.m. at Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough CA 94010. The proposed updates to the UWMP and WSCP will be available for public review at Town Hall during normal business hours and on the Town’s website, [www.hillsborough.net](http://www.hillsborough.net), prior to the public hearing.

**Contact Information:** Paul Willis, Director of Public Works / Town Engineer, Town of Hillsborough, 1600 Floribunda Avenue, Hillsborough, CA 94010, 9650) 375-7444; [pw@hillsborough.net](mailto:pw@hillsborough.net)

**Provision of Comments:** Members of the public and other interested individuals and/or organizations are invited to provide comments on the draft 2020 Urban Water Management Plan Update, and Water Shortage Contingency Plan. Written comments can be provided to the Town of Hillsborough, c/o Paul Willis, Public Works Director / Town Engineer, at the above address and email address.

# UPDATE OF URBAN WATER MANAGEMENT PLAN

## Notice of Public Hearing

HILLSBOROUGH CITY COUNCIL  
1600 FLORIBUNDA AVENUE  
HILLSBOROUGH, CALIFORNIA, 94010

### Town of Hillsborough Draft 2020 Urban Water Management Plan; Confirmed 2020 Target; and Water Shortage Contingency Plan

The Town of Hillsborough is currently updating its 2015 Urban Water Management Plan (UWMP) in compliance with the California Urban Water Management Planning Act for adoption. An update is required every five (5) years. As part of this effort, the Town has also updated its Water Shortage Contingency Plan (WSCP). The Hillsborough City Council will hold a public hearing to receive and consider input regarding the proposed revisions and updates to the UWMP, Water Use Confirmed 2020 Target and WSCP at its regular meeting on August 9, 2021 at 6:00 p.m. at Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough CA 94010. The proposed updates to the UWMP, Confirmed 2020 Target and WSCP will be available for public review at Town Hall during normal business hours and on the Town's website, [www.hillsborough.net](http://www.hillsborough.net), prior to the public hearing.

The proposal will be considered by the City Council at its meeting:

**MONDAY, AUGUST 9, 2021**

**YOU ARE WELCOME TO ATTEND THE MEETING TO PROVIDE PUBLIC COMMENTARY ON THE PLAN.**

**THE CITY COUNCIL MEETING WILL BE HELD AT:**

**6:00 P.M. - HILLSBOROUGH TOWN HALL, 1600 FLORIBUNDA AVENUE**

Copies 2020 UWMP and WSCP are available from the City Clerk in Town Hall during regular business hours and can also be accessed on the Town's webpage [www.hillsborough.net](http://www.hillsborough.net). If you would like to submit a letter to the City Council regarding the application, it may be submitted to:

Paul Willis, Director of Public Works / Town Engineer  
(650) 375-7444; [pw@hillsborough.net](mailto:pw@hillsborough.net)  
1600 Floribunda Avenue  
Hillsborough, CA 94010

To be included in the City Council packet that is delivered prior to the meeting, letters regarding this application must be received by **5:00 p.m., August 8, 2021**. Material submitted after this time will be accepted for the record, but it is the Town's policy not to accept and read correspondence during the meeting.

**TOWN OF HILLSBOROUGH – NOTICE OF PUBLIC HEARING  
2020 URBAN WATER MANAGEMENT PLAN (UWMP) AND WATER SHORTAGE  
CONTINGENCY PLAN (WSCP)**

California law requires the Town of Hillsborough to review and update its UWMP every five years. Additionally, the California legislature has imposed new requirements for urban water suppliers to adopt a WSCP. On Monday, August 9, 2021, at the regularly scheduled City Council meeting which begins at 6 p.m., the Hillsborough City Council will hold a public hearing to consider adoption of the Town's 2020 UWMP and its WSCP. The Town encourages public participation in this review process.

Consistent with the Governor's Executive Orders N-29-20 dated March 17, 2020, and N-08-21 dated June 11, 2021, the Town will conduct the City Council meeting remotely via Zoom. Members of the public may view and participate in the August 9 meeting by logging on at Zoom.us using the information listed below:

Meeting ID: 860 8444 0152

Passcode: 473149 By phone: +1 669 900 9128 (San Jose)

The meeting agenda and staff report for this item will be available beginning on Thursday, August 5 on the Town website at <https://www.hillsborough.net/AgendaCenter/City-Council-3>.

Hillsborough's Draft 2020 UWMP and Draft WSCP can be viewed at <https://www.hillsborough.net/263/Water-Supply>. Please contact Ed Cooney, Project Manager, at 650-375-7444 for more information. Members of the public may provide written comments regarding this application by email to [ecooney@hillsborough.net](mailto:ecooney@hillsborough.net). To be included in the City Council agenda packet published prior to the meeting, written comments must be received by 5 p.m. on Wednesday, August 4.

Advertising Payment Receipt

Bay Area News Group • AdTaxi • Digital First Media

The Mercury News • Daily News • Silicon Valley Community Newspapers  
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Chico Enterprise-Record • Oroville Mercury-Register • Paradise Post • Red Bluff Daily News  
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Eureka Times-Standard • Tri-City Weekly • Redwood Times

Account Number: 3761690

Customer: TOWN OF HILLSBOROUGH\*  
1600 FLORIBUNDA AVE.  
HILLSBOROUGH, CA 94010

Phone: p-+□□

Transaction Date: 7/16/2021

Transaction Type: Payment

Payment Amount: 1,210.00

Payment Method: Credit Card

Credit Card Number: \*\*\*\*\*2199

Expiration Date: 2/28/2025

Reference Number: 026057

Charge to: North CNP

Order Number: 0006592806

Credit to Transaction Number: P972122

Invoice Text:

Invoice Notes:

Please note: If you pay by bank card, your card statement will show "CAL NEWSPAPER ADV" or "CALIFORNIA NEWSPAPER ADVERTISING SERVICES", depending on the type of card used.

Date printed: Friday, July 16, 2021

3080582

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**TOWN OF HILLSBOROUGH – NOTICE OF PUBLIC HEARING  
2020 URBAN WATER MANAGEMENT PLAN (UWMP) AND WATER SHORTAGE  
CONTINGENCY PLAN (WSCP)**

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Passcode: 473149

By phone: +1 669 900 9128 (San Jose)

The meeting agenda and staff report for this item will be available beginning on Thursday, August 5 on the Town website at <https://www.hillsborough.net/AgendaCenter/City-Council-3>.

Hillsborough's Draft 2020 UWMP and Draft WSCP can be viewed at <https://www.hillsborough.net/263/Water-Supply>. Please contact Ed Cooney, Project Manager, at 650-375-7444 for more information. Members of the public may provide written comments by email to the Hillsborough City Clerk [lnatusch@hillsborough.net](mailto:lnatusch@hillsborough.net). To be included in the City Council agenda packet published prior to the meeting, written comments must be received by 5 p.m. on Wednesday, August 4.

Regards,

Ed Cooney  
415-606-6786

**Notice of Exemption****Appendix E**

**To:** Office of Planning and Research  
 P.O. Box 3044, Room 113  
 Sacramento, CA 95812-3044  
 County Clerk  
 County of: San Mateo  
 555 County Center  
 Redwood City, CA 94063

**From:** (Public Agency): Town of Hillsborough  
1600 Floribunda Ave.  
Hillsborough, CA 94010  
 (Address)

Project Title: 2020 Urban Water Management Plan; Water Shortage Contingency Plan

Project Applicant: Town of Hillsborough

Project Location - Specific:

Town-wide

Project Location - City: Town of Hillsborough Project Location - County: San Mateo

Description of Nature, Purpose and Beneficiaries of Project:

In 1983, the California Legislature enacted the Urban Water Management Plan (UWMP) Act, (California Water Code [CWC] Sections 10610-10657). In accordance with the CWC 10617, urban water suppliers with 3,000 or more service connections or supplying 3,000 or more AF of water annually, are required to prepare an UWMP every five years. Hillsborough has 4,304 service connections and is therefore subject to CWC 10617.

Name of Public Agency Approving Project: Town of Hillsborough

Name of Person or Agency Carrying Out Project: Town of Hillsborough Department of Public Works

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);  
 Declared Emergency (Sec. 21080(b)(3); 15269(a));  
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c));  
 Categorical Exemption. State type and section number: California Water Code §10652  
 Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

The Project is statutorily exempt from CEQA pursuant to California Water Code § 10652 because CEQA does not apply to the preparation and adoption of an urban water management plan and water shortage contingency plan or to the implementation of the actions taken pursuant to such plans. Because this Project comprises of [supplier's] 2020 urban water management plan and water shortage contingency plan and involves their implementation, no CEQA review is required.

Lead Agency

Contact Person: Ed Cooney Area Code/Telephone/Extension: (650) 375.7505

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: 08/10/21 Title: Director, Building & Planning

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
 Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

**Appendix C**

**RESOLUTION NO. 21-69**

**RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH  
ADOPTING THE TOWN OF HILLSBOROUGH'S 2020 WATER SHORTAGE  
CONTINGENCY PLAN**

**WHEREAS,** the Urban Water Management Planning Act, contained in the California Water Code, Division 6, Part 2.6, Sections 10610, et seq., requires that urban water suppliers serving more than 3,000 customers or providing more than 3,000 acre-feet of water annually to develop a Water Shortage Contingency Plan as part of its Urban Water Management Plan every fifth year ending in six and one; and

**WHEREAS,** the Town of Hillsborough ("Town") is an urban supplier of more than 3,000 acre-feet of water annually to greater than 3,000 customers; and

**WHEREAS,** the Town's Water Shortage Contingency Plan ("WSCP") is a document that can be created separately from the Urban Water Management Plan ("UWMP"); but that must be included as a part of its 2020 UWMP when the 2020 UWMP is adopted and submitted to the Department of Water Resources; and

**WHEREAS,** local water retailers, public agencies, and the public were notified of and encouraged to participate in the Town's preparation of its 2020 WSCP, pursuant to California Water Code Sections 10620, 10621, and 10642; and

**WHEREAS,** the Town of Hillsborough has prepared and circulated for public review a draft 2020 WSCP, and a duly noticed public hearing pursuant to California Water Code Section 10642 and Government Code Section 6066 was held by the City Council on August 9, 2021.

**WHEREAS,** Section 10652 of the California Water Code provides that the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) (CEQA) does not apply to the preparation and adoption of a WSCP as part of an UWMP.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the Town of Hillsborough hereby adopts the Town of Hillsborough's 2020 Water Shortage Contingency Plan (WSCP), attached hereto as Exhibit A, as amended by changes incorporated by the Town as a result of input received (if any) at the public hearing and shall be incorporated into the Town's 2020 UWMP.

**BE IT FURTHER RESOLVED** that the City Council of the Town of Hillsborough hereby authorizes and directs Public Works Department staff to file the aforesaid Plan with the California Department of Water Resources, the California State Library, and the County of San Mateo within thirty days of the adoption of this resolution.





**BE IT FURTHER RESOLVED** that the City Council of the Town of Hillsborough finds and determines that this resolution is not subject to CEQA pursuant to Water Code Section 10652 because CEQA does not apply to the preparation and adoption of a WSCP or to the implementation of the actions taken pursuant to such plans. Because this resolution comprises the Town's adoption of its WSCP and involves its implementation, no CEQA review is required. Pursuant to CEQA, the City Council of the Town of Hillsborough directs staff to file a Notice of Exemption with the County Clerk's Office within five (5) working days of adoption of this resolution.

  
\_\_\_\_\_  
Attest: City Clerk

  
\_\_\_\_\_  
Mayor of the Town of Hillsborough

This resolution was adopted by the City Council of the Town of Hillsborough at its regular meeting held on the 9th day of August 2021, by the following vote of the members thereof:

AYES:	Councilmembers	<u>Royse, Krolik, Chuang, Cole, May</u>
NOES:	Councilmembers	<u>None</u>
ABSENT:	Councilmembers	<u>None</u>
ABSTAIN:	Councilmembers	<u>None</u>