

EXHIBIT 6-A

**MONTEREY PENINSULA
WATER CONSERVATION AND RATIONING PLAN
JUNE 2015**

Section XXX: **Rule 160 – Regulatory Production Targets And Physical Storage Target**

The monthly distribution of water production from sources within the MPWRS, as shown in Tables XV-1, XV-2, and XV-3 shall be approved by the Board of Directors as part of the Quarterly Water Supply Strategy and Budget process. The Board shall hold public hearings during the Board's regular meetings in September, December, March, and June, at which time the Board may modify Tables XV-1, XV-2, and XV-3 by Resolution.

The Physical Storage Target, as shown in Table XV-4 shall be approved as of May 1 each year by the Board of Directors. The Board shall hold a public hearing during the Board's regular meeting in May, at which time the Board may modify Table XV-4 by Resolution.

Table XV-1
Regulatory Water Production Targets
for All California American Water Systems from Sources
Within the Monterey Peninsula Water Resource System

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	1,097	1,097
November	922	2,019
December	812	2,831
January	813	3,644
February	763	4,407
March	867	5,274
April	933	6,207
May	1,135	7,342
June	1,180	8,522
July	1,284	9,806
August	1,264	11,070
September	<u>1,174</u>	12,244
TOTAL	12,244	--

Notes:

Monthly and year-to date at month-end production targets are based on the annual production limit specified for the California American Water (Cal-Am) systems for Water Year (WY) 2015 from Carmel River sources per State Water Resources Control Board Order WR 2009-0060 (9,945 acre-feet) and adjusted annual production limits specified for the Cal-Am satellite systems from its Coastal Subarea sources (2,251 acre-feet) and Laguna Seca Subarea sources (48 acre-feet) of the Seaside Groundwater Basin per the Seaside Basin adjudication decision. These values do not include consideration of any carryover credit in the Seaside Basin for WY 2015. This combined total (12,244 acre-feet) was distributed monthly based on Cal-Am's reported monthly average production for its main and satellite systems during the WY 2006 through 2013 period.

Table XV-2
Regulatory Water Production Targets
for California American Water Satellite Systems from Sources
Within the Monterey Peninsula Water Resource System

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	5	5
November	3	8
December	3	11
January	3	14
February	2	16
March	3	19
April	3	22
May	5	27
June	5	32
July	6	38
August	5	43
September	5	48
TOTAL	48	--
<p><u>Notes:</u> Monthly and year-to-date at month-end production targets are based on the adjusted annual production limit specified for the California American Water (Cal-Am) satellite systems for Water Year 2015 from its sources in the Laguna Seca Subarea of the Seaside Groundwater Basin per the Seaside Basin adjudication decision. This Laguna Seca Subarea total (48 acre-feet) was distributed monthly based on Cal-Am's reported monthly average production for its satellite systems during the 2006 through 2013 period.</p>		

Table XV-3
Regulatory Water Production Targets
for California American Water Systems from Carmel River Sources
Within the Monterey Peninsula Water Resource System

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	891	891
November	749	1,639
December	660	2,300
January	661	2,961
February	620	3,581
March	704	4,285
April	758	5,043
May	922	5,965
June	958	6,923
July	1,043	7,965
August	1,027	8,992
September	<u>953</u>	9,945
TOTAL	9,945	---
<p>Notes: Monthly and year-to-date at month-end production targets are based on the annual production limit specified for California American Water (Cal-Am) for Water Year (WY) 2015 from its Carmel River system sources per State Water Resources Control Board Order WR 2009-0060 (19,945 acre-feet). This amount was distributed monthly based on Cal-Am's reported monthly average production for its Main system sources during the WY 2006 through 2013 period. These values incorporate consideration of the triennial reductions specified for the Cal-Am systems in the Seaside Basin adjudication decision, in setting the monthly maximum production targets from each source as part of the MPWMD Quarterly Water Supply Budget Strategy.</p>		

Table XV – 4
Physical Storage Target
for the Monterey Peninsula Water Resource System
for the Remainder of WY 2015 and all WY 2016

PRODUCER	MAY-SEPTEMBER DEMAND	CARRYOVER STORAGE NEEDS FOR NEXT YEAR DEMAND	TOTAL STORAGE REQUIRED ON MAY 1
Cal-Am	7,071	12,123	19,194
<u>Non Cal-Am</u>	<u>1,946</u>	<u>3,046</u>	<u>4,992</u>
Total	9,017	15,169	24,186
			TOTAL STORAGE AVAILABLE ON MAY 1
			30,990⁵

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 2015. The values are based on the production limits for California American Water (Cal-Am) from Carmel River sources (9,945 acre-feet in WY 2015 and 9,824 acre-feet in WY 2016) set by State Water Resources Control Board Order WR 2009-0060, the production limit for Cal-Am from the Seaside Groundwater Basin (2,299 acre-feet in WY 2015 and in WY 2016) set by the Court in its March 27, 2006 adjudication decision, 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.
5. May 1, 2014 System Storage = 30,990 AF (26,220 AF Carmel Valley Alluvial Aquifer; 3,100 AF Seaside Groundwater Basin; 1,670 AF Los Padres Reservoir); this is 97% of average and 82% of system capacity (37,505 AF).

Section XXX: **Rule 161 – General Provisions**

- A. All Water Users within the Monterey Peninsula Water Management District shall comply with the District's Water Waste Prohibitions of Rule 162 and with the water conservation requirements of Regulation XIV.
- B. California American Water shall amend its Urban Water Management Plan and its Rule 14.1.1, Water Conservation and Rationing Plan--Monterey District, to conform to this Regulation. A copy of Rule 14.1.1 shall be filed with the California Public Utilities Commission (CPUC) and the District within thirty (30) days of the effective date of any amendment to this Regulation.
- C. At least ten (10) days prior to a first reading by the Board of amendments to Regulation XV, a copy of the proposed changes shall be provided to the CPUC Office of Ratepayer Advocates (ORA).
- D. California American Water shall provide the District with monthly consumption reports by customer classification and jurisdiction in a format approved by the District. A Water Year summary report shall be provided in October. Reports shall be provided within fifteen (15) days of the close of the preceding month.
- E. Each Water Distribution System shall provide individual consumption data pertaining to any Water User of that Water Distribution System upon written request of the General Manager. Data shall be in the form and manner specified by the General Manager. Each failure to respond in full to such written request by the date specified therein shall result in a penalty to the Water Distribution System of five-hundred dollars (\$500) per day for each day or portion thereof that the response is delayed.
- F. The General Manager shall retain and use any data received under this provision for the sole purposes of testing, administering, evaluating or enforcing water rationing, Water Waste, or other provisions of the Rules and Regulations.
- G. Each Water Distribution System shall provide written notice of any adjustment to a Water Conservation or Rationing Stage to every customer via first class mail at least thirty (30) days before any change in Stage is imposed.
- H. At all times during Stages 2 through 4 each Water Distribution System shall send monthly conservation reminders.

H.I. During a Water Supply Emergency, or at the direction of the Board, each Owner or Operator or Extractor of a private water Well, Water Distribution System, or other Water-Gathering Facility shall comply with the provisions of this Regulation, as they relate to such Well, Water Distribution System, or other Water-Gathering Facility.

Section XXX: Rule 162 -- Stage 1 Water Conservation: Prohibition on Water Waste

- A. Trigger. Stage 1 shall remain in effect at all times or until the District Board of Directors has determined all conditions of State Water Resources Control Board Orders and the Seaside Groundwater Basin adjudication have been met and a determination has been made by the Board that available supplies are sufficient.
- B. Water Waste Prohibitions. Water Waste shall mean the indiscriminate, unreasonable, or excessive running or dissipation of water. Water Waste shall include, but not be limited, to the following:
1. Waste caused by correctable leaks, breaks or malfunctions. All leaks, breaks, or other malfunctions in a Water User's plumbing or distribution system must be repaired within 72 hours of notification that a leak exists. Exceptions may be granted by the General Manager for corrections, which are not feasible or practical.
 2. Indiscriminate or excessive water use which allows excess to run to waste.
 3. Washing driveways, patios, parking lots, tennis courts, or other hard surfaced areas with Potable water, except in cases where health or safety are at risk and the surface is cleaned with a Water Broom or other water efficient device or method. Water should be used only when traditional brooms are not able to clean the surface in a satisfactory manner.
 4. Power or pressure washing buildings and structures with Potable water, except when preparing surfaces for paint or other necessary treatments or when abating a health or safety hazard.
 5. Irrigation between 9 a.m. and 5 p.m. on any day, and irrigation on any day other than Saturdays and Wednesdays, except for irrigation overseen by a professional gardener or landscaper who is available on Site and that is not exceeding a maximum two watering days per week. This prohibition applies to hand watering with a hose, and irrigation systems whether spray, drip, or managed by a Smart Controller. Limited hand watering of plants or bushes with a small container or a

bucket is permitted on any day at any time. Subsurface greywater irrigation systems may also be operated at any time. An exemption may be given to a commercial establishment whose business requires water in the course of its business practice (e.g. golf courses, nurseries, recreational space, among others) with notification by the business owner to the District General Manager, and subject to the approval of the General Manager.

~~5.6.~~ Hand watering by a hose, during permitted hours, without a quick acting Positive Action Shut-Off Nozzle.

~~6.7.~~ Irrigating during rainfall and for 48 hours after measurable precipitation of at least 0.10 inches.

~~7.8.~~ Use of water for irrigation or outdoor purposes in a manner inconsistent with California Code of Regulations, Title 23, Water, Division 2, Department of Water Resources, Chapter 2.7, Model Water Efficient Landscape Ordinance, where applicable, or in a manner inconsistent with local regulations.

~~8.9.~~ Operation of fountains, ponds, lakes or other ornamental use of Potable water without recycling, and except to the extent needed to sustain aquatic life, provided such animals are of significant value and have been actively managed.

~~9.10.~~ Draining and refilling of swimming pools or spas except (a) to prevent or correct structural damage or to comply with public health regulations, or (b) upon prior approval of the General Manager.

~~10.11.~~ Individual private washing of cars with a hose except with the use of a Positive Action Shut-Off Nozzle.

~~11.12.~~ Washing commercial aircraft, cars, buses, boats, trailers or other commercial vehicles with Potable water, except at water efficient commercial or fleet vehicle or boat washing facilities where equipment is properly maintained to avoid wasteful use.

~~12.13.~~ In-bay or Conveyor Car Washes permitted and constructed prior to January 1, 2014, that do not recycle and reuse at least 50 percent of the wash and rinse water. In-bay or Conveyor Car Washes that were permitted and constructed after January 1, 2014, that do not either (1) use and maintain a water recycling system that recycles and reuses at least 60 percent of the wash and rinse water; or

(2) use recycled water provided by a water supplier for at least 60 percent of its wash and rinse water.

~~13.~~14. Charity car washes.

~~14.~~15. Use of Potable water for street cleaning.

~~15.~~16. Failure to meet MPWMD Regulation XIV water efficiency standards for an existing business after having been given a reasonable amount of time to comply.

~~16.~~17. Serving drinking water to any customer unless expressly requested, by a restaurant, hotel, café, cafeteria or other public place where food is sold, served or offered for sale.

~~17.~~18. Visitor-Serving Facilities that fail to adopt and promote towel and linen reuse programs and provide written notice in the rooms, whereby towels and linens are changed every three days or as requested by action of the guest.

~~18.~~19. Washing of livestock with a hose except with the use of a Positive Action Shut-Off Nozzle.

~~19.~~20. Transportation of water from the Monterey Peninsula Water Resource System without prior written authorization from the MPWMD.

~~20.~~21. Delivery and/or receipt of water from an unpermitted Mobile Water Distribution System.

~~21.~~22. Unreasonable or excessive use of Potable water for dust control or earth compaction without prior written approval of the General Manager where non-Potable water or other alternatives are available or satisfactory.

~~22.~~23. Use of unmetered fire hydrant water by individuals other than for fire suppression or utility system maintenance purposes, except upon prior approval of the General Manager.

~~23.~~24. Water use in excess of a Water Ration.

~~24.~~25. Non-Compliance with Regulations XIV and XV.

The following activities shall not be cited as Water Waste:

1. Flow resulting from firefighting or essential inspection of fire hydrants;
 2. Water applied to abate spills of flammable or otherwise hazardous materials, where water application is the appropriate methodology;
 3. Water applied to prevent or abate health, safety, or accident hazards when alternate methods are not available;
 4. Storm run-off;
 5. Flow from fire training activities during Stage 1 Water Conservation through Stage 3 Water Conservation;
 6. Reasonable quantities of water applied as dust control as required by the Monterey Bay Unified Air Pollution Control District, except when prohibited.
 7. When a Mobile Water Distribution System Permit is not obtained [by a State licensed potable water handler](#) by reason of an emergency or health related situation, authorization for the Mobile Water Distribution System Permit shall be sought from the District by submittal of a complete application compliant with Rule 21, within five working days following commencement of the emergency or health related event.
- C. Non-Essential Water Use shall mean uses of water that are acceptable during times of normal water availability, as long as proper procedures to maximize efficiency are followed. However, when water is in short supply, Non-Essential Water Uses must be curtailed to preserve limited water resources for essential uses. Non-Essential Water Uses do not have health or safety impacts, are not required by regulation, and are not required to meet the core functions of a Non-Residential use.
- D. Prohibitions against Water Waste and Non-Essential Water Use shall be enforced by the District and its designated agents, unless indicated otherwise. [All notices and assessments of Water Waste and/or excess water use charges made by a Water Distribution System Operator shall be reported to the District.](#)

- E. Each occurrence of Water Waste or Non-Essential Water Use that continues after the Water User has had reasonable notice to cease and desist that type of water use shall constitute a Flagrant Violation.
- F. Repeated occurrences of Water Waste or Non-Essential Water Use, which continue or occur after the Water User has had a reasonable notice to cease and desist that type of water use, or which continues or occurs after the Water User has had a reasonable opportunity to cure any defect causing that type of water use, shall provide cause for the placement of a Flow Restrictor with a maximum flow rate of six (6) ccf/month within the water line or water meter. Exemptions to the installation of a Flow Restrictor as a means to enforce the Water Ration shall occur when there are provable risks to the health, safety and/or welfare of the Water User. An exemption shall be made for water meters serving three or more Multi-Family Dwelling units or any Mixed Use by substituting an excess water use charge equivalent to the appropriate meter size, rationing stage, and 4th offense amount times the number of Dwelling Units located on the meter during each month in which a violation of the Water Ration occurs. The Responsible Party shall be liable for payment of all excess water use charges.
- G. Water Waste Fees shall be assessed as shown in Table XV-5. Table XV-5 may be amended by Resolution of the Board. Amendments to this table shall be concurrently made to the Fees and Charges Table found in Rule 60.

<p align="center">TABLE XV-5 Water Waste Fees Fee amounts are tripled for customers using over 1 million gallons/year</p>	
First offense	No fee: Written notice and opportunity to correct the situation
Fee for first Flagrant Violation	\$100
Fee for second Flagrant Violation within 2 months	\$250
Fee for third and subsequent Flagrant Violations within 12 months	\$500
Fee for Administrative Compliance Order or Cease & Desist Order	Up to \$2,500 per day for each ongoing violation, except that the total administrative penalty shall not exceed one hundred thousand dollars (\$100,000.00) exclusive of administrative costs, interest and restitution for compliance re-inspections, for any related series of violations
Late payment charges	Half of one percent of the amount owed per month

H. In addition to Water Waste fines and fees described in this Rule 162, enforcement of all District Rules and Regulations is subject to District Regulation XI and may include an Administrative Compliance Order, a Cease & Desist Order, or other remedy available to the District under its Regulation XI.

Section XXX: **Rule 163 -- Stage 2 Water Conservation: Voluntary Reduction in Use**

A. Trigger.

1. Physical Shortage Trigger: Stage 2 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 Storage Available in Table XV-4 is below the Total Storage Required, but at least 95% of Total Storage Required. The amount of voluntary reduction shall equal the percentage shortfall in Total Storage Required.
2. Regulatory Trigger – Production Targets: Stage 2 shall take effect when the most

recent 12 month California American Water production from the MPWRS is greater than the then-current annual production target as determined in Table XV-1 but no greater than 105% of the annual production target. The amount of voluntary reduction shall equal the percentage overage of the annual production.

3. Regulatory Trigger – Regulatory Order: Stage 2 shall take effect in any Water Distribution System when that system is requested by a governmental or regulatory agency for voluntary reductions. The amount of voluntary reduction shall equal the percentage requested by that governmental or regulatory agency relative to a base year determined by the governmental or regulatory agency.
 4. Emergency Trigger: Stage 2 shall take effect for any Water Distribution System, private Well, or Water User when the Board finds that a Water Supply Emergency exists ~~and~~ upon adoption of a Resolution of the Board of Directors, or a declaration of a water supply emergency by the Company, or a State or County entity, due to a catastrophic events. In that Resolution or declaration, ~~there~~ Board shall be a finding of there is an immediate need to reduce production. The amount of voluntary reduction shall be determined by the Board, the Company, or the State or County entity.
- B. The District and the Water Distribution System shall provide notice of the amount of voluntary reduction to Water Users pursuant to Rule 161. Additional noticing and public outreach may be provided by the District at the Direction of its Board of Directors.
- C. The District and its agents shall increase enforcement activities related to Water Waste Prohibitions.
- D. Stage 1 shall remain in effect.
- E. Sunset.
1. Without further action of the Board of Directors, Stage 2, when implemented pursuant to Rule 163-A-1, shall sunset and water use restrictions shall revert to Stage 1 when Total Storage Available computed consistent with Table XV-4 is greater than Total Storage Required for two (2) consecutive months.
 2. Without further action of the Board of Directors, Stage 2, when implemented pursuant to Rule 163-A-2, shall sunset for that Water Distribution System(s) and water use restrictions shall revert to Stage 1 when that Water Distribution System's

12 month total production has been less than or equal to its then-current annual production target for two (2) consecutive months.

3. Without further action of the Board of Directors, Stage 2, when implemented pursuant to Rule 163-A-3, shall sunset for that Water Distribution System(s) and water use restrictions shall revert to Stage 1 when the governmental or regulatory agency rescinds the request or the District determines that the voluntary reduction has been met, and conditions 163-E-1 and 163-E-2 have been met.
4. Stage 2, when implemented pursuant to Rule 163-A-4, shall sunset and water use restrictions shall revert to Stage 1 when the Board finds that a water supply emergency no longer exists.

Section XXX: **Rule 164 -- Stage 3 Water Conservation: Conservation Rates**

A. Trigger.

1. Stage 2 Deemed Unsuccessful: Stage 3 shall take effect if Stage 2 has been implemented and has failed to sunset after a period of six (6) months.
2. Physical Shortage Trigger: Stage 3 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 Storage Available in Table XV-4 is below 95% of Total Storage Required and Stage 2 has not been implemented.
3. Regulatory Trigger – Production Targets: Stage 3 shall take effect when the most recent 12 month California American Water production from the MPWRS is greater than 105% of the then-current annual production target as determined in Table XV-1 and Stage 2 has not been implemented.
4. Regulatory Trigger – Regulatory Order: Stage 3 shall take effect when requested by a governmental or regulatory agency to implement Stage 3.
5. Emergency Trigger: Stage 3 shall take effect for any Water Distribution System, private Well, or Water User when the Board finds that a Water Supply Emergency exists and upon adoption of a Resolution of the Board of Directors, or a declaration of a water supply emergency by the Company, or a State or County entity, due to a

catastrophic event. In that Resolution or declaration, there shall be a finding of an immediate need to Emergency Trigger: Stage 3 shall take effect when the Board finds that a Water Supply Emergency exists and 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 through the imposition of Stage 3 Conservation Rates.

B. Stages 1 and 2 shall remain in effect.

C. Thirty days prior to implementation of Stage 3, California American Water shall file to implement Level 1 Conservation Rates within Main System and Laguna Seca Subarea and shall provide notification to its customers that such rates shall be implemented after thirty (30) days. Prior to an increase to Level 2 Conservation Rates California American Water shall provide notification to its customers that such rates shall be implemented after thirty (30) days.

1. Level 1 Conservation Rates comprised of a 25 percent surcharge shall be implemented on the then existing rates for a minimum of 3 months. The surcharge shall not apply to Tier 1 Residential customers.
2. Level 2 Conservation Rates comprised of a 40 percent surcharge shall be implemented on the then existing rate (without the 25 percent Level 1 surcharge) if after the imposition of Level 1 Conservation Rates for 3 months the monthly production in the California American Water System exceeds the monthly production target for the previous two (2) consecutive months. The surcharge shall not apply to Tier 1 residential customers.

D. Sunset.

1. Without further action of the Board of Directors, Stage 3, when implemented pursuant to Rule 164-A-1 or 164-A-2, shall sunset and water use restrictions shall revert to Stage 1 when Total Storage Available computed consistent with Table XV-4 is greater than Total Storage Required for two (2) consecutive months.
2. Without further action of the Board of Directors, Stage 3, when implemented pursuant to Rule 164-A-1 or 164-A-3, shall sunset for that Water Distribution System(s) and water use restrictions shall revert to Stage 1 when that Water Distribution System's 12 month total production has been less than or equal to its then-current annual production target for two (2) consecutive months.

3. Without further action of the Board of Directors, Stage 3, when implemented pursuant to Rule 164-A-4 shall sunset for that Water Distribution System(s) and water use restrictions shall revert to Stage 1 when the governmental or regulatory agency rescinds the request and conditions 164-C-1 and 164-C-2 have been met.
4. Stage 3, when implemented pursuant to Rule 164-A-5, shall sunset and water use restrictions shall revert to Stage 1 when the Board finds that a water supply emergency no longer exists.

Section XXX: **Rule 165 -- Stage 4: Water Rationing**

A. Trigger.

1. Stage 3 Deemed Unsuccessful: Stage 4 shall take effect if Stage 3 has been implemented and has failed to sunset after a period of 8 months.
2. Regulatory Trigger – Regulatory Order: Stage 4 shall take effect in any Water Distribution System when that system is requested by a governmental or regulatory agency to implement Stage 4.
3. Emergency Trigger: Stage 4 shall take effect for any Water Distribution System, private Well, or Water User when the Board finds that a Water Supply Emergency exists and upon adoption of a Resolution of the Board of Directors, or a declaration of a water supply emergency by the Company, or a State or County entity, due to a catastrophic event. In that Resolution or declaration, there shall be a finding of an immediate need to reduce production ~~Emergency Trigger: Stage 4 shall take effect for any Water Distribution System, private Well, or Water User when the Board finds that a Water Supply Emergency exists and 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~~ through the imposition of Stage 4 Water Rationing.
4. Stage 4 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. 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.
5. Delay of Stage Implementation. The Board may delay implementation of Stage 4

Water Rationing for any Water Distribution System to ensure adequate operation of the program. Delays authorized by the Board shall not exceed sixty (60) days.

B. Amount of Reduction.

- a. The amount of mandatory reduction shall equal the shortfall in Actual Storage Available as compared to the Total Storage Required; or
- b. The amount of mandatory reduction shall equal the overage of the last 12 months actual production as compared to the then-current annual production target; or
- c. The amount of mandatory reduction shall equal some other amount as reflected in a governmental or regulatory order.

C. Stages 1, 2, and 3 (if applicable) shall remain in effect.

D. Additional Prohibitions.

- a. The Board shall consider prohibiting all or specific Non-Essential Water Uses. The Board may enact such prohibitions by Resolution.
- b. Moratorium. Upon implementation of Stage 4, the Board shall declare a moratorium on all Water Permit applications with the affected Water Distribution System other than those applications that rely upon an on-Site Water Credit. The Board may amend the moratorium to include all Water Permit applications if warranted.
- c. No New Potable Water Service: Upon declaration of Stage 4 Water Rationing, no new potable water service will be provided, no new temporary meters or permanent meters will be provided, and no statements of immediate ability to serve or provide potable water service (e.g. will-serve letters, certificates, or letters of availability) will be issued, except under the following circumstances:
 - i. The project is necessary to protect the public health, safety, and welfare;
 - ii. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of California American Water Company; or

- iii. This provision does not preclude the resetting or turn-on of meters to provide continuation of water service or the restoration of service that has been interrupted for a period of one year or less.
- d. No New Annexations: Upon the declaration of a Stage 4, California American Water Company will suspend consideration of annexations to its Monterey service area. This subsection does not apply to boundary corrections and annexations that will not result in any increased use of water.
- e. Customers utilizing portable Water Meters or hydrant meters or using hydrants to fill water tanks without the use of a Water Meter, shall be required to cease use of the water. Portable Water Meters shall be returned to the Water Distribution System at least thirty (30) days before the implementation of Stage 4.
- f. No Watering or Irrigating: Watering or irrigating of Lawn, landscape or other vegetated area with Potable water is prohibited. This restriction does not apply to the following categories of use, or where the District has determined that recycled non-potable water is available and may be applied to the use:
 - i. Businesses dependent on watering or irrigating in the course of business such as agriculture, nursery, and similar uses;
 - ii. Maintenance of existing landscape necessary for fire protection;
 - iii. Maintenance of existing landscape for soil erosion control;
 - iv. Maintenance of plant materials identified to be rare or essential to the well-being of protected species;
 - v. Maintenance of landscape within active public parks and playing fields, day care centers, golf course greens, and school grounds, provided that such irrigation does not exceed one (1) day per week;
 - vi. Actively irrigated environmental mitigation projects.

E. Residential Rations.

1. Upon adoption of a resolution by the Board for a specific reduction in Residential

water use, daily Household water Rations shall be set at a level to achieve the necessary reduction. In no case shall daily Residential water Rations fall below 90 gallons per Single-Family Dwelling Household or 65 gallons per Multi-Family Dwelling Household.

2. Additional Rations for Large Households:

- i. Where four or more Permanent Residents occupy a single residence served by one water meter, the maximum daily Ration may be increased by the amounts listed below:

	Single Family Dwelling Gallons per Day	Multi-Family Dwelling Gallons per Day
Fourth Permanent Resident	30	22
Fifth Permanent Resident	25	18
Sixth Permanent Resident	20	15
Seventh or More Permanent Resident	15	11

3. Procedure for Obtaining Additional Rations for large Households:

- a. The Applicant shall complete a Residency Affidavit (obtained from the District) that requests the name, age and verification of full time Permanent Residents for each resident in the Household for which the additional Ration is requested. The information on the application shall be presented under penalty of perjury. The additional Ration request shall be submitted to the General Manager of the District, who will approve or disapprove the request within 10 business days of submission of a completed application.
- b. If the application is disapproved, the General Manager will explain in writing the reason for the disapproval, and if the Applicant is not satisfied with the decision of the General Manager, the Applicant may appeal the General Manager's decision to the District's Board of Directors.

4. Rations for Multi-Residential Customers Where Two or More Households are Served by One Meter:

- a. Where the water use of two or more Households is measured by only

one meter, the maximum amount of daily allowed water use will be the lesser of: (1) the amounts obtained by multiplying the number of households or apartments by XXX gallons per day; or (2) by XX% of the average monthly amount of water measured by the meter in a previous year selected by the District for which Stages 2, 3, or 4 conservation or rationing was not in place for the month of usage.

- b. Residents of Multi-Family Residences served by one meter shall be responsible for dividing the Rationed water among themselves.

5. Procedure for Obtaining Additional Rations for Multi-Residential Users Where Two or More Households are Served by One Meter:

- a. The Applicant must fill out the required form that lists the number of Residences served by the single meter and submit a use permit issued by the Jurisdiction for the Multi-Residential Residences served by the meter. MPWMD shall retain the right to require Residency Affidavits to determine the appropriate Rations. The additional Ration request shall be submitted to the General Manager, who will approve or disapprove the request within 10 business days of submission of a completed application. The Application shall be submitted under penalty of perjury.
- b. If the application is disapproved, the General Manager will explain in writing the reason for the disapproval, and if the Applicant is not satisfied with the decision of the General Manager, the Applicant may appeal the General Manager's decision to the District's Board of Directors.

6. Additional Ration for Special Needs. Where more water than allowed in Sections 3 or 5 above is necessary to preserve the health or safety of a Full Time Resident or his or her Household, the General Manager may increase the Ration to the Residence during the period of need according to the needs of the Applicant.

- a. The Applicant or his or her representative may file a request for an additional Ration according to the application procedures set forth above in Sections 4 or 6, whichever most closely applies, except that the Applicant shall state in a letter to the General Manager: (1) the amount of the requested additional Ration, and (2) a general statement

in support of the need. Where appropriate, Applicant shall provide a letter from a medical doctor stating the need for additional water usage and projected duration of that need, if possible, or other appropriate justification for the special need.

- b. Additional Rations shall require the replacement of inefficient water fixtures with water efficient toilets, showerheads, faucets, High Efficiency Clothes Washers, and Rain Sensors.
 - c. If the General Manager does not approve an additional Ration, the Applicant may appeal to the Board. An appeal from the General Manager's decision must contain all of the following: (a) a copy of the original application; (b) a copy of the written explanation of the General Manager's decision; and (c) a written explanation of why the Applicant believes the decision should be changed.
7. Misrepresentation. Any Water User intentionally over-reporting the number of Permanent Residents in a Household may be charged with a misdemeanor punishable as an infraction as provided by Section 256 of the Monterey Peninsula Water Management District Law, Statutes of 1981, Chapter 986, as well as fees and penalties set forth in this regulation. During this Stage 4, whenever there is a change in the number of Permanent Residents in a Residential Dwelling Unit the Water User shall notify the District.

F. Non-Residential Rations.

- 1. If Residential Rationing does not achieve measurable results as expected after a period of six (6) months, upon adoption of a resolution by the Board for a specific reduction in Non-Residential water use, Non-Residential Rations shall be implemented at a level to achieve the necessary reduction in use.
 - a. Non-Residential Rations shall be determined by selection by the District of a previous year for which Stages 2, 3, or 4 conservation or rationing was not in place and then reducing each month's water use by a percentage determined by the District to achieve the Non-Residential reduction in use.
 - b. Exemptions: In the resolution to implement a level of Non-Residential Rationing, the Board shall include either (1) a variance for compliance

with Rule 143; (2) a variance for compliance with Best Management Practices or (3) a variance for a commercial establishment whose business requires water in the course of its business practice (e.g. laundromats, nurseries, among others.)

- c. The Applicant or his or her representative may file a request for an additional Ration. The Applicant shall state in a letter to the Board: (1) the amount of the requested Ration, and (2) a general statement in support of the need.
- d. If the request is disapproved, the Board will explain in writing the reason for the disapproval, and if the Applicant is not satisfied with the decision of the Board, the Applicant may appeal to the District's Board of Directors for a hearing.

G. 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.

H. CAWD/PBCSD Wastewater Reclamation Project Recycled Water Users. Recycled Water Irrigation Areas receiving water from the CAWD/PBCSD Wastewater Reclamation Project shall be subject to Stage 4 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. 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.
- b. 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.

- c. 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 Stage 4, 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.
- d. 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.
- e. 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.
- f. 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.
- g. 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.

I. Sunset.

- a. Without further action of the Board of Directors, Stage 4 shall sunset and water use restrictions shall revert to Stage 1 when Total Storage Available computed consistent with Table XV-4 is greater than Total Storage Required for two (2) consecutive months.
- b. Without further action of the Board of Directors, Stage 4 shall sunset for that Water Distribution System(s) and water use restrictions shall revert to Stage 1 when that Water Distribution System's 12 month total production has been less than or equal to its then-current annual production target for two (2) consecutive months.
- c. Without further action of the Board of Directors, Stage 4, when implemented shall sunset for that Water Distribution System(s) and water use restrictions shall revert to Stage 1 when the governmental or regulatory agency rescinds the request and conditions a. and b., above, have been met.
- d. Stage 4, when implemented pursuant to Rule 165-A-3, shall sunset and water use restrictions shall revert to Stage 1 when the Board finds that a water supply emergency no longer exists.
- e. Restoration of Lower Stage. A Resolution causing the sunset of one or more provisions 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.

Section XXX: **Rule 166 – Water Rationing Variances**

A. Special Needs Variances. The following needs shall be given additional Rations:

1. Medical and/or sanitation needs certified by a doctor;
2. Hospital and/or health care facilities that have achieved all BMPs for those uses;

3. Riparian irrigation when required as a condition of a riverbank restoration Permit issued by the District or as a condition of a riverbank erosion protection Permit issued by the District.

B. Hardship Variances. The following shall be given consideration of additional Rations to meet basic needs:

1. Health and safety situations on a case-by-case basis;
2. Drinking water for large livestock;
3. Non-Residential Users that can demonstrate compliance with all District regulations appropriate for the type of use and where there is minimal exterior water use on the water meter or water supply serving the use;
4. Commercial laundromats with signs advising full loads only;
5. Business in a home on a case-by-case basis;
6. Emergency, extreme, or unusual situations on a case-by-case basis.

C. No Variance. The following categories of water use shall not qualify for an additional Ration:

1. Short-Term Residential Housing as defined in Rule 11 (Definitions).
2. Guests and short-term visitors.
3. Irrigation, other than variances allowed for required riparian irrigation or safety.
4. Filling spas, ponds, fountains, etc.
5. Leaks that are not repaired within 72 hours of notice.

D. Mandatory Conditions of Approval. Prior to approving any variance, the Site must be in compliance with all applicable District Rules and Regulations and the water conservation standards. Verification by District inspection may be conducted prior to granting a variance.

Section XXX: Rule 167 Enforcement

~~In addition to Water Waste fines and fees described in Rule 162, enforcement of all District Rules and Regulations is subject to District Regulation XI and may include an Administrative Compliance Order, a Cease & Desist Order, or other remedy available to the District under its Regulation XI.~~

DRAFT

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