

*submitted by
Staff - item 4*

RULE 164 - STAGE 4 WATER CONSERVATION/RATIONING

Stage 4 is the fourth stage in the District's Expanded Water Conservation and Standby Rationing Plan. Each Water Distribution System that is subject to Stage 4 shall also implement Stage 3 requirements to the extent possible.

A. TRIGGER

1. Physical Shortage Trigger

Stage 4 shall take effect for any Water Distribution System that relies, in whole or in part, on production or production offsets from the Carmel River System or the Seaside Coastal Subareas, on June 1 or such earlier date as may be set by the Board following the District's May Board meeting if total usable storage in the Carmel River System and the Seaside Coastal Subareas on May 1 is less than 27,807 Acre-Feet and greater than 21,802 Acre-Feet. If total usable storage is equal to or greater than 27,807 Acre-Feet on May 1, no water rationing shall be imposed.

2. Regulatory Trigger – Continued Non-Compliance with Regulatory Limits through Stage 3

Stage 4 shall be enforced for all Water Distribution Systems presently at Stage 3 when Stage 3 has been in effect for at least thirty (30) days and when the California American Water year-to-date production from the MPWRS shown in Table XV-1 exceeds one of the following standards:

- (a) The year-to-date target at month end during the months of October through March; or
- (b) The year-to-date targets for a consecutive seven (7) day period during the months of April, May or June; or
- (c) California American Water's production from the MPWRS shown in Table XV-1 on a year-to-date basis exceeds the year-to-date target on any single (1) day during July, August, or September.

3. Regulatory Trigger – Legally Ordered Reduction in Supply

Stage 4 shall be enforced in any Water Distribution System that does not rely to any extent upon production or production offsets from the Main California American Water System when that system is required to comply with a final Cease and Desist Order by the State Water Resources Control Board, the Seaside Watermaster or any other final court order that reduces available supplies by fifteen percent (15%) from base year production. The term "base year" shall refer to the Water Year immediately preceding any triggering order.

4. Emergency Trigger

Stage 4 shall be implemented for any Water Distribution System, private Well, or Water User upon adoption of a Resolution of the Board of Directors. In that Resolution, the Board shall find there is an immediate need to reduce production by fifteen percent (15%).

5. Delay of Stage Implementation

The General Manager may delay implementation of this Stage to ensure adequate operation of the program. Delays authorized by the General Manager shall not exceed ninety (90) days.

B. SUNSET OF STAGE 4

1. Water Supply Availability

Stage 4 shall continue until rescinded by Resolution of the Board of Directors. In that Resolution the Board shall find that the total usable storage in the Carmel River System and the Seaside Coastal Subareas portions of the MPWRS is greater than 27,807 Acre-Feet. This determination will normally be made at the Board's May meeting. However, a determination to rescind Stage 4 may be made as early as the January Board meeting if the total usable storage in the Carmel River System and the Seaside Coastal Subareas portions of the MPWRS is equal to or greater than 27,807 Acre-Feet on January 1.

2. In the event total usable storage is greater than 27,807 Acre-Feet, the General Manager shall review California American Water's year-to-date production. Upon compliance with the monthly year-to-date goals specified in Table XV-1 of Rule 162 and, unless otherwise specified in the Resolution rescinding Stage 4, Water Users shall revert to Stage 1. If California American Water's year-to-date production exceeds the year-to-date goal specified in Table XV-1 of Rule 162, California American Water Users shall revert to either Stage 2 or Stage 3. If year-to-date production in the California American Water subsystems exceeds the year-to-date target specified in Table XV-2 of Rule 162, Bishop, Hidden Hills and Ryan Ranch Water Users shall revert to Stage 3.

3. Regulatory Compliance

Upon order of the General Manager, and without further action by the Board of Directors, the provisions of Stage 4 shall be rescinded and Water Users shall revert to a lower Stage of water conservation upon compliance with the applicable year-to-date at month-end production goal for two (2) consecutive months in the subsequent Water Year.

4. Emergency

Upon correction of a water supply limitation caused by an emergency, Stage 4 shall sunset without action by the Board.

5. Restoration of Lower Stage

A Resolution causing the sunset of Stage 4 may also activate any lower Stage as may be warranted for good cause by circumstances affecting a particular Water Distribution System, private Well, or Water User.

C. NOTICE RELATED TO WATER SUPPLY AVAILABILITY

1. Upon direction of the General Manager, MPWMD shall notify all non-California American Water Distribution System Operators of systems with two (2) or more connections that are affected by Stage 4 that reductions in water use are necessary and that stricter water use restrictions are imminent. Water Distribution System Operators shall ensure that notices provided or required by the District shall be distributed to their Water Users. A copy of each notice shall be filed with the District as well as a current mailing list for all Water Users in that system. The District shall preserve the confidentiality of any mailing list provided pursuant to this Regulation.
2. Upon direction of the General Manager, the District shall publish a notice to inform all Water Users of private Wells (Single-Parcel Connection Systems) within the MPWRS that reductions in water use are necessary and that stricter water use restrictions are imminent. The Notice shall explain the requirements for Stage 4. The District may request additional information from the private Well Owner as the General Manager deems necessary for the efficient operation of the rationing program.
3. California American Water shall provide notice to its customers that water rationing is imminent. California American Water shall further provide its customers with a survey form to indicate any change in the number of residents or the type of Non-Residential use. Surveys shall be returned to California American Water within 30 days.

D. NOTICE TO LANDSCAPE IRRIGATORS

Immediately upon implementation of Stage 4, California American Water shall notify its Large Residential Water Users, Dedicated Irrigation Meter customers, irrigators of three (3) or more acres, and Water Users who use an average of twelve (12) units or more per month during the most recent 12 months, of the immediate need for them to reduce outdoor water use and irrigation to the greatest extent possible to avoid water rationing.

California American Water shall, throughout Stage 4, periodically send reminder notices of this urgent need.

E. WATER WASTE

California American Water and MPWMD shall increase Water Waste and Non-Essential Water Use enforcement efforts.

Rule added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008)

RULE 165 - STAGE 5 WATER RATIONING

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

A. TRIGGER

1. Physical Shortage Trigger

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

2. Regulatory Trigger – Legally Ordered Reduction in Supply

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

- (a) More than fifteen percent (15%) but less than thirty-five percent (35%) from pre-1995 production (16,806 AFA) in the Main California American Water System. This shall apply to any Water Distribution System that relies, in whole or in part, on production or production offsets from the Main California American Water System, or
- (b) More than fifteen percent (15%) but less than thirty-five percent (35%) from base year production (the term "base year" shall refer to the Water Year immediately preceding any triggering order) for any Water Distribution System that does not rely to any extent upon on production or production offsets from the Main California American Water System.
- (c) Stage 5 shall not be triggered if the General Manager determines upon credible evidence that the production targets associated with a final Cease and Desist Order are likely to be met by adhering to the requirements of a lesser stage in the Expanded Water Conservation and Standby Rationing Plan (Regulation XV). The General Manager shall record this determination and any amendment thereto, by memorandum which may be appealed to the Board in accord with Regulation VII, Appeals.

3. Emergency Trigger

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

4. Delay of Stage Implementation

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

B. SUNSET OF STAGE 5

1. Water Supply Availability

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

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

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

4. Emergency

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

5. Restoration of Lower Stage

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

C. AFFECTED WATER USERS

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

D. CONSERVATION REQUIREMENTS CONTINUE

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

E. MORATORIUM

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

F. REDUCTION GOAL

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

G. NOTICE

1. California American Water shall provide written notice of mandatory water rationing to every Residential and Non-Residential Water User within the California American Water systems via first-class mail at least thirty (30) days before the first day Stage 5 water use restrictions are imposed.

During Stage 5, California American Water shall send monthly reminders of water rationing in the water bill along with information showing the User's Water Ration, the quantity of the Water Ration consumed, and the quantity of water available in the Water User's Water Bank. Finally, California American Water

shall update survey information as needed.

2. All other Water Distribution System Operators subject to Stage 5 restrictions shall provide written notice of mandatory water rationing to every Water User within the Water Distribution System via first-class mail at least thirty (30) days before the first day Stage 5 water use restrictions are imposed.

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

3. Upon direction of the General Manager, the District shall publish a notice of Water Rationing to all Water Users of private Wells (Single-Parcel Connection Systems) within the MPWRS at least thirty (30) days before the first day of Stage 5.

4. California American Water Rationing Rates

California American Water shall implement the CPUC-approved rationing rates schedule. California American Water shall file an Advice Letter with the CPUC to implement rationing rates after it has first met and conferred with the District at least five (5) days in advance of that filing. The General Manager may waive this time period for good cause.

5. California American Water and all other Water Distribution System Operators shall notify Water Users of the Sunset of Stage 5. Notice shall be via first class mail. The District shall publish a notice to inform all Private Well Owners that Stage 5 has sunset.

H. RATIIONS BY CATEGORY

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

I. REDUCED CALIFORNIA AMERICAN WATER ANNUAL PRODUCTION DURING STAGE 5

The California American Water annual production limit shall be reduced by 16 - 34 percent during Stage 5. The resulting production limit shall be further reduced by the average Unaccounted For Water Use percentage of the Water Distribution System(s)

for the twelve (12) months preceding Stage 5, and by a Water Rationing Contingency determined by the Board. The remaining water shall be the California American Water annual production limit for all User Categories.

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

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

K. ESTABLISHING RATIONS

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

a. Residential Water Users

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

2. Multi-Family Residential Water Users

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

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

3. Commercial and Industrial Water Users

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

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

4. Public Authority

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

5. Golf Courses

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

6. Other

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

7. Non-Revenue Metered Users

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

- a. Irrigation required by the Mitigation Program adopted when the Water Allocation Program Environmental Impact Report was adopted in 1990, and as required by SWRCB Order No. WR 95-10, shall not be subject

to reductions in use. Required irrigation of the Riparian Corridor shall be identified and reported separately from other Non-Revenue Metered Uses.

8. Recycled Water Users

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

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

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

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

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

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

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

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

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

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

If MPWMD has adopted an ordinance in response to any emergency caused by drought, or other threatened or existing water shortage pursuant to section 332 of the Monterey Peninsula Water Management Law, said ordinance shall prevail over contrary provisions of this Rule.

Notwithstanding the preceding sentence, Potable water shall be made available for irrigating tees and greens of the Recycled Water Irrigation Areas in sufficient quantities to maintain them in good health and condition during an Interruption, without any limitation on the duration.

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

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

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

L. ADDITIONAL CONSERVATION ACTIONS

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

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); Ordinance No. 142 (1/28/2010); Ordinance No. 147 (2/24/2011)

RULE 166 - STAGE 6 WATER RATIONING

Stage 6 is the sixth stage in the District's Expanded Water Conservation and Standby Rationing Plan.

A. TRIGGER

1. Physical Shortage Trigger

Stage 6 shall take effect for any Water Distribution System that relies, in whole or in part, on production or production offsets from the Carmel River System or the Seaside Coastal Subareas on June 1 or such earlier date as may be set by the Board following the District's May Board meeting if total usable storage in the Carmel River System and the Seaside Coastal Subareas on May 1 is less than 15,615 Acre-Feet and greater than 9,610 Acre-Feet.

2. Regulatory Trigger – Legally Ordered Reduction in Supply

Stage 6 shall be enforced in any Water Distribution System, including any California American Water subsystem, when that system is required to comply with a final Cease and Desist Order by the State Water Resources Control Board, the Seaside Watermaster or any other final court order that reduces available supplies by:

- (a) Thirty-five percent (35%) but less than fifty percent (50%) from pre-1995 production (16,806 AFA) in the Main California American Water System. This shall apply to any Water Distribution System that relies, in whole or in part, on production or production offsets from the Main California American Water System, or
- (b) Thirty-five percent (35%) but less than fifty percent (50%) from base year production (the term "base year" shall refer to the Water Year immediately preceding any triggering order) for any Water Distribution System that does not rely to any extent upon production or production offsets from the Main California American Water System.
- (c) Stage 6 shall not be triggered if the General Manager determines upon credible evidence that the production targets associated with a final Cease and Desist Order are likely to be met by adhering to the requirements of a lesser stage in the Expanded Water Conservation and Standby Rationing Plan (Regulation XV). The General Manager shall record this determination and any amendment thereto, by memorandum which may be appealed to the Board in accord with Regulation VII, Appeals.

3. Emergency Trigger

Stage 6 shall be implemented for any Water Distribution System, private Well,

or Water User upon adoption of a Resolution of the Board of Directors. In that Resolution, the Board shall find there is an immediate need to reduce production by at least thirty-five percent (35%) but less than fifty percent (50%).

4. Delay of Stage Implementation

The General Manager may delay implementation of Stage 6 Water Rationing for any Water Distribution System to ensure adequate operation of the program. Delays authorized by the General Manager shall not exceed ninety (90) days.

B. SUNSET OF STAGE 6

1. Water Supply Availability

Stage 6 shall continue until rescinded by Resolution of the Board of Directors. In that Resolution, the Board shall find that the total usable storage in the Carmel River System and the Seaside Coastal Subareas is greater than 15,615 Acre-Feet. This determination will normally be made at the Board's May meeting. However, a determination to rescind Stage 6 may be made as early as the following January Board meeting if the total usable storage in the Carmel River System and the Seaside Coastal Subareas is equal to or greater than 27,807 Acre-Feet on January 1.

2. In the event total usable storage is greater than 27,807 Acre-Feet, the General Manager shall review California American Water's year-to-date production. Upon compliance with the monthly year-to-date goals specified in Table XV-1 of Rule 162 and, unless otherwise specified in the Resolution rescinding Stage 6, Water Users shall revert to Stage 1.

3. Where Stage 6 has been imposed upon any Water Distribution System to comply with a final Cease and Desist Order by the State Water Resources Control Board, the Seaside Watermaster or any other final court order, Stage 6 shall continue until a Resolution of the Board of Directors is adopted that finds that the triggering order has been lifted or no longer applies to that Water Distribution System.

4. Emergency

Upon correction of a water supply limitation caused by an emergency, Stage 6 shall be rescinded by Resolution of the Board of Directors.

5. Restoration of Lower Stage

A Resolution causing the sunset of Stage 6 may also activate any lower Stage as may be warranted for good cause by circumstances affecting a particular Water Distribution System, private Well, or Water User.

C. AFFECTED WATER USERS

The Board of Directors may exempt a Water Distribution System, private Well or Water User from Stage 6 restrictions upon proof of a superior, unimpaired water right. Evidence of riparian water rights may be established by a Declaration under penalty of perjury, unless it is refuted by other proof. As necessary to ensure adequate water supplies, the Board of Directors may act within its discretion to authorize activation of Stage 6 within one or more Water Distribution Systems, private Wells, or Water Users in the District.

D. CONSERVATION REQUIREMENTS CONTINUE

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

E. MORATORIUM

Upon declaration of Stage 6, the District shall suspend acceptance of all Water Permit applications that utilize a public or private Water Use Credit for any affected system, private Well, or Water User. All pending Water Permits not issued within 120 days of declaration shall be suspended. This provision shall not suspend the issuance of Water Permits where issuance of a Permit is required by prior agreement or Water Entitlement issued by the District. Expiration of Water Use Credits shall be suspended during Stage 6 and Stage 7.

F. REDUCTION GOAL

Stage 6 shall achieve water use reductions of 35 - 49 percent of the California American Water and non-California American Water system production limits in each User Category as follows: Residential single-family and multi-family, Commercial, Industrial, Public Authority, Golf Course, Other Use, Non-Revenue Metered Uses, and Reclaimed Water Users.

G. NOTICE

1. California American Water shall provide written notice of mandatory water rationing to every Residential and Non-Residential Water User within the California American Water systems via first-class mail at least thirty (30) days before the first day Stage 6 water use restrictions are imposed.

During Stage 6, California American Water shall send monthly reminders of water rationing in the water bill along with information showing the User's Water Ration, the quantity of the Water Ration consumed, and the quantity of water available in the Water User's Water Bank. Finally, California American Water shall update survey information as needed.

2. All other Water Distribution System Operators subject to Stage 6 restrictions shall provide written notice of mandatory water rationing to every Water User within the Water Distribution System via first-class mail at least thirty (30) days before the first day Stage 6 water use restrictions are imposed.

During Stage 6, each Water Distribution System Operator shall send monthly reminders of water rationing along with information showing the Water Ration and the quantity of the Water Ration consumed by the Water User. Finally, the Water Distribution System Operator shall provide each Responsible Party with a survey form at least once each Rationing Year during Stage 6. Water Distribution System Operators shall ensure that notices provided or required by the District shall be distributed to the system Water Users.

3. Upon direction of the General Manager, the District shall publish a notice of Water Rationing to all Water Users of private Wells (Single-Parcel Connection Systems) within the MPWRS at least thirty (30) days before the first day of Stage 6.

4. California American Water Rationing Rates

California American Water shall implement the CPUC-approved rationing rates schedule. California American Water shall file an Advice Letter with the CPUC to implement rationing rates after it has first met and conferred with the District at least five (5) days in advance of that filing. The General Manager may waive this time period for good cause.

5. California American Water and all other Water Distribution System Operators shall notify Water Users of the Sunset of Stage 6. Notice shall be via first class mail. The District shall publish a notice to inform all Private Well Owners that Stage 6 has sunset.

H. RATINGS BY CATEGORY

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

I. REDUCED CALIFORNIA AMERICAN WATER ANNUAL PRODUCTION DURING STAGE 6

The California American Water annual production limit shall be reduced by 35 - 49 percent during Stage 6. The resulting production limit shall be further reduced by the

average Unaccounted For Water Use percentage of the Water Distribution System for the twelve (12) months preceding water rationing, and by a Water Rationing Contingency determined by the Board. The remaining water shall be the California American Water annual production limit for all User Categories.

J. REDUCED NON-CALIFORNIA AMERICAN WATER ANNUAL PRODUCTION LIMITS DURING STAGE 6

Available production for other Water Distribution Systems subject to Stage 6 shall be determined using the same methodology as for California American Water. Systems with less than ten (10) connections shall not have a deduction for Unaccounted For Water Use.

K. ESTABLISHING THE RATIONS

Rations for each User Category shall be determined by the General Manager using the process set forth in Rule 165-K.

L. ELIMINATION OR MODIFICATION OF NON-RESIDENTIAL VARIANCES FOR BEST MANAGEMENT PRACTICES

The General Manager shall require a percentage reduction of all Non-Residential Water Users granted a variance for complying with BMPs for the type of use. The amount of the percentage reduction shall be determined by the General Manager following review of the success of Non-Residential rationing during Stage 5.

M. ADDITIONAL CONSERVATION ACTIONS

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

N. PROHIBITION ON USE OF WATER FOR DUST CONTROL

The use of water from the Monterey Peninsula Water Resource System shall be prohibited for dust control purposes, except by prior approval of the General Manager. Decisions of the General Manager shall be final.

Rule added by Ordinance No. 92 (1/29/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); Ordinance No. 142 (1/28/2010); Ordinance No. 147 (2/24/2011)

RULE 167 - STAGE 7 WATER RATIONING

Stage 7 is the seventh stage in the District's Expanded Water Conservation and Standby Rationing Plan.

A. TRIGGER

1. Physical Shortage Trigger

Stage 7 shall take effect for any Water Distribution System that relies, in whole or in part, on production or production offsets from the Carmel River System or the Seaside Coastal Subareas on June 1 or such earlier date as may be set by the Board following the District's May Board meeting if total usable storage in the Carmel River System and the Seaside Coastal Subareas on May 1 is less than 9,610 Acre-Feet. If total usable storage is equal to or greater than 27,807 Acre-Feet on May 1, no water rationing shall be imposed.

2. Regulatory Trigger – Legally Ordered Reduction in Supply

Stage 7 shall be enforced in any Water Distribution System, including any California American Water subsystem, when that system is required to comply with a final Cease and Desist Order by the State Water Resources Control Board, the Seaside Watermaster or any other final court order that reduces available supplies by:

- (a) Fifty percent (50%) or more from pre-1995 production (16,806 AFA) in the Main California American Water System. This shall apply to any Water Distribution System that relies, in whole or in part, on production or production offsets from the Main California American Water System, or
- (b) Fifty percent (50%) or more from base year production (the term "base year" shall refer to the Water Year immediately preceding any triggering order) for any Water Distribution System that does not rely to any extent upon production or production offsets from the Main California American Water System.
- (c) Stage 7 shall not be triggered if the General Manager determines upon credible evidence that the production targets associated with a final Cease and Desist Order are likely to be met by adhering to the requirements of a lesser stage in the Expanded Water Conservation and Standby Rationing Plan (Regulation XV). The General Manager shall record this determination and any amendment thereto, by memorandum which may be appealed to the Board in accord with Regulation VII, Appeals.

3. Emergency Trigger

Stage 7 shall be implemented for any Water Distribution System, private Well, or Water User upon adoption of a Resolution of the Board of Directors. In that Resolution, the Board shall find there is an immediate need to reduce production by at least fifty percent (50%).

4. Delay of Stage Implementation

The General Manager may delay implementation of Stage 7 Water Rationing for any Water Distribution System to ensure adequate operation of the program. Delays authorized by the General Manager shall not exceed ninety (90) days.

B. SUNSET OF STAGE 7

1. Water Supply Availability

Stage 7 shall continue until rescinded by Resolution of the Board of Directors. In that Resolution, the Board shall find that the total usable storage in the Carmel River System and the Seaside Coastal Subareas is greater than 9,610 Acre-Feet. This determination will normally be made at the Board's May meeting. However, a determination to rescind Stage 7 may be made as early as the following January Board meeting if the total usable storage in the Carmel River System and the Seaside Coastal Subareas is equal to or greater than 27,807 Acre-Feet on January 1.

2. In the event total usable storage is greater than 27,807 Acre-Feet, the General Manager shall review California American Water's year-to-date production. Upon compliance with the monthly year-to-date goals specified in Table XV-1 of Rule 162 and, unless otherwise specified in the Resolution rescinding Stage 7, Water Users shall revert to Stage 1.

3. Where Stage 7 has been imposed upon any Water Distribution System in order to comply with a final Cease and Desist Order by the State Water Resources Control Board, the Seaside Watermaster or any other final court order, Stage 7 shall continue until a Resolution of the Board of Directors is adopted that finds that the triggering order has been lifted or no longer applies to that Water Distribution System.

4. Emergency

Upon correction of a water supply limitation caused by an emergency, Stage 7 shall be rescinded by Resolution of the Board of Directors.

5. Restoration of Lower Stage

A Resolution causing the sunset of Stage 7 may also activate any lower Stage as may be warranted for good cause by circumstances affecting a particular Water Distribution System, private Well, or Water User.

C. AFFECTED WATER USERS

The Board of Directors may exempt a Water Distribution System, private Well, or Water User from Stage 7 restrictions upon proof of a superior, unimpaired water right. Evidence of riparian water rights may be established by a Declaration under penalty of perjury, unless it is refuted by other proof. As necessary to ensure adequate water supplies, the Board of Directors may act within its discretion to authorize activation of Stage 7 within one or more Water Distribution Systems, private Wells, or Water Users in the District.

D. CONSERVATION REQUIREMENTS CONTINUE

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

E. REDUCTION GOAL

Stage 7 shall achieve water use reductions of at least fifty percent (50%) of the California American Water and non-California American Water system production limits in each User Category as follows: Residential single-family and multi-family, Commercial, Industrial, Public Authority, Golf Course, Other Use, Non-Revenue Metered Uses, and Reclaimed Water Users.

F. NOTICE

1. California American Water shall provide written notice of mandatory water rationing to every Residential and Non-Residential Water User within the California American Water systems via first-class mail at least thirty (30) days before the first day Stage 7 water use restrictions are imposed.

During Stage 7, California American Water shall send monthly reminders of water rationing in the water bill along with information showing the User's Water Ration, the quantity of the Water Ration consumed, and the quantity of water available in the Water User's Water Bank. Finally, California American Water shall update survey information as needed.

2. All other Water Distribution System Operators subject to Stage 7 restrictions shall provide written notice of mandatory water rationing to every Water User within the Water Distribution System via first-class mail at least thirty (30) days before the first day Stage 7 water use restrictions are imposed.

During Stage 7, each Water Distribution System Operator shall send monthly reminders of water rationing along with information showing the Water Ration and the quantity of the Water Ration consumed by the Water User. Finally, the Water Distribution System Operator shall provide each Responsible Party with a survey form at least once each Rationing Year during Stage 7. Water Distribution System Operators shall ensure that notices provided or required by the District shall be distributed to the system Water Users.

3. Upon direction of the General Manager, the District shall publish a notice of Water Rationing to all Water Users of private Wells (Single-Parcel Connection Systems) within the MPWRS at least thirty (30) days before the first day of Stage 7.
4. California American Water Rationing Rates

California American Water shall implement the CPUC-approved rationing rates schedule. California American Water shall file an Advice Letter with the CPUC to implement rationing rates after it has first met and conferred with the District at least five (5) days in advance of that filing. The General Manager may waive this time period for good cause.

5. California American Water and all other Water Distribution System Operators shall notify Water Users of the Sunset of Stage 7. Notice shall be via first class mail. The District shall publish a notice to inform all Private Well Owners that Stage 7 has sunset.

G. RATIIONS BY CATEGORY

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

H. REDUCED CALIFORNIA AMERICAN WATER ANNUAL PRODUCTION DURING STAGE 7

The California American Water annual production limit shall be reduced by at least fifty percent (50%) during Stage 7. The resulting production limit shall be further reduced by the average Unaccounted For Water Use percentage of the Water Distribution System for the twelve months preceding water rationing, and by a Water Rationing Contingency determined by the Board. The remaining water shall be the California American Water annual production limit for all User Categories.

I. REDUCED NON-CALIFORNIA AMERICAN WATER ANNUAL PRODUCTION LIMITS DURING STAGE 7

Available production for other Water Distribution Systems subject to Stage 7 shall be determined using the same methodology as for California American Water. Systems with less than ten (10) connections shall not include a deduction for Unaccounted For Water Use.

J. ESTABLISHING THE RATIONS

Rations for each User Category shall be determined by the General Manager using the process set forth in Rule 165-K.

K. ELIMINATION OR MODIFICATION OF NON-RESIDENTIAL VARIANCES FOR BEST MANAGEMENT PRACTICES

The General Manager shall require a percentage reduction of all Non-Residential Water Users granted a variance for complying with BMPs for the type of use. The amount of the percentage reduction shall be determined by the General Manager following review of the success of Non-Residential rationing during Stage 5.

L. ADDITIONAL CONSERVATION ACTIONS

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

M. PROHIBITION ON THE USE OF PORTABLE WATER METERS, HYDRANT METERS, AND ESTIMATED USE OF HYDRANT WATER

Water Users utilizing portable water meters, hydrant meters, or using hydrants to fill water tanks without the use of a meter shall be required to cease use of water from the affected water supply system(s). Each Water User shall be notified by the Water Distribution System Operator of this requirement. Portable water meters shall be returned to the water company at least 30 days before the implementation of Stage 7.

Rule added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); Ordinance No. 142 (1/28/2010); Ordinance No. 147 (2/24/2011)

EXHIBIT 10-E

**DERIVATION OF WATER RATIONING TRIGGERS
FOR THE MONTEREY PENINSULA WATER RESOURCES SYSTEM
FOR WATER YEAR 2004**

| | MAY-SEPTEMBER DEMAND | CARRYOVER STORAGE | | | | TOTAL STORAGE REQUIRED ON MAY 1 | | | |
|--------------|-------------------------|--------------------------|---------------|--------------|----------|------------------------------------|---------------|---------------|--------------|
| | | Percent of Annual Demand | | | | Water Rationing Stage | | | |
| | | 100% | 67% | 33% | 0% | 4 | 5 | 6 | 7 |
| | | | | | | Imposed if storage is less than: | | | |
| CAL-AM | 7,749 | 15,285 | 10,241 | 5,044 | 0 | 23,034 | 17,990 | 12,794 | 7,749 |
| NON CAL-AM | 1,861 | <u>2,912</u> | <u>1,951</u> | <u>961</u> | <u>0</u> | <u>4,773</u> | <u>3,812</u> | <u>2,822</u> | <u>1,861</u> |
| TOTAL | 9,610 | 18,197 | 12,192 | 6,005 | 0 | 27,807 | 21,802 | 15,615 | 9,610 |

Notes:

1. The May-September period refers to the remainder of the current water year.
2. Carryover storage refers to the volume of usable surface and ground water that is in storage at the end of the current water year and is projected to be available for use at the beginning of the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The values in **bold type** represent the storage triggers that would be used for the system in Water Year 2004. The values are based on the current production limit for Cal-Am set by the State Water Resources Control Board in Order No. WR 95-10, and the production that was reported for non Cal-Am users from the Monterey Peninsula Water Resources System in Water Year 2003.
4. The rationing triggers are based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.

/u/staff/boardpacket/2004/2004boardpacket/20040517/Public_Hearings/10/item10.exh10e.xls

EXHIBIT 5-E

**DERIVATION OF WATER RATIONING TRIGGERS
FOR THE MONTEREY PENINSULA WATER RESOURCES SYSTEM
FOR WATER YEAR 2005**

| | MAY-SEPTEMBER DEMAND | CARRYOVER STORAGE | | | | TOTAL STORAGE REQUIRED ON MAY 1 | | | |
|--------------|-------------------------|--------------------------|--------------|------------|----------|------------------------------------|---------------|---------------|--------------|
| | | Percent of Annual Demand | | | | Water Rationing Stage | | | |
| | | 100% | 67% | 33% | 0% | 4 | 5 | 6 | 7 |
| | | | | | | Imposed if storage is less than: | | | |
| CAL-AM | 7,749 | 15,285 | 10,241 | 5,044 | 0 | 23,034 | 17,990 | 12,794 | 7,749 |
| NON CAL-AM | 1,722 | <u>2,695</u> | <u>1,806</u> | <u>889</u> | <u>0</u> | <u>4,417</u> | <u>3,528</u> | <u>2,611</u> | <u>1,722</u> |
| TOTAL | 9,472 | 17,980 | 12,047 | 5,933 | 0 | 27,452 | 21,518 | 15,405 | 9,472 |

Notes:

1. The May-September period refers to the remainder of the current water year.
2. Carryover storage refers to the volume of usable surface and ground water that is in storage at the end of the current water year and is projected to be available for use at the beginning of the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The values in **bold type** represent the storage triggers that would be used for the system in Water Year 2005. The values are based on the current production limit for Cal-Am set by the State Water Resources Control Board in Order No. WR 95-10, and the production that was reported for non Cal-Am users from the Monterey Peninsula Water Resources System in Water Year 2004.
4. The rationing triggers are based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.

EXHIBIT 4-E

**DERIVATION OF WATER RATIONING TRIGGERS
FOR THE MONTEREY PENINSULA WATER RESOURCES SYSTEM
FOR WATER YEAR 2006**

| | MAY-SEPTEMBER DEMAND | CARRYOVER STORAGE | | | | TOTAL STORAGE REQUIRED ON MAY 1 | | | |
|--------------|-------------------------|--------------------------|--------------|------------|----------|------------------------------------|---------------|---------------|--------------|
| | | Percent of Annual Demand | | | | Water Rationing Stage | | | |
| | | 100% | 67% | 33% | 0% | 4 | 5 | 6 | 7 |
| | | | | | | Imposed if storage is less than: | | | |
| CAL-AM | 7,498 | 14,789 | 9,909 | 4,880 | 0 | 22,287 | 17,407 | 12,378 | 7,498 |
| NON CAL-AM | 1,722 | <u>2,695</u> | <u>1,806</u> | <u>889</u> | <u>0</u> | <u>4,417</u> | <u>3,528</u> | <u>2,611</u> | <u>1,722</u> |
| TOTAL | 9,220 | 17,484 | 11,714 | 5,770 | 0 | 26,704 | 20,934 | 14,990 | 9,220 |

Notes:

1. The May-September period refers to the remainder of the current water year.
2. Carryover storage refers to the volume of usable surface and ground water that is in storage at the end of the current water year and is projected to be available for use at the beginning of the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The values in **bold type** represent the storage triggers that would be used for the system in Water Year 2006. The values are based on the current production limit for Cal-Am from Carmel River sources set by the State Water Resources Control Board in Order No. WR 95-10, the production limit for Cal-Am from coastal subareas of the Seaside Groundwater Basin set by the Court in its March 27, 2006 adjudication decision, and the production that was reported for non Cal-Am users from the Monterey Peninsula Water Resources System in Water Year 2004, which is the most recent "below normal" year.
4. The rationing triggers are based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.

EXHIBIT 15-E

**DERIVATION OF WATER RATIONING TRIGGERS
FOR THE MONTEREY PENINSULA WATER RESOURCES SYSTEM
FOR WATER YEAR 2007**

| | MAY-SEPTEMBER DEMAND | CARRYOVER STORAGE | | | | TOTAL STORAGE REQUIRED ON MAY 1 | | | |
|--------------|-------------------------|--------------------------|---------------|--------------|----------|--|---------------|---------------|--------------|
| | | Percent of Annual Demand | | | | Water Rationing Stage | | | |
| | | 100% | 67% | 33% | 0% | 4 | 5 | 6 | 7 |
| | | | | | | 15% | 20% | 35% | 50% |
| | | | | | | System-wide demand reduction imposed if storage is less than "Total" shown in boxed area below | | | |
| CAL-AM | 7,498 | 14,789 | 9,909 | 4,880 | 0 | 22,287 | 17,407 | 12,378 | 7,498 |
| NON CAL-AM | 1,728 | <u>2,704</u> | <u>1,812</u> | <u>892</u> | <u>0</u> | <u>4,432</u> | <u>3,540</u> | <u>2,620</u> | <u>1,728</u> |
| TOTAL | 9,226 | 17,493 | 11,720 | 5,773 | 0 | 26,719 | 20,946 | 14,999 | 9,226 |

Notes:

1. The May-September period refers to the remainder of the current water year.
2. Carryover storage refers to the volume of usable surface and ground water that is in storage at the end of the current water year and is projected to be available for use at the beginning of the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The values in **bold type** represent the storage triggers that would be used for the system in Water Year 2007. The values are based on the current production limit for California American Water (CAW) from Carmel River sources set by the State Water Resources Control Board in Order No. WR 95-10, the production limit for CAW from coastal subareas of the Seaside Groundwater Basin set by the Court in its March 27, 2006 adjudication decision, and the production that was reported for non-CAW users from the Monterey Peninsula Water Resources System in Water Year 2006.
4. The rationing triggers are based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.

EXHIBIT 14-E

**DERIVATION OF WATER RATIONING TRIGGERS
FOR THE MONTEREY PENINSULA WATER RESOURCE SYSTEM
FOR WATER YEAR 2008**

| PRODUCER | MAY-SEPTEMBER DEMAND | CARRYOVER STORAGE | | | | TOTAL STORAGE REQUIRED ON MAY 1 | | | |
|--------------|-------------------------|--------------------------|---------------|--------------|----------|--|---------------|---------------|--------------|
| | | Percent of Annual Demand | | | | Water Rationing Stage | | | |
| | | 100% | 67% | 33% | 0% | 4 | 5 | 6 | 7 |
| | | | | | | 15% | 20% | 35% | 50% |
| | | | | | | System-wide demand reduction imposed if storage is less than "Total" shown in boxed area below | | | |
| CAW | 7,498 | 14,789 | 9,909 | 4,880 | 0 | 22,287 | 17,407 | 12,378 | 7,498 |
| NON CAW | 1,979 | <u>3,097</u> | <u>2,075</u> | <u>1,022</u> | <u>0</u> | <u>5,076</u> | <u>4,054</u> | <u>3,001</u> | <u>1,979</u> |
| TOTAL | 9,477 | 17,886 | 11,984 | 5,902 | 0 | 27,363 | 21,461 | 15,379 | 9,477 |

Notes:

1. The May-September period refers to the remainder of the current water year.
2. Carryover storage refers to the volume of usable surface and groundwater that is in storage at the end of the current water year and is projected to be available for use at the beginning of the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The values in **bold type** represent the storage triggers that would be used for the system in Water Year 2008. The values are based on the current production limit for California American Water (CAW) from Carmel River sources set by the State Water Resources Control Board in Order No. WR 95-10, the production limit for CAW from coastal subareas of the Seaside Groundwater Basin set by the Court in its March 27, 2006 adjudication decision, and the production that was reported for non-CAW users from the Monterey Peninsula Water Resource System in Water Year 2007.
4. The rationing triggers are based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.

/u/staff/word/boardpacket/2008/2008boardpacket/20080519/ActionItems/14/item14_exh14e.xls

EXHIBIT 17-E

**DERIVATION OF WATER RATIONING TRIGGERS
FOR THE MONTEREY PENINSULA WATER RESOURCE SYSTEM
FOR WATER YEAR 2009**

| PRODUCER | MAY-SEPTEMBER DEMAND | CARRYOVER STORAGE | | | | TOTAL STORAGE REQUIRED ON MAY 1 | | | |
|------------|-------------------------|--------------------------|--------------|--------------|----------|--|---------------|---------------|--------------|
| | | Percent of Annual Demand | | | | Water Rationing Stage | | | |
| | | 100% | 67% | 33% | 0% | 4 | 5 | 6 | 7 |
| | | | | | | 15% | 20% | 35% | 50% |
| | | | | | | System-wide demand reduction imposed if storage is less than "Total" shown in boxed area below | | | |
| Cal-Am | 7,477 | 14,747 | 9,880 | 4,867 | 0 | 22,224 | 17,357 | 12,343 | 7,477 |
| Non Cal-Am | 1,946 | <u>3,046</u> | <u>2,041</u> | <u>1,005</u> | <u>0</u> | <u>4,992</u> | <u>3,987</u> | <u>2,952</u> | <u>1,946</u> |
| Total | 9,423 | 17,793 | 11,921 | 5,872 | 0 | 27,216 | 21,344 | 15,295 | 9,423 |

Notes:

1. The May-September period refers to the remainder of the current water year.
2. Carryover storage refers to the volume of usable surface and groundwater that is in storage at the end of the current water year and is projected to be available for use at the beginning of the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The values in **bold type** represent the storage triggers that would be used for the system in Water Year 2009. The values are based on the current production limit for California American Water (Cal-Am) from Carmel River sources (11,285 acre-feet per year) set by the State Water Resources Control Board in Order No. WR 95-10, the production limit for Cal-Am from the Seaside Groundwater Basin (3,462 acre-feet per year) set by the Court in its March 27, 2006 adjudication decision and adjusted by the Seaside Watermaster on May 7, 2009, and the production limit specified for non Cal-Am users from the Monterey Peninsula Water Resource System set in the District's Water Allocation Program (Ordinance No.87).
4. Cal-Am's production limit from the Seaside Basin is reduced by 387 acre-feet in Water Year 2009 to reflect the 10% reduction in basin operating yield that was ordered in the adjudication decision.
5. The rationing triggers are based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.

EXHIBIT 22-E

**DERIVATION OF WATER RATIONING TRIGGERS
FOR THE MONTEREY PENINSULA WATER RESOURCE SYSTEM
FOR WATER YEAR 2010**

| PRODUCER | MAY-SEPTEMBER DEMAND | CARRYOVER STORAGE | | | | TOTAL STORAGE REQUIRED ON MAY 1 | | | |
|------------|-------------------------|--------------------------|--------------|--------------|----------|--|---------------|---------------|--------------|
| | | Percent of Annual Demand | | | | Water Rationing Stage | | | |
| | | 100% | 67% | 33% | 0% | 4 | 5 | 6 | 7 |
| | | | | | | 15% | 20% | 35% | 50% |
| | | | | | | System-wide demand reduction imposed if storage is less than "Total" shown in boxed area below | | | |
| Cal-Am | 7,229 | 13,762 | 9,221 | 4,541 | 0 | 20,991 | 16,449 | 11,770 | 7,229 |
| Non Cal-Am | <u>1,946</u> | <u>3,046</u> | <u>2,041</u> | <u>1,005</u> | <u>0</u> | <u>4,992</u> | <u>3,987</u> | <u>2,952</u> | <u>1,946</u> |
| Total | 9,175 | 16,808 | 11,261 | 5,547 | 0 | 25,983 | 20,437 | 14,722 | 9,175 |

Notes:

1. The May-September period refers to the remainder of the current water year.
2. Carryover storage refers to the volume of usable surface and groundwater that is in storage at the end of the current water year and is projected to be available for use at the beginning of the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The values in **bold type** represent the storage triggers that would be used for the system in Water Year 2010. The values are based on the current production limit for California American Water (Cal-Am) from Carmel River sources (10,429 acre-feet in WY 2010 and WY 2011) set by State Water Resources Control Board Order WR 2009-0060, the production limit for Cal-Am from the Seaside Groundwater Basin (3,829 acre-feet in WY 2010 and 3,333 acre-feet in WY 2011) set by the Court in its March 27, 2006 adjudication decision and adjusted by the Seaside Watermaster on December 2, 2009, and the production limit specified for non Cal-Am users from the Monterey Peninsula Water Resource System set in the District's Water Allocation Program (Ordinance No.87).
4. The rationing triggers are based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.

EXHIBIT 19-E

**DERIVATION OF WATER RATIONING TRIGGERS
FOR THE MONTEREY PENINSULA WATER RESOURCE SYSTEM
FOR WATER YEAR 2011**

| PRODUCER | MAY-SEPTEMBER DEMAND | CARRYOVER STORAGE | | | | TOTAL STORAGE REQUIRED ON MAY 1 | | | |
|------------|-------------------------|--------------------------|--------------|--------------|----------|--|---------------|---------------|--------------|
| | | Percent of Annual Demand | | | | Water Rationing Stage | | | |
| | | 100% | 67% | 33% | 0% | 4 | 5 | 6 | 7 |
| | | | | | | 15% | 20% | 35% | 50% |
| | | | | | | System-wide demand reduction imposed if storage is less than "Total" shown in boxed area below | | | |
| Cal-Am | 7,036 | 13,124 | 8,793 | 4,331 | 0 | 20,160 | 15,829 | 11,367 | 7,036 |
| Non Cal-Am | <u>1,946</u> | <u>3,046</u> | <u>2,041</u> | <u>1,005</u> | <u>0</u> | <u>4,992</u> | <u>3,987</u> | <u>2,952</u> | <u>1,946</u> |
| Total | 8,982 | 16,170 | 10,834 | 5,336 | 0 | 25,152 | 19,816 | 14,318 | 8,982 |

Notes:

1. The May-September period refers to the remainder of the current water year.
2. Carryover storage refers to the volume of usable surface and groundwater that is in storage at the end of the current water year and is projected to be available for use at the beginning of the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The values in **bold type** represent the storage triggers that would be used for the system in Water Year 2011. The values are based on the production limits for California American Water (Cal-Am) from Carmel River sources (10,429 acre-feet in WY 2011 and 10,308 acre-feet in WY 2012) set by State Water Resources Control Board Order WR 2009-0060, the production limit for Cal-Am from the Seaside Groundwater Basin (3,448 acre-feet in WY 2011 and 2,816 acre-feet in WY 2012) set by the Court in its March 27, 2006 adjudication decision and adjusted by the Seaside Watermaster on December 1, 2010, and the production limit specified for non Cal-Am users from the Monterey Peninsula Water Resource System set in the District's Water Allocation Program (Ordinance No. 87). Note that the Seaside Basin limit for WY 2012 reflects the assumption that the scheduled triennial 10% reduction will occur and will result in a further reduction of 517 acre-feet in Cal-Am's allowed pumping.
4. The rationing triggers are based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.

EXHIBIT 32-E

**DERIVATION OF WATER RATIONING TRIGGERS
FOR THE MONTEREY PENINSULA WATER RESOURCE SYSTEM
FOR WATER YEAR 2013**

| PRODUCER | MAY-SEPTEMBER DEMAND | CARRYOVER STORAGE NEEDS FOR NEXT YEAR DEMAND | | | | TOTAL STORAGE REQUIRED ON MAY 1 | | | |
|------------|-------------------------|---|--------------|--------------|----------|--|---------------|---------------|--------------|
| | | Percent of Annual Demand | | | | Water Rationing Stage | | | |
| | | 100% | 67% | 33% | 0% | 4 | 5 | 6 | 7 |
| | | | | | | | | | |
| | | | | | | 15% | 20% | 35% | 50% |
| | | | | | | System-wide demand reduction imposed if storage is less than "Total" shown in boxed area below | | | |
| Cal-Am | 6,604 | 12,882 | 8,631 | 4,251 | 0 | 19,486 | 15,235 | 10,855 | 6,604 |
| Non Cal-Am | <u>1,946</u> | <u>3,046</u> | <u>2,041</u> | <u>1,005</u> | <u>0</u> | <u>4,992</u> | <u>3,987</u> | <u>2,952</u> | <u>1,946</u> |
| Total | 8,550 | 15,928 | 10,672 | 5,256 | 0 | 24,478 | 19,222 | 13,807 | 8,550 |

Notes:

1. The May-September period refers to the remainder of the current water year.
2. Carryover storage refers to the volume of usable surface and groundwater that is in storage at the end of the current water year and is projected to be available for use at the beginning of the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The values in **bold type** represent the storage triggers that would be used for the system in Water Year 2013. The values are based on the production limits for California American Water (Cal-Am) from Carmel River sources (10,187 acre-feet in WY 2013 and 10,006 acre-feet in WY 2014) set by State Water Resources Control Board Order WR 2009-0060, the production limit for Cal-Am from the Seaside Groundwater Basin (2,816 acre-feet in WY 2013 and WY 2014) set by the Court in its March 27, 2006 adjudication decision and adjusted by the Seaside Watermaster on November 30, 2011, and the production limit specified for non Cal-Am users from the Monterey Peninsula Water Resource System set in the District's Water Allocation Program (Ordinance No. 87).
4. The rationing triggers are based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.