Appendix A

Legislative Requirements

WATER CODE - WAT

DIVISION 6. CONSERVATION, DEVELOPMENT, AND UTILIZATION OF STATE WATER RESOURCES [10000 - 12999]
(Heading of Division 6 amended by Stats. 1957, Ch. 1932.)

PART 2.55. SUSTAINABLE WATER USE AND DEMAND REDUCTION [10608 - 10609.42] *(Part 2.55 added by Stats.2009, 7th Ex. Sess., Ch. 4, Sec. 1.)*

CHAPTER 1. General Declarations and Policy [10608 - 10608.8] *(Chapter 1 added by Stats. 2009, 7th Ex. Sess., Ch. 4, Sec. 1.)*

10608.

The Legislature finds and declares all of the following:

(a) Water is a public resource that the California Constitution protects against waste and unreasonable use.

(b) Growing population, climate change, and the need to protect and grow California's economy while protecting and restoring our fish and wildlife habitats make it essential that the state manage its water resources as efficiently as possible.

(c) Diverse regional water supply portfolios will increase water supply reliability and reduce dependence on the Delta.

(d) Reduced water use through conservation provides significant energy and environmental benefits, and can help protect water quality, improve stream flows, and reduce greenhouse gas emissions.

(e) The success of state and local water conservation programs to increase efficiency of water use is best determined on the basis of measurable outcomes related to water use or efficiency.

(f) Improvements in technology and management practices offer the potential for increasing water efficiency in California over time, providing an essential water management tool to meet the need for water for urban, agricultural, and environmental uses.

(g) The Governor has called for a 20 percent per capita reduction in urban water use statewide by 2020.

(h) The factors used to formulate water use efficiency targets can vary significantly from location to location based on factors including weather, patterns of urban and suburban development, and past efforts to enhance water use efficiency.

(i) Per capita water use is a valid measure of a water provider's efforts to reduce urban water use within its service area. However, per capita water use is less useful for measuring relative water use efficiency between different water providers. Differences in weather, historical patterns of urban and suburban development, and density of housing in a particular location need to be considered when assessing per capita water use as a measure of efficiency.

(*Added* by Stats. 2009, 7th Ex. Sess., Ch. 4, Sec. 1. (SB 7 7x) Effective February 3, 2010.)

10608.4

It is the intent of the Legislature, by the enactment of this part, to do all of the following:

(a) Require all water suppliers to increase the efficiency of use of this essential resource.

(b) Establish a framework to meet the state targets for urban water conservation identified in this part and called for by the Governor.

(c) Measure increased efficiency of urban water use on a per capita basis.

(d) Establish a method or methods for urban retail water suppliers to determine targets for achieving increased water use efficiency by the year 2020, in accordance with the Governor's goal of a 20-percent reduction.

(e) Establish consistent water use efficiency planning and implementation standards for urban water suppliers and agricultural water suppliers.

(f) Promote urban water conservation standards that are consistent with the California Urban Water Conservation Council's adopted best management practices and the requirements for demand management in Section 10631.

(g) Establish standards that recognize and provide credit to water suppliers that made substantial capital investments in urban water conservation since the drought of the early 1990s.

(h) Recognize and account for the investment of urban retail water suppliers in providing recycled water for beneficial uses.

(i) Require implementation of specified efficient water management practices for agricultural water suppliers.

(j) Support the economic productivity of California's agricultural, commercial, and industrial sectors.

(k) Advance regional water resources management.

(Added by Stats. 2009, 7th Ex. Sess., Ch. 4, Sec. 1. (SB 7 7x) Effective February 3, 2010.)

10608.8

(a) (1) Water use efficiency measures adopted and implemented pursuant to this part or Part 2.8 (commencing with Section 10800) are water conservation measures subject to the protections provided under Section 1011.

(2) Because an urban agency is not required to meet its urban water use target until 2020 pursuant to subdivision (a) of Section 10608.24, an urban retail water supplier's failure to meet those targets shall not establish a violation of law for purposes of any state administrative or judicial proceeding prior to January 1, 2021. Nothing in this paragraph limits the use of data reported to the department or the board in litigation or an administrative proceeding. This paragraph shall become inoperative on January 1, 2021.

(3) To the extent feasible, the department and the board shall provide for the use of water conservation reports required under this part to meet the requirements of Section 1011 for water conservation reporting.

(b) This part does not limit or otherwise affect the application of Chapter 3.5 (commencing with Section 11340), Chapter 4 (commencing with Section 11370), Chapter 4.5 (commencing with Section 11400), and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(c) This part does not require a reduction in the total water used in the agricultural or urban sectors, because other factors, including, but not limited to, changes in agricultural economics or population growth may have greater effects on water use. This part does not limit the economic productivity of California's agricultural, commercial, or industrial sectors.

(d) The requirements of this part do not apply to an agricultural water supplier that is a party to the Quantification Settlement Agreement, as defined in subdivision (a) of Section 1 of Chapter 617 of the Statutes of 2002, during the period within which the Quantification Settlement Agreement remains in effect. After the expiration of the Quantification Settlement Agreement, to the extent conservation water projects implemented as part of the Quantification Settlement Agreement remain in effect, the conserved water created as part of those projects shall be credited against the obligations of the agricultural water supplier pursuant to this part.

(Added by Stats. 2009, 7th Ex. Sess., Ch. 4, Sec. 1. (SB 7 7x) Effective February 3, 2010.)

WATER CODE - WAT

DIVISION 6. CONSERVATION, DEVELOPMENT, AND UTILIZATION OF STATE WATER RESOURCES [10000 - 12999] *(Heading of Division 6 amended by Stats. 1957, Ch. 1932.)*

PART 2.55. SUSTAINABLE WATER USE AND DEMAND REDUCTION [10608 - 10609.42] *(Part 2.55 added by Stats. 2009, 7th Ex. Sess., Ch. 4, Sec. 1.)*

CHAPTER 9. Urban Water Use Objectives and Water Use Reporting [10609 - 10609.38] *(Chapter 9 added by Stats. 2018, Ch. 15, Sec. 7.)*

10609. (a) The Legislature finds and declares that this chapter establishes a method to estimate the aggregate amount of water that would have been delivered the previous year by an urban retail water supplier if all that water had been used efficiently. This estimated aggregate water use is the urban retail water supplier's urban water use objective. The method is based on water use efficiency standards and local service area characteristics for that year. By comparing the amount of water actually used in the previous year with the urban water use objective, local urban water suppliers will be in a better position to help eliminate unnecessary use of water; that is, water used in excess of that needed to accomplish the intended beneficial use.

(b) The Legislature further finds and declares all of the following:

(1) This chapter establishes standards and practices for the following water uses:

(A) Indoor residential use.

(B) Outdoor residential use.

(C) CII water use.

(D) Water losses.

(E) Other unique local uses and situations that can have a material effect on an urban water supplier's total water use.

(2) This chapter further does all of the following:

(A) Establishes a method to calculate each urban water use objective.

(B) Considers recycled water quality in establishing efficient irrigation standards.

(C) Requires the department to provide or otherwise identify data regarding the unique local conditions to support the calculation of an urban water use objective.

(D) Provides for the use of alternative sources of data if alternative sources are shown to be as accurate as, or more accurate than, the data provided by the department.

(E) Requires annual reporting of the previous year's water use with the urban water use objective.

(F) Provides a bonus incentive for the amount of potable recycled water used the previous year when comparing the previous year's water use with the urban water use objective, of up to 10 percent of the urban water use objective.

(3) This chapter requires the department and the board to solicit broad public participation from stakeholders and other interested persons in the development of the standards and the adoption of regulations pursuant to this chapter.

(4) This chapter preserves the Legislature's authority over long-term water use efficiency target setting and ensures appropriate legislative oversight of the implementation of this chapter by doing all of the following:

(A) Requiring the Legislative Analyst to conduct a review of the implementation of this chapter, including compliance with the adopted standards and regulations, accuracy of the data, use of alternate data, and other

issues the Legislative Analyst deems appropriate.

(B) Stating legislative intent that the director of the department and the chairperson of the board appear before the appropriate Senate and Assembly policy committees to report on progress in implementing this chapter.

(C) Providing one-time-only authority to the department and board to adopt water use efficiency standards, except as explicitly provided in this chapter. Authorization to update the standards shall require separate legislation.

(c) It is the intent of the Legislature that the following principles apply to the development and implementation of long-term standards and urban water use objectives:

(1) Local urban retail water suppliers should have primary responsibility for meeting standards-based water use targets, and they shall retain the flexibility to develop their water supply portfolios, design and implement water conservation strategies, educate their customers, and enforce their rules.

(2) Long-term standards and urban water use objectives should advance the state's goals to mitigate and adapt to climate change.

(3) Long-term standards and urban water use objectives should acknowledge the shade, air quality, and heat-island reduction benefits provided to communities by trees through the support of water-efficient irrigation practices that keep trees healthy.

(4) The state should identify opportunities for streamlined reporting, eliminate redundant data submissions, and incentivize open access to data collected by urban and agricultural water suppliers.

(Amended by Stats. 2019, Ch. 497, Sec. 287. (AB 991) Effective January 1, 2020.)

10609.2. (a) The board, in coordination with the department, shall adopt long-term standards for the efficient use of water pursuant to this chapter on or before June 30, 2022.

(b) Standards shall be adopted for all of the following:

(1) Outdoor residential water use.

(2) Outdoor irrigation of landscape areas with dedicated irrigation meters in connection with CII water use.

(3) A volume for water loss.

(c) When adopting the standards under this section, the board shall consider the policies of this chapter and the proposed efficiency standards' effects on local wastewater management, developed and natural parklands, and urban tree health. The standards and potential effects shall be identified by May 30, 2022. The board shall allow for public comment on potential effects identified by the board under this subdivision.

(d) The long-term standards shall be set at a level designed so that the water use objectives, together with other demands excluded from the long-term standards such as CII indoor water use and CII outdoor water use not connected to a dedicated landscape meter, would exceed the statewide conservation targets required pursuant to Chapter 3 (commencing with Section 10608.16).

(e) The board, in coordination with the department, shall adopt by regulation variances recommended by the department pursuant to Section 10609.14 and guidelines and methodologies pertaining to the calculation of an urban retail water supplier's urban water use objective recommended by the department pursuant to Section 10609.16.

(Added by Stats. 2018, Ch. 15, Sec. 7. (AB 1668) Effective January 1, 2019.)

10609.4. (a) (1) Until January 1, 2025, the standard for indoor residential water use shall be 55 gallons per capita daily.

(2) Beginning January 1, 2025, and until January 1, 2030, the standard for indoor residential water use shall be the greater of 52.5 gallons per capita daily or a standard recommended pursuant to subdivision (b).

(3) Beginning January 1, 2030, the standard for indoor residential water use shall be the greater of 50 gallons per capita daily or a standard recommended pursuant to subdivision (b).

(b) (1) The department, in coordination with the board, shall conduct necessary studies and investigations and may jointly recommend to the Legislature a standard for indoor residential water use that more appropriately reflects best practices for indoor residential water use than the standard described in subdivision (a). A report on the results of the studies and investigations shall be made to the chairpersons of the relevant policy committees of each house of the Legislature by January 1, 2021, and shall include information necessary to support the recommended standard, if there is one. The studies and investigations shall also include an analysis of the benefits and impacts of how the changing standard for indoor residential water use will impact water and wastewater

management, including potable water usage, wastewater, recycling and reuse systems, infrastructure, operations, and supplies.

(2) The studies, investigations, and report described in paragraph (1) shall include collaboration with, and input from, a broad group of stakeholders, including, but not limited to, environmental groups, experts in indoor plumbing, and water, wastewater, and recycled water agencies.

(Added by Stats. 2018, Ch. 15, Sec. 7. (AB 1668) Effective January 1, 2019.)

10609.6. (a) (1) The department, in coordination with the board, shall conduct necessary studies and investigations and recommend, no later than October 1, 2021, standards for outdoor residential use for adoption by the board in accordance with this chapter.

(2) (A) The standards shall incorporate the principles of the model water efficient landscape ordinance adopted by the department pursuant to the Water Conservation in Landscaping Act (Article 10.8 (commencing with Section 65591) of Chapter 3 of Division 1 of Title 7 of the Government Code).

(B) The standards shall apply to irrigable lands.

(C) The standards shall include provisions for swimming pools, spas, and other water features. Ornamental water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, shall be analyzed separately from swimming pools and spas.

(b) The department shall, by January 1, 2021, provide each urban retail water supplier with data regarding the area of residential irrigable lands in a manner that can reasonably be applied to the standards adopted pursuant to this section.

(c) The department shall not recommend standards pursuant to this section until it has conducted pilot projects or studies, or some combination of the two, to ensure that the data provided to local agencies are reasonably accurate for the data's intended uses, taking into consideration California's diverse landscapes and community characteristics.

(Added by Stats. 2018, Ch. 15, Sec. 7. (AB 1668) Effective January 1, 2019.)

10609.8. (a) The department, in coordination with the board, shall conduct necessary studies and investigations and recommend, no later than October 1, 2021, standards for outdoor irrigation of landscape areas with dedicated irrigation meters or other means of calculating outdoor irrigation use in connection with CII water use for adoption by the board in accordance with this chapter.

(b) The standards shall incorporate the principles of the model water efficient landscape ordinance adopted by the department pursuant to the Water Conservation in Landscaping Act (Article 10.8 (commencing with Section 65591) of Chapter 3 of Division 1 of Title 7 of the Government Code).

(c) The standards shall include an exclusion for water for commercial agricultural use meeting the definition of subdivision (b) of Section 51201 of the Government Code.

(Added by Stats. 2018, Ch. 15, Sec. 7. (AB 1668) Effective January 1, 2019.)

10609.9. For purposes of Sections 10609.6 and 10609.8, "principles of the model water efficient landscape ordinance" means those provisions of the model water efficient landscape ordinance applicable to the establishment or determination of the amount of water necessary to efficiently irrigate both new and existing landscapes. These provisions include, but are not limited to, all of the following:

(a) Evapotranspiration adjustment factors, as applicable.

(b) Landscape area.

(c) Maximum applied water allowance.

(d) Reference evapotranspiration.

(e) Special landscape areas, including provisions governing evapotranspiration adjustment factors for different types of water used for irrigating the landscape.

(Added by Stats. 2018, Ch. 15, Sec. 7. (AB 1668) Effective January 1, 2019.)

10609.10. (a) The department, in coordination with the board, shall conduct necessary studies and investigations and recommend, no later than October 1, 2021, performance measures for CII water use for adoption by the board in accordance with this chapter.

(b) Prior to recommending performance measures for CII water use, the department shall solicit broad public participation from stakeholders and other interested persons relating to all of the following:

(1) Recommendations for a CII water use classification system for California that address significant uses of water.

(2) Recommendations for setting minimum size thresholds for converting mixed CII meters to dedicated irrigation meters, and evaluation of, and recommendations for, technologies that could be used in lieu of requiring dedicated irrigation meters.

(3) Recommendations for CII water use best management practices, which may include, but are not limited to, water audits and water management plans for those CII customers that exceed a recommended size, volume of water use, or other threshold.

(c) Recommendations of appropriate performance measures for CII water use shall be consistent with the October 21, 2013, report to the Legislature by the Commercial, Industrial, and Institutional Task Force entitled "Water Use Best Management Practices," including the technical and financial feasibility recommendations provided in that report, and shall support the economic productivity of California's commercial, industrial, and institutional sectors.

(d) (1) The board, in coordination with the department, shall adopt performance measures for CII water use on or before June 30, 2022.

(2) Each urban retail water supplier shall implement the performance measures adopted by the board pursuant to paragraph (1).

(Added by Stats. 2018, Ch. 15, Sec. 7. (AB 1668) Effective January 1, 2019.)

10609.12. The standards for water loss for urban retail water suppliers shall be the standards adopted by the board pursuant to subdivision (i) of Section 10608.34.

(Added by Stats. 2018, Ch. 15, Sec. 7. (AB 1668) Effective January 1, 2019.)

10609.14. (a) The department, in coordination with the board, shall conduct necessary studies and investigations and, no later than October 1, 2021, recommend for adoption by the board in accordance with this chapter appropriate variances for unique uses that can have a material effect on an urban retail water supplier's urban water use objective.

(b) Appropriate variances may include, but are not limited to, allowances for the following:

(1) Significant use of evaporative coolers.

(2) Significant populations of horses and other livestock.

(3) Significant fluctuations in seasonal populations.

(4) Significant landscaped areas irrigated with recycled water having high levels of total dissolved solids.

(5) Significant use of water for soil compaction and dust control.

(6) Significant use of water to supplement ponds and lakes to sustain wildlife.

(7) Significant use of water to irrigate vegetation for fire protection.

(8) Significant use of water for commercial or noncommercial agricultural use.

(c) The department, in recommending variances for adoption by the board, shall also recommend a threshold of significance for each recommended variance.

(d) Before including any specific variance in calculating an urban retail water supplier's water use objective, the urban retail water supplier shall request and receive approval by the board for the inclusion of that variance.

(e) The board shall post on its Internet Web site all of the following:

(1) A list of all urban retail water suppliers with approved variances.

(2) The specific variance or variances approved for each urban retail water supplier.

(3) The data supporting approval of each variance.

(Added by Stats. 2018, Ch. 15, Sec. 7. (AB 1668) Effective January 1, 2019.)

10609.15. To help streamline water data reporting, the department and the board shall do all of the following:

(a) Identify urban water reporting requirements shared by both agencies, and post on each agency's Internet Web site how the data is used for planning, regulatory, or other purposes.

(b) Analyze opportunities for more efficient publication of urban water reporting requirements within each agency, and analyze how each agency can integrate various data sets in a publicly accessible location, identify priority actions, and implement priority actions identified in the analysis.

(c) Make appropriate data pertaining to the urban water reporting requirements that are collected by either agency available to the public according to the principles and requirements of the Open and Transparent Water Data Act (Part 4.9 (commencing with Section 12400)).

(Added by Stats. 2018, Ch. 15, Sec. 7. (AB 1668) Effective January 1, 2019.)

10609.16. The department, in coordination with the board, shall conduct necessary studies and investigations and recommend, no later than October 1, 2021, guidelines and methodologies for the board to adopt that identify how an urban retail water supplier calculates its urban water use objective. The guidelines and methodologies shall address, as necessary, all of the following:

(a) Determining the irrigable lands within the urban retail water supplier's service area.

(b) Updating and revising methodologies described pursuant to subparagraph (A) of paragraph (1) of subdivision (h) of Section 10608.20, as appropriate, including methodologies for calculating the population in an urban retail water supplier's service area.

(c) Using landscape area data provided by the department or alternative data.

(d) Incorporating precipitation data and climate data into estimates of a urban retail water supplier's outdoor irrigation budget for its urban water use objective.

(e) Estimating changes in outdoor landscape area and population, and calculating the urban water use objective, for years when updated landscape imagery is not available from the department.

(f) Determining acceptable levels of accuracy for the supporting data, the urban water use objective, and compliance with the urban water use objective.

(Added by Stats. 2018, Ch. 15, Sec. 7. (AB 1668) Effective January 1, 2019.)

10609.18. The department and the board shall solicit broad public participation from stakeholders and other interested persons in the development of the standards and the adoption of regulations pursuant to this chapter. The board shall hold at least one public meeting before taking any action on any standard or variance recommended by the department.

(Added by Stats. 2018, Ch. 15, Sec. 7. (AB 1668) Effective January 1, 2019.)

10609.20. (a) Each urban retail water supplier shall calculate its urban water use objective no later than January 1, 2024, and by January 1 every year thereafter.

(b) The calculation shall be based on the urban retail water supplier's water use conditions for the previous calendar or fiscal year.

(c) Each urban water supplier's urban water use objective shall be composed of the sum of the following:

(1) Aggregate estimated efficient indoor residential water use.

(2) Aggregate estimated efficient outdoor residential water use.

(3) Aggregate estimated efficient outdoor irrigation of landscape areas with dedicated irrigation meters or equivalent technology in connection with CII water use.

(4) Aggregate estimated efficient water losses.

(5) Aggregate estimated water use in accordance with variances, as appropriate.

(d) (1) An urban retail water supplier that delivers water from a groundwater basin, reservoir, or other source that is augmented by potable reuse water may adjust its urban water use objective by a bonus incentive calculated pursuant to this subdivision.

(2) The water use objective bonus incentive shall be the volume of its potable reuse delivered to residential water users and to landscape areas with dedicated irrigation meters in connection with CII water use, on an acre-foot basis.

(3) The bonus incentive pursuant to paragraph (1) shall be limited in accordance with one of the following:

(A) The bonus incentive shall not exceed 15 percent of the urban water supplier's water use objective for any potable reuse water produced at an existing facility.

(B) The bonus incentive shall not exceed 10 percent of the urban water supplier's water use objective for any potable reuse water produced at any facility that is not an existing facility.

(4) For purposes of this subdivision, "existing facility" means a facility that meets all of the following:

(A) The facility has a certified environmental impact report, mitigated negative declaration, or negative declaration on or before January 1, 2019.

(B) The facility begins producing and delivering potable reuse water on or before January 1, 2022.

(C) The facility uses microfiltration and reverse osmosis technologies to produce the potable reuse water.

(e) (1) The calculation of the urban water use objective shall be made using landscape area and other data provided by the department and pursuant to the standards, guidelines, and methodologies adopted by the board. The department shall provide data to the urban water supplier at a level of detail sufficient to allow the urban water supplier to verify its accuracy at the parcel level.

(2) Notwithstanding paragraph (1), an urban retail water supplier may use alternative data in calculating the urban water use objective if the supplier demonstrates to the department that the alternative data are equivalent, or superior, in quality and accuracy to the data provided by the department. The department may provide technical assistance to an urban retail water supplier in evaluating whether the alternative data are appropriate for use in calculating the supplier's urban water use objective.

(Amended by Stats. 2019, Ch. 239, Sec. 2. (AB 1414) Effective January 1, 2020.)

10609.21. (a) For purposes of Section 10609.20, and notwithstanding paragraph (4) of subdivision (d) of Section 10609.20, "existing facility" also includes the North City Project, phase one of the Pure Water San Diego Program, for which an environmental impact report was certified on April 10, 2018.

(b) This section shall become operative on January 1, 2019.

(Added by Stats. 2018, Ch. 453, Sec. 4. (SB 875) Effective September 17, 2018. Section operative January 1, 2019, by its own provisions.)

10609.22. (a) An urban retail water supplier shall calculate its actual urban water use no later than January 1, 2024, and by January 1 every year thereafter.

(b) The calculation shall be based on the urban retail water supplier's water use for the previous calendar or fiscal year.

(c) Each urban water supplier's urban water use shall be composed of the sum of the following:

(1) Aggregate residential water use.

(2) Aggregate outdoor irrigation of landscape areas with dedicated irrigation meters in connection with CII water use.

(3) Aggregate water losses.

(Amended by Stats. 2019, Ch. 239, Sec. 3. (AB 1414) Effective January 1, 2020.)

10609.24. (a) An urban retail water supplier shall submit a report to the department no later than January 1, 2024, and by January 1 every year thereafter. The report shall include all of the following:

(1) The urban water use objective calculated pursuant to Section 10609.20 along with relevant supporting data.

(2) The actual urban water use calculated pursuant to Section 10609.22 along with relevant supporting data.

(3) Documentation of the implementation of the performance measures for CII water use.

(4) A description of the progress made towards meeting the urban water use objective.

(5) The validated water loss audit report conducted pursuant to Section 10608.34.

(b) The department shall post the reports and information on its internet website.

(c) The board may issue an information order or conservation order to, or impose civil liability on, an entity or individual for failure to submit a report required by this section.

(Amended by Stats. 2019, Ch. 239, Sec. 4. (AB 1414) Effective January 1, 2020.)

10609.25. As part of the first report submitted to the department by an urban retail water supplier no later than January 1, 2024, pursuant to subdivision (a) of Section 10609.24, each urban retail water supplier shall provide a

narrative that describes the water demand management measures that the supplier plans to implement to achieve its urban water use objective by January 1, 2027.

(Added by Stats. 2019, Ch. 239, Sec. 5. (AB 1414) Effective January 1, 2020.)

10609.26. (a) (1) On and after January 1, 2024, the board may issue informational orders pertaining to water production, water use, and water conservation to an urban retail water supplier that does not meet its urban water use objective required by this chapter. Informational orders are intended to obtain information on supplier activities, water production, and conservation efforts in order to identify technical assistance needs and assist urban water suppliers in meeting their urban water use objectives.

(2) In determining whether to issue an informational order, the board shall consider the degree to which the urban retail water supplier is not meeting its urban water use objective, information provided in the report required by Section 10609.24, and actions the urban retail water supplier has implemented or will implement in order to help meet the urban water use objective.

(3) The board shall share information received pursuant to this subdivision with the department.

(4) An urban water supplier may request technical assistance from the department. The technical assistance may, to the extent available, include guidance documents, tools, and data.

(b) On and after January 1, 2025, the board may issue a written notice to an urban retail water supplier that does not meet its urban water use objective required by this chapter. The written notice may warn the urban retail water supplier that it is not meeting its urban water use objective described in Section 10609.20 and is not making adequate progress in meeting the urban water use objective, and may request that the urban retail water supplier address areas of concern in its next annual report required by Section 10609.24. In deciding whether to issue a written notice, the board may consider whether the urban retail water supplier has received an informational order, the degree to which the urban retail water supplier is not meeting its urban water use objective, information provided in the report required by Section 10609.24, and actions the urban retail water supplier has implemented or will implement in order to help meet its urban water use objective.

(c) (1) On and after January 1, 2026, the board may issue a conservation order to an urban retail water supplier that does not meet its urban water use objective. A conservation order may consist of, but is not limited to, referral to the department for technical assistance, requirements for education and outreach, requirements for local enforcement, and other efforts to assist urban retail water suppliers in meeting their urban water use objective.

(2) In issuing a conservation order, the board shall identify specific deficiencies in an urban retail water supplier's progress towards meeting its urban water use objective, and identify specific actions to address the deficiencies.

(3) The board may request that the department provide an urban retail water supplier with technical assistance to support the urban retail water supplier's actions to remedy the deficiencies.

(d) A conservation order issued in accordance with this chapter may include requiring actions intended to increase water-use efficiency, but shall not curtail or otherwise limit the exercise of a water right, nor shall it require the imposition of civil liability pursuant to Section 377.

(Amended by Stats. 2019, Ch. 239, Sec. 6. (AB 1414) Effective January 1, 2020.)

10609.27. Notwithstanding Section 10609.26, the board shall not issue an information order, written notice, or conservation order pursuant to Section 10609.26 if both of the following conditions are met:

(a) The board determines that the urban retail water supplier is not meeting its urban water use objective solely because the volume of water loss exceeds the urban retail water supplier's standard for water loss.

(b) Pursuant to Section 10608.34, the board is taking enforcement action against the urban retail water supplier for not meeting the performance standards for the volume of water losses.

(Added by Stats. 2019, Ch. 203, Sec. 1. (SB 134) Effective January 1, 2020.)

10609.28. The board may issue a regulation or informational order requiring a wholesale water supplier, an urban retail water supplier, or a distributor of a public water supply, as that term is used in Section 350, to provide a monthly report relating to water production, water use, or water conservation.

(Added by Stats. 2018, Ch. 14, Sec. 12. (SB 606) Effective January 1, 2019.)

10609.30. On or before January 10, 2024, the Legislative Analyst shall provide to the appropriate policy committees of both houses of the Legislature and the public a report evaluating the implementation of the water use efficiency

standards and water use reporting pursuant to this chapter. The board and the department shall provide the Legislative Analyst with the available data to complete this report.

(a) The report shall describe all of the following:

(1) The rate at which urban retail water users are complying with the standards, and factors that might facilitate or impede their compliance.

(2) The accuracy of the data and estimates being used to calculate urban water use objectives.

(3) Indications of the economic impacts, if any, of the implementation of this chapter on urban water suppliers and urban water users, including CII water users.

(4) The frequency of use of the bonus incentive, the volume of water associated with the bonus incentive, value to urban water suppliers of the bonus incentive, and any implications of the use of the bonus incentive on water use efficiency.

(5) The early indications of how implementing this chapter might impact the efficiency of statewide urban water use.

(6) Recommendations, if any, for improving statewide urban water use efficiency and the standards and practices described in this chapter.

(7) Any other issues the Legislative Analyst deems appropriate.

(Added by Stats. 2018, Ch. 14, Sec. 13. (SB 606) Effective January 1, 2019.)

10609.32. It is the intent of the Legislature that the chairperson of the board and the director of the department appear before the appropriate policy committees of both houses of the Legislature on or around January 1, 2026, and report on the implementation of the water use efficiency standards and water use reporting pursuant to this chapter. It is the intent of the Legislature that the topics to be covered include all of the following:

(a) The rate at which urban retail water suppliers are complying with the standards, and factors that might facilitate or impede their compliance.

(b) What enforcement actions have been taken, if any.

(c) The accuracy of the data and estimates being used to calculate urban water use objectives.

(d) Indications of the economic impacts, if any, of the implementation of this chapter on urban water suppliers and urban water users, including CII water users.

(e) The frequency of use of the bonus incentive, the volume of water associated with the bonus incentive, value to urban water suppliers of the bonus incentive, and any implications of the use of the bonus incentive on water use efficiency.

(f) An assessment of how implementing this chapter is affecting the efficiency of statewide urban water use.

(Added by Stats. 2018, Ch. 14, Sec. 14. (SB 606) Effective January 1, 2019.)

10609.34. Notwithstanding Section 15300.2 of Title 14 of the California Code of Regulations, an action of the board taken under this chapter shall be deemed to be a Class 8 action, within the meaning of Section 15308 of Title 14 of the California Code of Regulations, provided that the action does not involve relaxation of existing water conservation or water use standards.

(Added by Stats. 2018, Ch. 14, Sec. 15. (SB 606) Effective January 1, 2019.)

10609.36. (a) Nothing in this chapter shall be construed to determine or alter water rights. Sections 1010 and 1011 apply to water conserved through implementation of this chapter.

(b) Nothing in this chapter shall be construed to authorize the board to update or revise water use efficiency standards authorized by this chapter except as explicitly provided in this chapter. Authorization to update the standards beyond that explicitly provided in this chapter shall require separate legislation.

(c) Nothing in this chapter shall be construed to limit or otherwise affect the use of recycled water as seawater barriers for groundwater salinity management.

(Added by Stats. 2018, Ch. 14, Sec. 16. (SB 606) Effective January 1, 2019.)

10609.38. The board may waive the requirements of this chapter for a period of up to five years for any urban retail water supplier whose water deliveries are significantly affected by changes in water use as a result of damage from a disaster such as an earthquake or fire. In establishing the period of a waiver, the board shall take into

consideration the breadth of the damage and the time necessary for the damaged areas to recover from the disaster.

(Added by Stats. 2018, Ch. 14, Sec. 17. (SB 606) Effective January 1, 2019.)

DIVISION 6. CONSERVATION, DEVELOPMENT, AND UTILIZATION OF STATE WATER RESOURCES [10000 - 12999]
(Heading of Division 6 amended by Stats. 1957, Ch. 1932.)

PART 2.6. URBAN WATER MANAGEMENT PLANNING [10610 - 10657] *(Part 2.6 added by Stats. 1983, Ch. 1009, Sec..)*

CHAPTER 1. General Declaration and Policy [10610 - 10610.4] ***(Chapter 1 added by Stats. 1983, Ch. 1009, Alec. 1.)***

10610 This part shall be known and may be cited as the "Urban Water Management Planning Act."
(Added by Stats. 1983, Ch. 1009, Sec. 1.)

10610.2. (a) The Legislature finds and declares all of the following:

(1) The waters of the state are a limited and renewable resource subject to ever-increasing demands.

(2) The conservation and efficient use of urban water supplies are of statewide concern; however, the planning for that use and the implementation of those plans can best be accomplished at the local level.

(3) A long-term, reliable supply of water is essential to protect the productivity of California's businesses and economic climate, and increasing long-term water conservation among Californians, improving water use efficiency within the state's communities and agricultural production, and strengthening local and regional drought planning are critical to California's resilience to drought and climate change.

(4) As part of its long-range planning activities, every urban water supplier should make every effort to ensure the appropriate level of reliability in its water service sufficient to meet the needs of its various categories of customers during normal, dry, and multiple dry water years now and into the foreseeable future, and every urban water supplier should collaborate closely with local land-use authorities to ensure water demand forecasts are consistent with current land-use planning.

(5) Public health issues have been raised over a number of contaminants that have been identified in certain local and imported water supplies.

(6) Implementing effective water management strategies, including groundwater storage projects and recycled water projects, may require specific water quality and salinity targets for meeting groundwater basins water quality objectives and promoting beneficial use of recycled water.

(7) Water quality regulations are becoming an increasingly important factor in water agencies' selection of raw water sources, treatment alternatives, and modifications to existing treatment facilities.

(8) Changes in drinking water quality standards may also impact the usefulness of water supplies and may ultimately impact supply reliability.

(9) The quality of source supplies can have a significant impact on water management strategies and supply reliability.

(b) This part is intended to provide assistance to water agencies in carrying out their long-term resource planning responsibilities to ensure adequate water supplies to meet existing and future demands for water.

(Amended by Stats. 201B, Ch. 14, Sec. 18. (SB 606) Effective January 1, 201 9.)

10610.4 The Legislature finds and declares that it is the policy of the state as follows:

(a) The management of urban water demands and efficient use of water shall be actively pursued to protect both the people of the state and their water resources.

CHAPTER 2. Definitions [10611 - 1 0618] ***(Chapter 2 added by Stats. 1983, Ch. 1009, iec. 1.)***

10611. Unless the context otherwise requires, the definitions of this chapter govern the construction of this part.

(Added by Stats. 1983, Ch. 1009, Sec. 1.)

10611.3 "Customer" means a purchaser of water from a water supplier who uses the water for municipal purposes, including residential, commercial, governmental, and industrial uses.

Added by renumbering Section 10612 by Stats. 2018, Ch. 14, Sec. 20. (SB 606) Effective January 1, 2019.)

10611.5 "Demand management" means those water conservation measures, programs, and incentives that prevent the waste of water and promote the reasonable and efficient use and reuse of available supplies.

(Amended by Stats. 1995, Ch. 854, Sec. 3. Effective January 1, 1996.)

10612 "Drought risk assessment" means a method that examines water shortage risks based on the driest five- year historic sequence for the agency's water supply, as described in subdivision (b) of Section 10635.

(Added by Stats. 2018, Ch. 14, Sec. 21. (SB 606) Effective January 1, 201 9.)

10613. "Efficient use" means those management measures that result in the most effective use of water so as to prevent its waste or unreasonable use or unreasonable method of use.

(Added by :3tats. 1983, Ch. 1009, Exec. 1.)

10614. "Person" means any individual, firm, association, organization, partnership, business, trust, corporation, company, public agency, or any agency of such an entity.

(Added by Stats. 1983, Ch. 1009, Sec. 1.)

10615. "Plan" means an urban water management plan prepared pursuant to this part. A plan shall describe and evaluate sources of supply, reasonable and practical efficient uses, reclamation and demand management activities. The components of the plan may vary according to an individual community or area's characteristics and its capabilities to efficiently use and conserve water. The plan shall address measures for residential, commercial, governmental, and industrial water demand management as set forth in Article 2 (commencing with Section 10630) of Chapter 3. In addition, a strategy and time schedule for implementation shall be included in the plan.

(Amended by Stats. 1995, *Ch. 854, Sec. 4. Effective January 1, 1996.)*

10616. "Public agency" means any board, commission, county, city and county, city, regional agency, district, or other public entity.

(Added by Stats. 1983, Ch. 1009, Sec. 1.)

10616.5 "Recycled water" means the reclamation and reuse of wastewater for beneficial use.

(Added by Stats. 1995, Ch. 854, Sec. 5. Effective January 1, 1996)

10617. "Urban water supplier" means a supplier, either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually. An urban water supplier includes a supplier or contractor for water, regardless of the basis of right, which distributes or sells for ultimate resale to customers. This part applies only to water

supplied from public water systems subject to Chapter 4 (commencing with Section 116275) of Part 12 of Division 104 of the Health and Safety Code.

(Amended by Stats. 1996, *Ch. 1023, Sec. 428. Effective January 29, 1996.)*

10617.5. "Water shortage contingency plan" means a document that incorporates the provisions detailed in subdivision (a) of Section 10632 and is subsequently adopted by an urban water supplier pursuant to this article.

(Added by Stats. 2018, Ch. 14, Sec. 22. (SB 606) Effective January 1, 2019)

10618 "Water supply and demand assessment" means a method that looks at current year and one or more dry year supplies and demands for determining water shortage risks, as described in Section 10632.1.

(Added by Stats. 2018, Ch. 14, Sec. 23 (SB 606). Effective January 1, 2019)

CHAPTER 3. Urban Water Management Plans [10620 - 10645] *(Chapter 3 added by* Stabs. *1983, Ch. 1009, Sec. 1.)*

ARTICLE 1. General Provisions [10620 - 1 0621] *(Article 1 added by Stats. 1 983, Ch. 1009, Sec. 1.)*

10620. (a) Every urban water supplier shall prepare and adopt an urban water management plan in the manner set forth in Article 3 (commencing with Section 10640).

(b) Every person that becomes an urban water supplier shall adopt an urban water management plan within one year after it has become an urban water supplier.

(c) An urban water supplier indirectly providing water shall not include planning elements in its water management plan as provided in Article 2 (commencing with Section 10630) that would be applicable to urban water suppliers or public agencies directly providing water, or to their customers, without the consent of those suppliers or public agencies.

(d) (I) An urban water supplier may satisfy the requirements of this part by participation in areawide, regional, watershed, or basinwide urban water management planning where those plans will reduce preparation costs and contribute to the achievement of conservation, efficient water use, and improved local drought resilience.

(2) Notwithstanding paragraph (1), each urban water supplier shall develop its own water shortage contingency plan, but an urban water supplier may incorporate, collaborate, and otherwise share information with other urban water suppliers or other governing entities participating in an areawide, regional, watershed, or basinwide urban water management plan, an agricultural management plan, or groundwater sustainability plan development.

(3) Each urban water supplier shall coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable.

(e) The urban water supplier may prepare the plan with its own staff, by contract, or in cooperation with other governmental agencies.

(f) An urban water supplier shall describe in the plan water management tools and options used by that entity that will maximize resources and minimize the need to import water from other regions.

(Amended by Stats. 2018, Ch. 14, Sec. 24. (SB 606) Effective January 1, 2019.)

10621 (a) Each urban water supplier shall update its plan at least once every five years on or before July 1, in years ending in six and one, incorporating updated and new information from the five years preceding each update.

(b) Every urban water supplier required to prepare a plan pursuant to this part shall, at least 60 days before the public hearing on the plan required by Section 10642, notify any city or county within which the supplier provides water supplies that the urban water supplier will be reviewing the plan and considering amendments or changes to the plan. The urban water supplier may consult with, and obtain comments from, any city or county that receives notice pursuant to this subdivision.

(c) An urban water supplier regulated by the Public Utilities Commission shall include its most recent plan and water shortage contingency plan as part of the supplier's general rate case filings.

(d) The amendments to, or changes in, the plan shall be adopted and filed in the manner set forth in Article 3 (commencing with Section 10640)

(e) Each urban water supplier shall update and submit its 2015 plan to the department by July1, 2016

(f) Each urban water supplier shall update and submit its 2020 plan to the department by July 1,2021

(Amended by Stats. 2019, Ch. 239, Sec. 7. (AB 1414) Effective January 1, 2020.)

CHAPTER 3. Urban Water Management Plans [10620 - 10645] ***(Chapter 3 added by Stats. 1983, Ch. 1009, Sec. 1.)***

ARTICLE 2. Contents of Plans [10630 - 1 0634] ***(Article 2 added by Stats. 1 983, Ch. 1009, Sec. 1.)***

10630 It is the intention of the Legislature, in enacting this part, to permit levels of water management planning commensurate with the numbers of customers served and the volume of water supplied, while accounting for impacts from climate change.

(Amended by Stats. 2018, Ch. 14, Sec. 26. (SB 606) Effective January 1, 201 9.)

10630.5 Each plan shall include a simple lay description of how much water the agency has on a reliable basis, how much it needs for the foreseeable future, what the agency's strategy is for meeting its water needs, the challenges facing the agency, and any other information necessary to provide a general understanding of the agency's plan.

(Added by Stats. 2018, Ch. 14, Sec. 27. (SB 606) Effective January 1, 2019.)

10631 A plan shall be adopted in accordance with this chapter that shall do all of the following:

(a) Describe the service area of the supplier, including current and projected population, climate, and other social, economic, and demographic factors affecting the supplier's water management planning. The projected population estimates shall be based upon data from the state, regional, or local service agency population projections within the service area of the urban water supplier and shall be in five-year increments to 20 years or as far as data is available. The description shall include the current and projected land uses within the existing or anticipated service area affecting the supplier's water management planning. Urban water suppliers shall coordinate with local or regional land use authorities to determine the most appropriate land use information, including, where appropriate, land use information obtained from local or regional land use authorities, as developed pursuant to Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of Title 7 of the Government Code.

(b) Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over the same five-year increments described in subdivision (a), providing supporting and related information, including all of the following:

(1) A detailed discussion of anticipated supply availability under a normal water year, single dry year, and droughts lasting at least five years, as well as more frequent and severe periods of drought, as described in the drought risk assessment. For each source of water supply, consider any information pertinent to the reliability analysis conducted pursuant to Section 10635, including changes in supply due to climate change.

(2) When multiple sources of water supply are identified, a description of the management of each supply in correlation with the other identified supplies.

(3) For any planned sources of water supply, a description of the measures that are being undertaken to acquire and develop those water supplies.

(4) If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information:

The current version of any groundwater sustainability plan or alternative adopted pursuant to Part 2.74 (commencing with Section 10720), any groundwater management plan adopted by the urban water supplier, including plans adopted pursuant to Part 2.75 (commencing with Section 10750), or any other specific authorization for groundwater management for basins underlying the urban water supplier's service area.

(A) A description of any groundwater basin or basins from which the urban water supplier pumps groundwater. For basins that a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the urban water supplier has the legal right to pump under the order or decree. For a basin that has not been adjudicated, information as to whether the department has identified the basin as a high- or medium-priority basin in the most current official departmental bulletin that characterizes the condition of the groundwater basin, and a detailed description of the efforts being undertaken by the urban water supplier to coordinate with groundwater sustainability agencies or groundwater management agencies listed in subdivision (c) of Section 10723 to maintain or achieve sustainable groundwater conditions in accordance with a groundwater sustainability plan or alternative adopted pursuant to Part 2.74 (commencing with Section 10720).

(B) A detailed description and analysis of the location, amount, and sufficiency of groundwater pumped by the urban water supplier for the past five years. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(C) A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the urban water supplier. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(c) Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis.

(d) (I) For an urban retail water supplier, quantify, to the extent records are available, past and current water use, over the same five-year increments described in subdivision (a), and projected water use, based upon information developed pursuant to subdivision (a), identifying the uses among water use sectors, including, but not necessarily limited to, all of the following:

(A) Single-family residential.

(B) Multifamily.

(C) Commercial.

(D) Industrial.

(E) Institutional and governmental.

(F) Landscape.

(G) Sales to other agencies.

(H) Saline water intrusion barriers, groundwater recharge, or conjunctive use, or any combination thereof.

(I) Agricultural.

(J) Distribution system water loss.

(2) The water use projections shall be in the same five-year increments described in subdivision (a).

(3) (A) The distribution system water loss shall be quantified for each of the five years preceding the plan update, in accordance with rules adopted pursuant to Section 10608.34.

(B) The distribution system water loss quantification shall be reported in accordance with a worksheet approved or developed by the department through a public process. The water loss quantification worksheet shall be based on the water system balance methodology developed by the American Water Works Association.

(C) In the plan due July 1, 2021, and in each update thereafter, data shall be included to show whether the urban retail water supplier met the distribution loss standards enacted by the board pursuant to Section 10608.34.

(4) (A) Water use projections, where available, shall display and account for the water savings estimated to result from adopted codes, standards, ordinances, or transportation and land use

plans identified by the urban water supplier, as applicable to the service area.

(B) To the extent that an urban water supplier reports the information described in subparagraph (A), an urban water supplier shall do both of the following:

(i) Provide citations of the various codes, standards, ordinances, or transportation and land use plans utilized in making the projections.

(ii) Indicate the extent that the water use projections consider savings from codes, standards, ordinances, or transportation and land use plans. Water use projections that do not account for these water savings shall be noted of that fact.

(e) Provide a description of the supplier's water demand management measures. This description shall include all of the following:

(1) (A) For an urban retail water supplier, as defined in Section 10608.12, a narrative description that addresses the nature and extent of each water demand management measure implemented over the past five years. The narrative shall describe the water demand management measures that the supplier plans to implement to achieve its water use targets pursuant to Section 10608.20.

(B) For the supplement required of urban retail water suppliers by paragraph (2) of subdivision (f) of Section 10621, a narrative that describes the water demand management measures that the supplier plans to implement to achieve its urban water use objective by January 1, 2027, pursuant to Chapter 9 (commencing with Section 10609) of Part 2.55.

(C) The narrative pursuant to this paragraph shall include descriptions of the following water demand management measures:

(i) Water waste prevention ordinances.

(ii) Metering.

(iii) Conservation pricing.

(iv) Public education and outreach.

(v) Programs to assess and manage distribution system real loss.

(vi) Water conservation program coordination and staffing support.

(vii) Other demand management measures that have a significant impact on water use as measured in gallons per capita per day, including innovative measures, if implemented.

(2) For an urban wholesale water supplier, as defined in Section 10608.12, a narrative description of the items in clauses (ii), (iv), (vi), and (vii) of subparagraph (C) of paragraph (1), and a narrative description of its distribution system asset management and wholesale supplier assistance programs.

(f) Include a description of all water supply projects and water supply programs that may be undertaken by the urban water supplier to meet the total projected water use, as established pursuant to subdivision (a) of Section 10635. The urban water supplier shall include a detailed description of expected future projects and programs that the urban water supplier may implement to increase the amount of the water supply available to the urban water supplier in normal and single-dry water years and for a period of drought lasting five consecutive water years. The description shall identify specific projects and include a description of the increase in water supply that is expected to be available from each project. The description shall include an estimate with regard to the implementation timeline for each project or program.

(g) Describe the opportunities for development of desalinated water, including, but not limited to, ocean water, brackish water, and groundwater, as a long-term supply.

(h) An urban water supplier that relies upon a wholesale agency for a source of water shall provide the wholesale agency with water use projections from that agency for that source of water in five-year increments to 20 years or as far as data is available. The wholesale agency shall provide information to the urban water supplier for inclusion in the urban water supplier's plan that identifies and quantifies, to the extent practicable, the existing and planned sources of water as required by subdivision (b), available from the wholesale agency to the urban water supplier over the same five-year increments, and during various water-year types in accordance with subdivision (f). An urban water supplier may rely upon water supply information provided by the wholesale agency in fulfilling the plan informational requirements of subdivisions (b) and (f).

(Amended by Stats. 2018, Ch. 14, Sec. 28. (SB 606) Effective January 1, 2019.)

10631 1 (a) The water use projections required by Section 10631 shall include projected water use for single- family and multifamily residential housing needed for lower income households, as defined in Section 50079.5 of the Health and Safety Code, as identified in the housing element of any city, county, or city and county in the service area of the supplier.

(b) It is the intent of the Legislature that the identification of projected water use for single-family and multifamily residential housing for lower income households will assist a supplier in complying with the requirement under Section 65589.7 of the Government Code to grant a priority for the provision of service to housing units affordable to lower income households.

(Added by Stats. 2005, Ch. 727, Sec. 2. Effective January 1, 2006.)

10631.2. (a) In addition to the requirements of Section 10631, an urban water management plan shall include any of the following information that the urban water supplier can readily obtain:

(1) An estimate of the amount of energy used to extract or divert water supplies.

(2) An estimate of the amount of energy used to convey water supplies to the water treatment plants or distribution systems.

(3) An estimate of the amount of energy used to treat water supplies.

(4) An estimate of the amount of energy used to distribute water supplies through its distribution systems.

(5) An estimate of the amount of energy used for treated water supplies in comparison to the amount used for nontreated water supplies.

(6) An estimate of the amount of energy used to place water into or withdraw from storage.

(7) Any other energy-related information the urban water supplier deems appropriate.

(b) The department shall include in its guidance for the preparation of urban water management plans a methodology for the voluntary calculation or estimation of the energy intensity of urban water systems. The department may consider studies and calculations conducted by the Public Utilities Commission in developing the methodology.

(c) The Legislature finds and declares that energy use is only one factor in water supply planning and shall not be considered independently of other factors.

(Amended by Stats. 2018, Ch. 14, Sec. 29. *(SB* 606a *Effective January 1, 2019.)*

10632 (a) Every urban water supplier shall prepare and adopt a water shortage contingency plan as part of its urban water management plan that consists of each of the following elements:

(1) The analysis of water supply reliability conducted pursuant to Section 10635.

(2) The procedures used in conducting an annual water supply and demand assessment

that include, at a minimum, both of the following:

(A) The written decision making process that an urban water supplier will use each year to determine its water supply reliability.

(B) The key data inputs and assessment methodology used to evaluate the urban water supplier's water supply reliability for the current year and one dry year, including all of the following:

(i) Current year unconstrained demand, considering weather, growth, and other influencing factors, such as policies to manage current supplies to meet demand objectives in future years, as applicable.

(ii) Current year available supply, considering hydrological and regulatory conditions in the current year and one dry year. The annual supply and demand assessment may consider more than one dry year solely at the discretion of the urban water supplier.

(iii) Existing infrastructure capabilities and plausible constraints.

(iv) A defined set of locally applicable evaluation criteria that are consistently relied upon for each annual water supply and demand assessment.

(v) A description and quantification of each source of water supply.

(3) (A) Six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, and 50 percent shortages and greater than 50 percent shortage. Urban water suppliers shall define these shortage levels based on the suppliers' water supply conditions, including percentage reductions in water supply, changes in groundwater levels, changes in surface elevation or level of subsidence, or other changes in hydrological or other local conditions indicative of the water supply available for use. Shortage levels shall also apply to catastrophic interruption of water supplies, including, but not limited to, a regional power outage, an earthquake, and other potential emergency events.

(B) An urban water supplier with an existing water shortage contingency plan that uses different water shortage levels may comply with the requirement in subparagraph (A) by developing and including a cross-reference relating its existing categories to the six standard water shortage levels.

(4) Shortage response actions that align with the defined shortage levels and include, at a minimum, all of the following:

(A) Locally appropriate supply augmentation actions. Locally appropriate demand reduction actions to adequately respond to shortages.

(B) Locally appropriate operational changes.

(C) Additional, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions.

(D) For each action, an estimate of the extent to which the gap between supplies and demand will be reduced by implementation of the action.

(5) Communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments, regarding, at a minimum, all of the following:

(A) Any current or predicted shortages as determined by the annual water supply and demand assessment described pursuant to Section 10632.1.

(B) Any shortage response actions triggered or anticipated to be triggered by the annual water supply and demand assessment described pursuant to Section 10632.1.

(C) Any other relevant communications.

(6) For an urban retail water supplier, customer compliance, enforcement, appeal, and exemption

procedures for triggered shortage response actions as determined pursuant to Section 10632.2.

(7) (A) A description of the legal authorities that empower the urban water supplier to implement and enforce its shortage response actions specified in paragraph (4) that may include, but are not limited to, statutory authorities, ordinances, resolutions, and contract provisions.

(B) A statement that an urban water supplier shall declare a water shortage emergency in accordance with Chapter 3 (commencing with Section 350) of Division 1.

(C) A statement that an urban water supplier shall coordinate with any city or county within which it provides water supply services for the possible proclamation of a local emergency, as defined in Section 8558 of the Government Code.

(8) A description of the financial consequences of, and responses for, drought conditions, including, but not limited to, all of the following:

(A) A description of potential revenue reductions and expense increases associated with activated shortage response actions described in paragraph (4).

(B) A description of mitigation actions needed to address revenue reductions and expense increases associated with activated shortage response actions described in paragraph (4).

(C) A description of the cost of compliance with Chapter 3.3 (commencing with Section 365) of Division 1.

(9) For an urban retail water supplier, monitoring and reporting requirements and procedures that ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance and to meet state reporting requirements.

(10) Reevaluation and improvement procedures for systematically monitoring and evaluating the functionality of the water shortage contingency plan in order to ensure shortage risk tolerance is adequate and appropriate water shortage mitigation strategies are implemented as needed.

(b) For purposes of developing the water shortage contingency plan pursuant to subdivision (a), an urban water supplier shall analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas, as defined in subdivision (a) of Section 115921 of the Health and Safety Code.

(c) The urban water supplier shall make available the water shortage contingency plan prepared pursuant to this article to its customers and any city or county within which it provides water supplies no later than 30 days after adoption of the water shortage contingency plan.

(Repealed and added by Stats. 2018, Ch. 14, Sec. 32. (SB 606) Effective January 1, 2019.)

10632.1 An urban water supplier shall conduct an annual water supply and demand assessment pursuant to subdivision (a) of Section 10632 and, on or before June 1 of each year, submit an annual water shortage assessment report to the department with information for anticipated shortage, triggered shortage response actions, compliance and enforcement actions, and communication actions consistent with the supplier's water shortage contingency plan. An urban water supplier that relies on imported water from the State Water Project or the Bureau of Reclamation shall submit its annual water supply and demand assessment within 14 days of receiving its final allocations, or by June 1 of each year, whichever is later.

(Added by Stats. 2018, Ch. 14, Sec. 33. (SB 606) Effective January 1, 2019.)

10632.2. An urban water supplier shall follow, where feasible and appropriate, the prescribed procedures and implement determined shortage response actions in its water shortage contingency plan, as identified in subdivision

(a) of Section 10632, or reasonable alternative actions, provided that descriptions of the alternative actions are submitted with the annual water shortage assessment report pursuant to Section

10632.1. Nothing in this section prohibits an urban water supplier from taking actions not specified in its water shortage contingency plan, if needed, without having to formally amend its urban water management plan or water shortage contingency plan.

(Added by Stats. 2018, Ch. 14, Sec. 34. (SB 606) Effective January 1, 2019.)

10632.3 It is the intent of the Legislature that, upon proclamation by the Governor of a state of emergency under the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code) based on drought conditions, the board defer to implementation of locally adopted water shortage contingency plans to the extent practicable.

(Added by Stats. 2018, Ch. 14, Sec. 35. (SB 606) Effective January 1, 2019.)

10632.5 (a) In addition to the requirements of paragraph (3) of subdivision (a) of Section 10632, beginning January 1, 2020, the plan shall include a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of a water system and mitigate those vulnerabilities.

(b) An urban water supplier shall update the seismic risk assessment and mitigation plan when updating its urban water management plan as required by Section 10621.

(c) An urban water supplier may comply with this section by submitting, pursuant to Section 10644, a copy of the most recent adopted local hazard mitigation plan or multihazard mitigation plan under the federal Disaster Mitigation Act of 2000 (Public Law 106-390) if the local hazard mitigation plan or multihazard mitigation plan addresses seismic risk.

(Added by Stats. 2015, Ch. 681, Sec. 1. (SB 664a *Effective January 1, 2OJ* 6.g

10633 The plan shall provide, to the extent available, information on recycled water and its potential for use as a water source in the service area of the urban water supplier. The preparation of the plan shall be coordinated with local water, wastewater, groundwater, and planning agencies that operate within the supplier's service area, and shall include all of the following:

(a) A description of the wastewater collection and treatment systems in the supplier's service area, including a quantification of the amount of wastewater collected and treated and the methods of wastewater disposal.

(b) A description of the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.

(c) A description of the recycled water currently being used in the supplier's service area, including, but not limited to, the type, place, and quantity of use.

(d) A description and quantification of the potential uses of recycled water, including, but not limited to, agricultural irrigation, landscape irrigation, wildlife habitat enhancement, wetlands, industrial reuse, groundwater recharge, indirect potable reuse, and other appropriate uses, and a determination with regard to the technical and economic feasibility of serving those uses.

(e) The projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years, and a description of the actual use of recycled water in comparison to uses previously projected pursuant to this subdivision.

(f) A description of actions, including financial incentives, which may be taken to encourage the use of recycled water, and the projected results of these actions in terms of acre-feet of recycled water used per year.

(g) A plan for optimizing the use of recycled water in the supplier's service area, including actions to facilitate the installation of dual distribution systems, to promote recirculating uses, to facilitate the increased use of treated wastewater that meets recycled water standards, and to overcome any obstacles to achieving that increased use.

(Amended by Stats. 2009, Ch. 534, Sec. 2. (AB 1465) Effective January 1, 2010.)

10634 The plan shall include information, to the extent practicable, relating to the quality of existing sources of water available to the supplier over the same five-year increments as described in subdivision (a) of Section 10631, and the manner in which water quality affects water management strategies and supply reliability.

(Added by Stats. 2001, Ch. 644, Sec. 3. Effective January 1, 2002.)

CHAPTER 3. Urban Water Management Plans [10620 - 10645] ***(Chapter 3 added by* Stabs. *1983, Ch. 1009, Sec. 1.)***

ARTICLE 2.5. Water Service Reliability [10635- 10635.] ***(Article 2.5 added by Stats. 1995, Ch. 854, Sec. 11.)***

10635. (a) Every urban water supplier shall include, as part of its urban water management plan, an assessment of the reliability of its water service to its customers during normal, dry, and multiple dry water years. This water supply and demand assessment shall compare the total water supply sources available to the water supplier with the long-term total projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and a drought lasting five consecutive water years. The water service reliability assessment shall be based upon the information compiled pursuant to Section 10631, including available data from state, regional, or local agency population projections within the service area of the urban water supplier.

(b) Every urban water supplier shall include, as part of its urban water management plan, a drought risk assessment for its water service to its customers as part of information considered in developing the demand management measures and water supply projects and programs to be included in the urban water management plan. The urban water supplier may conduct an interim update or updates to this drought risk assessment within the five-year cycle of its urban water management plan update. The drought risk assessment shall include each of the following:

(1) A description of the data, methodology, and basis for one or more supply shortage conditions that are necessary to conduct a drought risk assessment for a drought period that lasts five consecutive water years, starting from the year following when the assessment is conducted.

(2) A determination of the reliability of each source of supply under a variety of water shortage conditions. This may include a determination that a particular source of water supply is fully reliable under most, if not all, conditions.

(3) A comparison of the total water supply sources available to the water supplier with the total projected water use for the drought period.

(4) Considerations of the historical drought hydrology, plausible changes on projected supplies and demands under climate change conditions, anticipated regulatory changes, and other locally applicable criteria.

(c) The urban water supplier shall provide that portion of its urban water management plan prepared pursuant to this article to any city or county within which it provides water supplies no later than 60 days after the submission of its urban water management plan.

(d) Nothing in this article is intended to create a right or entitlement to water service or any specific level of water service.

(e) Nothing in this article is intended to change existing law concerning an urban water supplier's obligation to provide water service to its existing customers or to any potential future customers

(Amended by Stats. 2018, Ch. 14, Sec. 36. (SB 606) Effective January 1, 2019.)

CHAPTER 3. Urban Water Management Plans [10620 - 10645] ***(Chapter 3 added by* Stabs. *1983, Ch. 1009, Sec. 1.)***

ARTICLE 3. Adoption and Implementation of Plans [1 0640 - 10645] ***Article 3 added by Stats. 1983, Ch. 1009, Sec. 1.)***

10640. (a) Every urban water supplier required to prepare a plan pursuant to this part shall prepare its plan pursuant to Article 2 (commencing with Section 10630). The supplier shall likewise periodically review the plan as required by Section 10621, and any amendments or changes required as a result of that review shall be adopted pursuant to this article.

(b) Every urban water supplier required to prepare a water shortage contingency plan shall prepare a water shortage contingency plan pursuant to Section 10632. The supplier shall likewise periodically review the water shortage contingency plan as required by paragraph (10) of subdivision (a) of Section 10632 and any amendments or changes required as a result of that review shall be adopted pursuant to this article.

(Amended by Stats. 2018, Ch. 14, Sec. 37. (SB 606a *Effective January 1, 2OJ* 9.g

10641 An urban water supplier required to prepare a plan or a water shortage contingency plan may consult with, and obtain comments from, any public agency or state agency or any person who has special expertise with respect to water demand management methods and techniques.

(Amended by Stats. 2018, Ch. 14, Sec. 38. (SB 606a *Effective January 1, 20J* 9.g

10642. Each urban water supplier shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the service area prior to and during the preparation of both the plan and the water shortage contingency plan. Prior to adopting either, the urban water supplier shall make both the plan and the water shortage contingency plan available for public inspection and shall hold a public hearing or hearings thereon. Prior to any of these hearings, notice of the time and place of the hearing shall be published within the jurisdiction of the publicly owned water supplier pursuant to Section 6066 of the Government Code. The urban water supplier shall provide notice of the time and place of a hearing to any city or county within which the supplier provides water supplies. Notices by a local public agency pursuant to this section shall be provided pursuant to Chapter 17.5 (commencing with Section 7290) of Division 7 of Title 1 of the Government Code. A privately owned water supplier shall provide an equivalent notice within its service area. After the hearing or hearings, the plan or water shortage contingency plan shall be adopted as prepared or as modified after the hearing or hearings.

(Amended by Stats. 2018, Ch. 14, Sec. 39. (SB 606$ *Effective January 1, 70J* 9.g

10643 An urban water supplier shall implement its plan adopted pursuant to this chapter in accordance with the schedule set forth in its plan.

(Added by Stats. 1983, Ch. 1009, Sec. 1.)

10644 (a) (1) An urban water supplier shall submit to the department, the California State Library, and any city or county within which the supplier provides water supplies a copy of its plan no later than 30 days after adoption.Copies of amendments or changes to the plans shall be submitted to the department, the California State Library, and any city or county within which the supplier provides water supplies within 30 days after adoption.

(2) The plan, or amendments to the plan, submitted to the department pursuant to paragraph (1)

shall be submitted electronically and shall include any standardized forms, tables, or displays specified by the department.

(b) If an urban water supplier revises its water shortage contingency plan, the supplier shall submit to the department a copy of its water shortage contingency plan prepared pursuant to subdivision (a) of Section 10632 no later than 30 days after adoption, in accordance with protocols for submission and using electronic reporting tools developed by the department.

(c) (1) (A) Notwithstanding Section 10231.5 of the Government Code, the department shall prepare and submit to the Legislature, on or before July 1, in the years ending in seven and two, a report summarizing the status of the plans and water shortage contingency plans adopted pursuant to this part. The report prepared by the department shall identify the exemplary elements of the individual plans and water shortage contingency plans. The department shall provide a copy of the report to each urban water supplier that has submitted its plan and water shortage contingency plan to the department. The department shall also prepare reports and provide data for any legislative hearings designed to consider the effectiveness of plans and water shortage contingency plans submitted pursuant to this part.

(B) The department shall prepare and submit to the board, on or before September 30 of each year, a report summarizing the submitted water supply and demand assessment results along with appropriate reported water shortage conditions and the regional and statewide analysis of water supply conditions developed by the department. As part of the report, the department shall provide a summary and, as appropriate, urban water supplier specific information regarding various shortage response actions implemented as a result of annual supplier-specific water supply and demand assessments performed pursuant to Section 10632.1.

(C) The department shall submit the report to the Legislature for the 2015 plans by July 1, 2017, and the report to the Legislature for the 2020 plans and water shortage contingency plans by July 1, 2022.

(2) A report to be submitted pursuant to subparagraph (A) of paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(d) The department shall make available to the public the standard the department will use to identify exemplary water demand management measures.

(Amended by Stats. 2018, Ch. 14, Sec. 40. (SB 606) Effective January 1, 2019.)

10645. (a) Not later than 30 days after filing a copy of its plan with the department, the urban water supplier and the department shall make the plan available for public review during normal business hours.

(b) Not later than 30 days after filing a copy of its water shortage contingency plan with the department, the urban

water supplier and the department shall make the plan available for public review during normal business hours.

(Amended by Stats. 2018, Ch. 14, Sec. 41. (SB 606) Effective January 1, 201 9.)

CHAPTER 4. Miscellaneous Provisions [1 0650 - 10657] ***(Chapter 4 added by :itats. 1 983, Ch. 1009, iec. 1.)***

10650 Any actions or proceedings, other than actions by the board, to attack, review, set aside, void, or annul the acts or decisions of an urban water supplier on the grounds of noncompliance with this part shall be commenced as follows:

(a) An action or proceeding alleging failure to adopt a plan or a water shortage contingency plan shall be commenced within 18 months after that adoption is required by this part.

(b) Any action or proceeding alleging that a plan or water shortage contingency plan, or action taken pursuant to either, does not comply with this part shall be commenced within 90 days after filing of the plan or water shortage contingency plan or an amendment to either pursuant to Section 10644 or the taking of that action.

(Amended by Stats. 2018, Ch. 14, Sec. 42. (SB 606) Effective January 1, 2019.)

10651 In any action or proceeding to attack, review, set aside, void, or annul a plan or a water shortage contingency plan, or an action taken pursuant to either by an urban water supplier on the grounds of noncompliance with this part, the inquiry shall extend only to whether there was a prejudicial abuse of discretion. Abuse of discretion is established if the supplier has not proceeded in a manner required by law or if the action by the water supplier is not supported by substantial evidence.

(Amended by Stats. 2018, Ch. 14, Sec. 43. (SB 606) *Effective January 1, 2019*

10652 The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) does not apply to the preparation and adoption of plans pursuant to this part or to the implementation of actions taken pursuant to Section 10632. Nothing in this part shall be interpreted as exempting from the California Environmental Quality Act any project that would significantly affect water supplies for fish and wildlife, or any project for implementation of the plan, other than projects implementing Section 10632, or any project for expanded or additional water supplies.

(Amended by Stats. 1995, Ch. 854, Sec. 6. *Effective January 1, 1996.)*

10653 The adoption of a plan shall satisfy any requirements of state law, regulation, or order, including those of the board and the Public Utilities Commission, for the preparation of water management plans, water shortage contingency plans, or conservation plans; provided, that if the board or the Public Utilities Commission requires additional information concerning water conservation, drought response measures, or financial conditions to implement its existing authority, nothing in this part shall be deemed to limit the board or the commission in obtaining that information. The requirements of this part shall be satisfied by any urban water demand management plan that complies with analogous federal laws or regulations after the effective date of this part, and which substantially meets the requirements of this part, or by any existing urban water management plan which includes the contents of a plan required under this part.

(Amended by Stats. 2018, Ch. 14, Sec. 45. (SB 606) *Effective January 1, 2019)*

10654 An urban water supplier may recover in its rates the costs incurred in preparing its urban water management plan, its drought risk assessment, its water supply and demand assessment, and its water shortage contingency plan and implementing the reasonable water conservation measures included in either of the plans.

(Amended by Stats. 2018, Ch. 14, Sec. 44. (SB 606) *Effective January 1, 2019)*

10655 If any provision of this part or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of this part which can be given effect without the invalid provision or application thereof, and to this end the provisions of this part are severable.

(Amended by Stats. 1983, Ch. 1009, Sec. 1)

10656 An urban water supplier is not eligible for a water grant or loan awarded or administered by the state unless the urban water supplier complies with this part.

(Amended by Stats. 2018, Ch. 14, Sec. 46. (SB 606) *Effective January 1, 2019)*

10657 The department may adopt regulations regarding the definitions of water, water use, and reporting periods, and may adopt any other regulations deemed necessary or desirable to implement this part. In developing regulations pursuant to this section, the department shall solicit broad public participation from stakeholders and other interested persons.

(Amended by Stats. 2018, Ch. 14, Sec. 47. (SB 606) *Effective January 1, 2019)*

Appendix B

DWR UWMP Tables

Submittal Table 2-2: Plan Identification			
Select Only One	**Type of Plan**		**Name of RUWMP or Regional Alliance** *if applicable* (select from drop down list)
☑	**Individual UWMP**		
	☐	Water Supplier is also a member of a RUWMP	
	☐	Water Supplier is also a member of a Regional Alliance	
☐	**Regional Urban Water Management Plan (RUWMP)**		

Submittal Table 2-3: Supplier Identification	
Type of Supplier (select one or both)	
☑	Supplier is a wholesaler
☐	Supplier is a retailer
Fiscal or Calendar Year (select one)	
☑	UWMP Tables are in calendar years
☐	UWMP Tables are in fiscal years
If using fiscal years provide month and date that the fiscal year begins (mm/dd)	
Units of measure used in UWMP * (select from drop down)	
Unit	MG
**** Units of measure (AF, CCF, MG)*** *must remain consistent throughout the UWMP as reported in Table 2-3.*	

Submittal Table 2-4 Wholesale: Water Supplier Information Exchange (select one)	
☐	Supplier has informed more than 10 other water suppliers of water supplies available in accordance with Water Code Section 10631. Completion of the table below is optional. If not completed, include a list of the water suppliers that were informed.
	Provide page number for location of the list.
☑	Supplier has informed 10 or fewer other water suppliers of water supplies available in accordance with Water Code Section 10631. **Complete the table below.**
Water Supplier Name	
Add additional rows as needed	
City of Ceres	
City of Turlock	

Submittal Table 3-1 Wholesale: Population - Current and Projected						
Population Served	2020	2025	2030	2035	2040	2045*(opt)*
	122,727	138,639	156,794	177,534	187,257	-

Submittal Table 4-1 Wholesale: Demands for Potable and Non-Potable[1] Water - Actual			
Use Type	2020 Actual		
Drop down list May select each use multiple times These are the only use types that will be recognized by the WUE data online submittal tool	Additional Description (as needed)	Level of Treatment When Delivered Drop down list	Volume[2]
Add additional rows as needed			
Sales to other agencies		Drinking Water	0
Losses		Drinking Water	0
		TOTAL	0
[1] *Recycled water demands are NOT reported in this table. Recycled water demands are reported in Table 6-4.* [2] *Units of measure (AF, CCF, MG) must remain consistent throughout the UWMP as reported in Table 2-3.*			
NOTES: Volumes are in MG.			

Submittal Table 4-2 Wholesale: Use for Potable and Raw Water [1] - Projected						
Use Type	Additional Description (as needed)	Projected Water Use [2] Report To the Extent that Records are Available				
Drop down list May select each use multiple times These are the only Use Types that will be recognized by the WUEdata online submittal tool.		2025	2030	2035	2040	2045 (opt)
Add additional rows as needed						
Sales to other agencies	City of Ceres	1,774	2,279	3,476	3,476	-
Sales to other agencies	City of Turlock	3,551	4,547	6,299	6,299	-
	TOTAL	5,324	6,826	9,776	9,776	-
[1] *Recycled water demands are NOT reported in this table. Recycled water demands are reported in Table 6-4.* *Units of measure (AF, CCF, MG) must remain consistent throughout the UWMP as reported in Table 2-3.* [2]						
NOTES: Volumes are in MG. Totals may not add up exactly due to rounding.						

Submittal Table 4-3 Wholesale: Total Water Use (Potable and Non-Potable)						
	2020	2025	2030	2035	2040	2045 (opt)
Potable and Raw Water From Tables 4-1W and 4-2W	0	5,324	6,826	9,776	9,776	-
Recycled Water Demand* From Table 6-4W	0	0	0	0	0	0
TOTAL WATER DEMAND	0	5,324	6,826	9,776	9,776	0
**Recycled water demand fields will be blank until Table 6-4 is complete.*						
NOTES: Volumes are in MG.						

Submittal Table 6-1 Wholesale: Groundwater Volume Pumped						
☑	Supplier does not pump groundwater. The supplier will not complete the table below.					
☐	All or part of the groundwater described below is desalinated.					
Groundwater Type	Location or Basin Name	2016*	2017*	2018*	2019*	2020*
Add additional rows as needed						
	TOTAL	0	0	0	0	0
**** Units of measure (AF, CCF, MG)*** *must remain consistent throughout the UWMP as reported in Table 2-3.*						

Submittal Table 6-3 Wholesale: Wastewater Treatment and Discharge Within Service Area in 2020											
☑	Wholesale Supplier neither distributes nor provides supplemental treatment to recycled water. The Supplier will not complete the table below.										
Wastewater Treatment Plant Name	Discharge Location Name or Identifier	Discharge Location Description	Wastewater Discharge ID Number *(optional)* [2]	Method of Disposal *Drop down list*	Does This Plant Treat Wastewater Generated Outside the Service Area? *Drop down list*	Treatment Level *Drop down list*	2020 volumes [1]				
							Wastewater Treated	Discharged Treated Wastewater	Recycled Within Service Area	Recycled Outside of Service Area	Instream Flow Permit Requirement
Add additional rows as needed											
						Total	0	0	0	0	0

[1] **Units of measure (AF, CCF, MG)** must remain consistent throughout the UWMP as reported in Table 2-3.
[2] If the **Wastewater Discharge ID Number** is not available to the UWMP preparer, access the SWRCB CIWQS regulated facility website at https://ciwqs.waterboards.ca.gov/ciwqs/readOnly/CiwqsReportServlet?inCommand=reset&reportName=RegulatedFacility

Submittal Table 6-4 Wholesale: Current and Projected Retailers Provided Recycled Water Within Service Area							
☑	Recycled water is not directly treated or distributed by the Supplier. The Supplier will not complete the table below.						
Name of Receiving Supplier or Direct Use by Wholesaler	Level of Treatment *Drop down list*	2020*	2025*	2030*	2035*	2040*	2045* *(opt)*
Add additional rows as needed							
	Total	0	0	0	0	0	0

*** Units of measure (AF, CCF, MG)** must remain consistent throughout the UWMP as reported in Table 2-3.

Submittal Table 6-5 Wholesale: 2015 UWMP Recycled Water Use Projection Compared to 2020 Actual		
☑	Recycled water was not used or distributed by the supplier in 2015, nor projected for use or distribution in 2020. The wholesale supplier will not complete the table below.	
Name of Receiving Supplier or Direct Use by Wholesaler	2015 Projection for 2020*	2020 Actual Use*
Add additional rows as needed		
Total	0	0
***Units of measure (AF, CCF, MG)** must remain consistent throughout the UWMP as reported in Table 2-3.*		

Submittal Table 6-7 Wholesale: Expected Future Water Supply Projects or Programs						
☐	No expected future water supply projects or programs that provide a quantifiable increase to the agency's water supply. Supplier will not complete the table below.					
☐	Some or all of the supplier's future water supply projects or programs are not compatible with this table and are described in a narrative format.					
Page 6-5	Provide page location of narrative in the UWMP					
Name of Future Projects or Programs	Joint Project with other suppliers?		Description *(if needed)*	Planned Implementation Year	Planned for Use in Year Type *Drop Down list*	Expected Increase in Water Supply to Supplier*
	Drop Down Menu	*If Yes, Supplier Name*				
Add additional rows as needed						
Filter Capacity Study for Regional Surface Water Supply Project (RSWSP) Water Treatment Plant	*No*		Filtration capacity study on existing filters	2026	All Year Types	1,789
Regional Surface Water Supply Project (RSWSP) Water Treatment Plant: Buildout Expansion	*No*		Phase 2 Expansion of WTP	2035	All Year Types	2,512
***Units of measure (AF, CCF, MG)** must remain consistent throughout the UWMP as reported in Table 2-3.*						
NOTES: Volumes are in MG. Filter capacity study anticipated to increase demand up to 19.9 mgd, or by 4.9 mgd. WTP buildout expansion anticipated to increase WTP capacity to 45 mgd. Expected increase in available supply is constrained by maximum annual surface water agreement with TID.						

Submittal Table 6-8 Wholesale: Water Supplies — Actual				
Water Supply	Additional Detail on Water Supply	2020		
Drop down list May use each category multiple times.These are the only water supply categories that will be recognized by the WUEdata online submittal tool		Actual Volume*	Water Quality Drop Down List	Total Right or Safe Yield* (optional)
Add additional rows as needed				
Surface water (not desalinated)	Long-Term Transfer from TID's water right on Tuolumne River	0	Drinking Water	5,475
	Total	0		5,475
***Units of measure (AF, CCF, MG)** must remain consistent throughout the UWMP as reported in Table 2-3.*				
NOTES: Volumes are in MG. No water was supplied by SRWA in 2020. SRWA began delivering water to customers in November 2023. Total Right is based on SRWA's initial WTP capacity of 15 MGD.				

Submittal Table 6-9 Wholesale: Water Supplies — Projected											
Water Supply		Projected Water Supply* Report To the Extent Practicable									
		2025		2030		2035		2040		2045 (opt)	
Drop down list May use each category multiple times. These are the only water supply categories that will be recognized by the WUEdata online submittal tool	Additional Detail on Water Supply	Reasonably Available Volume	Total Right or Safe Yield (optional)	Reasonably Available Volume	Total Right or Safe Yield (optional)	Reasonably Available Volume	Total Right or Safe Yield (optional)	Reasonably Available Volume	Total Right or Safe Yield (optional)	Reasonably Available Volume	Total Right or Safe Yield (optional)
Add additional rows as needed											
Surface water	Long-Term Transfer from TID's water right on Tuolumne River	5,366		7,118		9,580		9,580			
Total		5,366	0	7,118	0	9,580	0	9,580	0	0	0
***Units of measure (AF, CCF, MG)** must remain consistent throughout the UWMP as reported in Table 2-3.*											
NOTES: Volumes are in MG. Reasonably available volume is based on the limiting factor of either 1) WTP capacity or 2) water supply capacity based on long-term transfer agreement between SRWA and TID.											

Submittal Table 7-1 Wholesale: Basis of Water Year Data (Reliability Assessment)			
Year Type	**Base Year** If not using a calendar year, type in the last year of the fiscal, water year, or range of years, for example, water year 1999-2000, use 2000	**Available Supplies if Year Type Repeats**	
		☐ Quantification of available supplies is not compatible with this table and is provided elsewhere in the UWMP. Location _____	
		☐ Quantification of available supplies is provided in this table as either volume only, percent only, or both.	
		Volume Available *	**% of Average Supply**
Average Year	2010-2024	9,580	100%
Single-Dry Year	2015	3,666	38%
Consecutive Dry Years 1st Year	2012	6,110	64%
Consecutive Dry Years 2nd Year	2013	6,924	72%
Consecutive Dry Years 3rd Year	2014	4,073	43%
Consecutive Dry Years 4th Year	2015	3,666	38%
Consecutive Dry Years 5th Year	2016	7,332	77%

Supplier may use multiple versions of Table 7-1 if different water sources have different base years and the supplier chooses to report the base years for each water source separately. If a supplier uses multiple versions of Table 7-1, in the "Note" section of each table, state that multiple versions of Table 7-1 are being used and identify the particular water source that is being reported in each table. Suppliers may create an additional worksheet for the additional tables.

***Units of measure (AF, CCF, MG)** must remain consistent throughout the UWMP as reported in Table 2-3.*

Water allocations are based on the maximum annual surface water transfer from TID to SRWA multiplied by the historical water allocation percent reduction on Turlock Irrigation District's (TID's) customers per TID's 2020 Agricultural Water Management Plan (AWMP).
Average Year is based on non-drought years between 2010 through 2024.

Submittal Table 7-2 Wholesale: Normal Year Supply and Demand Comparison					
	2025	2030	2035	2040	2045 *(Opt)*
Supply totals *(autofill from Table 6-9)*	5,366	7,118	9,580	9,580	0
Demand totals *(autofill fm Table 4-3)*	5,324	6,826	9,776	9,776	0
Difference	41	292	(196)	(196)	0
NOTES: Volumes are in MG.					

Submittal Table 7-3 Wholesale: Single Dry Year Supply and Demand Comparison					
	2025	2030	2035	2040	2045 (Opt)
Supply totals*	3,666	3,666	3,666	3,666	
Demand totals*	5,324	6,826	9,776	9,776	0
Difference	(1,658)	(3,160)	(6,110)	(6,110)	0
***Units of measure (AF, CCF, MG)** must remain consistent throughout the UWMP as reported in Table 2-3.*					
NOTES: Volumes are in MG.					

Submittal Table 7-4 Wholesale: Multiple Dry Years Supply and Demand Comparison						
		2025*	2030*	2035*	2040*	2045* (Opt)
First year	Supply totals	5,366	6,110	6,110	6,110	
	Demand totals	5,324	6,826	9,776	9,776	0
	Difference	41	(716)	(3,666)	(3,666)	0
Second year	Supply totals	5,366	6,924	6,924	6,924	
	Demand totals	5,324	6,826	9,776	9,776	0
	Difference	41	98	(2,851)	(2,851)	0
Third year	Supply totals	4,073	4,073	4,073	4,073	
	Demand totals	5,324	6,826	9,776	9,776	0
	Difference	(1,251)	(2,753)	(5,702)	(5,702)	0
Fourth year	Supply totals	3,666	3,666	3,666	3,666	
	Demand totals	5,324	6,826	9,776	9,776	0
	Difference	(1,658)	(3,160)	(6,110)	(6,110)	0
Fifth year	Supply totals	5,366	7,118	7,332	7,332	
	Demand totals	5,324	6,826	9,776	9,776	0
	Difference	41	292	(2,444)	(2,444)	0
***Units of measure (AF, CCF, MG) must remain consistent throughout the UWMP as reported in Table 2-3.**						
NOTES: Volumes are in MG.						

Submittal Table 7-5: Five-Year Drought Risk Assessment Tables to address Water Code Section 10635(b)	
2021	**Total**
Total Water Use	0
Total Supplies	0
Surplus/Shortfall w/o WSCP Action	0
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	0
Resulting % Use Reduction from WSCP action	NA

2022	Total
Total Water Use	0
Total Supplies	0
Surplus/Shortfall w/o WSCP Action	0
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	0
Resulting % Use Reduction from WSCP action	NA

2023	Total
Total Water Use	0
Total Supplies	0
Surplus/Shortfall w/o WSCP Action	0
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	0
Resulting % Use Reduction from WSCP action	NA

2024	Total
Total Water Use	5,291
Total Supplies	3,666
Surplus/Shortfall w/o WSCP Action	(1,625)
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	-1,625
Resulting % Use Reduction from WSCP action	0%

2025	Total
Total Water Use	5,324
Total Supplies	5,366
Surplus/Shortfall w/o WSCP Action	41
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	41
Resulting % Use Reduction from WSCP action	0%

Submittal Table 8-1
Water Shortage Contingency Plan Levels

Shortage Level	Percent Shortage Range	Water Shortage Condition (*Narrative description*)	Shortage Response Actions (*Narrative description*)
1	Up to 10%	Assessment shows water supply is not able to meet demands by 10%; or definable event has reduced water supply by 10%.	Inform Cities in timely manner about the timing of any water shortages or water allocation reductions from TID. Work with Cities to adjust surface water delivery schedules as-needed. Refer to DWR Table 8-3 for more details.
2	Up to 20%	Assessment shows water supply is not able to meet demands by 20%; or definable event has reduced water supply by 20%.	Inform Cities in timely manner about the timing of any water shortages or water allocation reductions from TID. Work with Cities to adjust surface water delivery schedules as-needed. Refer to DWR Table 8-3 for more details.
3	Up to 30%	Assessment shows water supply is not able to meet demands by 30%; or definable event has reduced water supply by 30%.	Inform Cities in timely manner about the timing of any water shortages or water allocation reductions from TID. Work with Cities to adjust surface water delivery schedules as-needed. Refer to DWR Table 8-3 for more details.
4	Up to 40%	Assessment shows water supply is not able to meet demands by 40%; or definable event has reduced water supply by 40%.	Inform Cities in timely manner about the timing of any water shortages or water allocation reductions from TID. Work with Cities to adjust surface water delivery schedules as-needed. Refer to DWR Table 8-3 for more details.
5	Up to 50%	Assessment shows water supply is not able to meet demands by 50%; or definable event has reduced water supply by 50%.	Inform Cities in timely manner about the timing of any water shortages or water allocation reductions from TID. Work with Cities to adjust surface water delivery schedules as-needed. Refer to DWR Table 8-3 for more details.
6	>50%	Assessment shows water supply is not able to meet demands by over 50%; or definable event has reduced water supply by more than 50%.	-Inform Cities in timely manner about the timing of any water shortages or water allocation reductions from TID. -Work with Cities to adjust surface water delivery schedules as-needed and mediate a negotiation between the Cities for an alternative delivery schedule in instances where one City may forego some of their surface water allocation for a period of time to aid the other City. -Consider working with the Cities to arrange for supplemental surface water supplies through water transfer agreements -Alert Cities that deliveries will be discontinued if necessary -Work with Cities to coordinate water supply changes to maintain acceptable water quality throughout Cities' distribution systems. details. -Work with Cities to coordinate implementation of their respective WSCPs. Refer to DWR Table 8-3 for more

NOTES: The indicated stages are not intended to denote thresholds at which specific actions need to occur that are different from the actions at any other stage, except for Stage 6, at which point SRWA will either have to enter into a water transfer agreement for supplemental surface water supplies, or will no longer be able to deliver surface water to its customers.

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions ***Drop down list*** *These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.*	How much is this going to reduce the shortage gap? *Include units used (volume type or percentage)*	Additional Explanation or Reference *(optional)*	Penalty, Charge, or Other Enforcement? ***For Retail Suppliers Only*** *Drop Down List*
Add additional rows as needed				
All Stages	Other	Up to the full shortage gap	SRWA will defer to the Cities' Demand Reduction Actions. SRWA will not impose separate Demand Reduction Actions.	No

Submittal Table 8-3: Supply Augmentation and Other Actions			
Shortage Level	Supply Augmentation Methods and Other Actions by Water Supplier ***Drop down list*** *These are the only categories that will be accepted by the WUEdata online submittal tool*	How much is this going to reduce the shortage gap? *Include units used (volume type or percentage)*	Additional Explanation or Reference *(optional)*
Add additional rows as needed			
6	Other actions (describe)	Up to the full shortage gap	A reduction in water allocations from TID to SRWA or a critical failure in the surface water delivery system will require SRWA to work with its wholesale customers to arrange for supplemental surface water supplies through water purchases from other TID customers or from senior Tuolumne River water right holders, if available, or alert Cities that deliveries will be discontinued.
All Stages	Other actions (describe)	See note	Inform Cities in a timely manner about the timing of any reductions in surface water allocations by TID.
All Stages	Other actions (describe)	See note	Work with Cities to adjust surface water delivery schedules as-needed.
NOTES: It will be the responsibility of the Cities to make up any supply deficits at any water shortage level. Informing the Cities about reductions in treated water delieries as well as working with the Cities to schedule surface water deliveries provides the Cities with more flexibility, but does not lead to a quantified water shortage gap reduction so no gap reduction estimate is provided. Actions introduced in a lower stage will also be used in higher stages, unless otherwise noted.			

Submittal Table 10-1 Wholesale: Notification to Cities and Counties (select one)		
☐	Supplier has notified more than 10 cities or counties in accordance with Water Code Sections 10621 (b) and 10642. **Completion of the table below is not required. Provide a separate list of the cities and counties that were notified.**	
	Provide the page or location of this list in the UWMP.	
☑	Supplier has notified 10 or fewer cities or counties. **Complete the table below.**	
City Name	60 Day Notice	Notice of Public Hearing
Add additional rows as needed		
City of Ceres	Yes	Yes
City of Turlock	Yes	Yes
City of Modesto	Yes	Yes
City of Hughson	Yes	Yes
County Name *Drop Down List*	60 Day Notice	Notice of Public Hearing
Add additional rows as needed		
Stanislaus County	Yes	Yes
Merced County	Yes	Yes

Appendix C

DWR UWMP Checklist

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location (For Agency Review Use)
X	X	Chapter 1	10615	A plan shall describe and evaluate sources of supply, reasonable and practical efficient uses, reclamation and demand management activities.	Introduction and Overview	Executive Summary
X	X	Chapter 1	10630.5	Each plan shall include a simple description of the supplier's plan including water availability, future requirements, a strategy for meeting needs, and other pertinent information. Additionally, a supplier may also choose to include a simple description at the beginning of each chapter.	Summary	Executive Summary
X	X	Section 2.2	10620(b)	Every person that becomes an urban water supplier shall adopt an urban water management plan within one year after it has become an urban water supplier.	Plan Preparation	Section 2.1
X	X	Section 2.6	10620(d)(2)	Coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable.	Plan Preparation	Section 2.5
X	X	Section 2.6.2	10642	Provide supporting documentation that the water supplier has encouraged active involvement of diverse social, cultural, and economic elements of the population within the service area prior to and during the preparation of the plan and contingency plan.	Plan Preparation	Section 2.5.2 Appendix D
X		Section 2.6, Section 6.1	10631(h)	Retail suppliers will include documentation that they have provided their wholesale supplier(s) - if any - with water use projections from that source.	System Supplies	N/A
	X	Section 2.6	10631(h)	Wholesale suppliers will include documentation that they have provided their urban water suppliers with identification and quantification of the existing and planned sources of water available from the wholesale to the urban supplier during various water year types.	System Supplies	Section 2.5.1
X	X	Section 3.1	10631(a)	Describe the water supplier service area.	System Description	Section 3.2
X	X	Section 3.3	10631(a)	Describe the climate of the service area of the supplier.	System Description	Section 3.3
X	X	Section 3.4	10631(a)	Provide population projections for 2025, 2030, 2035, 2040 and optionally 2045.	System Description	Section 3.4.1
X	X	Section 3.4.2	10631(a)	Describe other social, economic, and demographic factors affecting the supplier's water management planning.	System Description	Section 3.4.2
X	X	Sections 3.4 and 5.4	10631(a)	Indicate the current population of the service area.	System Description and Baselines and Targets	Sections 3.4.1
X	X	Section 3.5	10631(a)	Describe the land uses within the service area.	System Description	Section 3.5

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location (For Agency Review Use)
X	X	Section 4.2	10631(d)(1)	Quantify past, current, and projected water use, identifying the uses among water use sectors.	System Water Use	Section 4.2
X	X	Section 4.2.4	10631(d)(3)(C)	Retail suppliers shall provide data to show the distribution loss standards were met.	System Water Use	N/A
X	X	Section 4.2.6	10631(d)(4)(A)	In projected water use, include estimates of water savings from adopted codes, plans, and other policies or laws.	System Water Use	N/A
X	X	Section 4.2.6	10631(d)(4)(B)	Provide citations of codes, standards, ordinances, or plans used to make water use projections.	System Water Use	N/A
X	optional	Section 4.3.2.4	10631(d)(3)(A)	Report the distribution system water loss for each of the 5 years preceding the plan update.	System Water Use	N/A
X	optional	Section 4.4	10631.1(a)	Include projected water use needed for lower income housing projected in the service area of the supplier.	System Water Use	N/A
X	X	Section 4.5	10635(b)	Demands under climate change considerations must be included as part of the drought risk assessment.	System Water Use	Section 4.2.3.1 and 4.3
X		Chapter 5	10608.20(e)	Retail suppliers shall provide baseline daily per capita water use, urban water use target, interim urban water use target, and compliance daily per capita water use, along with the bases for determining those estimates, including references to supporting data.	Baselines and Targets	N/A
X		Chapter 5	10608.24(a)	Retail suppliers shall meet their water use target by December 31, 2020.	Baselines and Targets	N/A
	X	Section 5.1	10608.36	Wholesale suppliers shall include an assessment of present and proposed future measures, programs, and policies to help their retail water suppliers achieve targeted water use reductions.	Baselines and Targets	Section 5.1 and Chapter 9
X		Section 5.2	10608.24(d)(2)	If the retail supplier adjusts its compliance GPCD using weather normalization, economic adjustment, or extraordinary events, it shall provide the basis for, and data supporting the adjustment.	Baselines and Targets	N/A
X		Section 5.5	10608.22	Retail suppliers' per capita daily water use reduction shall be no less than 5 percent of base daily per capita water use of the 5-year baseline. This does not apply if the suppliers base GPCD is at or below 100.	Baselines and Targets	N/A
X		Section 5.5 and Appendix E	10608.4	Retail suppliers shall report on their compliance in meeting their water use targets. The data shall be reported using a standardized form in the SBX7-7 2020 Compliance Form.	Baselines and Targets	N/A
X	X	Sections 6.1 and 6.2	10631(b)(1)	Provide a discussion of anticipated supply availability under a normal, single dry year, and a drought lasting five years, as well as more frequent and severe periods of drought.	System Supplies	Section 6.1 and 7.1.3

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location (For Agency Review Use)
X	X	Sections 6.1	10631(b)(1)	Provide a discussion of anticipated supply availability under a normal, single dry year, and a drought lasting five years, as well as more frequent and severe periods of drought, *including changes in supply due to climate change.*	System Supplies	Sections 6.2, 6.2.10.1, 7.1.3
X	X	Section 6.1	10631(b)(2)	When multiple sources of water supply are identified, describe the management of each supply in relationship to other identified supplies.	System Supplies	Section 6.2
X	X	Section 6.1.1	10631(b)(3)	Describe measures taken to acquire and develop planned sources of water.	System Supplies	Section 6.2.8 and 6.2.9
X	X	Section 6.2.8	10631(b)	Identify and quantify the existing and planned sources of water available for 2020, 2025, 2030, 2035, 2040 and optionally 2045.	System Supplies	Section 6.2.9
X	X	Section 6.2	10631(b)	Indicate whether groundwater is an existing or planned source of water available to the supplier.	System Supplies	Section 6.2.3
X	X	Section 6.2.2	10631(b)(4)(A)	Indicate whether a groundwater sustainability plan or groundwater management plan has been adopted by the water supplier or if there is any other specific authorization for groundwater management. Include a copy of the plan or authorization.	System Supplies	Section 6.2.3
X	X	Section 6.2.2	10631(b)(4)(B)	Describe the groundwater basin.	System Supplies	Section 6.2.3
X	X	Section 6.2.2	10631(b)(4)(B)	Indicate if the basin has been adjudicated and include a copy of the court order or decree and a description of the amount of water the supplier has the legal right to pump.	System Supplies	Section 6.2.3
X	X	Section 6.2.2.1	10631(b)(4)(B)	For unadjudicated basins, indicate whether or not the department has identified the basin as a high or medium priority. Describe efforts by the supplier to coordinate with sustainability or groundwater agencies to achieve sustainable groundwater conditions.	System Supplies	Section 6.2.3
X	X	Section 6.2.2.4	10631(b)(4)(C)	Provide a detailed description and analysis of the location, amount, and sufficiency of groundwater pumped by the urban water supplier for the past five years	System Supplies	Section 6.2.3
X	X	Section 6.2.2	10631(b)(4)(D)	Provide a detailed description and analysis of the amount and location of groundwater that is projected to be pumped.	System Supplies	Section 6.2.3
X	X	Section 6.2.7	10631(c)	Describe the opportunities for exchanges or transfers of water on a short-term or long- term basis.	System Supplies	Section 6.2.1
X	X	Section 6.2.5	10633(b)	Describe the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.	System Supplies (Recycled Water)	Section 6.2.6
X	X	Section 6.2.5	10633(c)	Describe the recycled water currently being used in the supplier's service area.	System Supplies (Recycled Water)	Section 6.2.6

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location (For Agency Review Use)
X	X	Section 6.2.5	10633(d)	Describe and quantify the potential uses of recycled water and provide a determination of the technical and economic feasibility of those uses.	System Supplies (Recycled Water)	Section 6.2.6
X	X	Section 6.2.5	10633(e)	Describe the projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years, and a description of the actual use of recycled water in comparison to uses previously projected.	System Supplies (Recycled Water)	Section 6.2.6
X	X	Section 6.2.5	10633(f)	Describe the actions which may be taken to encourage the use of recycled water and the projected results of these actions in terms of acre-feet of recycled water used per year.	System Supplies (Recycled Water)	N/A; SRWA does not provide RW service
X	X	Section 6.2.5	10633(g)	Provide a plan for optimizing the use of recycled water in the supplier's service area.	System Supplies (Recycled Water)	N/A; SRWA does not provide RW service
X	X	Section 6.2.6	10631(g)	Describe desalinated water project opportunities for long-term supply.	System Supplies	Section 6.2.7
X	X	Section 6.2.5	10633(a)	Describe the wastewater collection and treatment systems in the supplier's service area with quantified amount of collection and treatment and the disposal methods.	System Supplies (Recycled Water)	Section 6.2.6
X	X	Section 6.2.8, Section 6.3.7	10631(f)	Describe the expected future water supply projects and programs that may be undertaken by the water supplier to address water supply reliability in average, single-dry, and for a period of drought lasting 5 consecutive water years.	System Supplies	Section 6.2.8 and 6.2.9
X	X	Section 6.4 and Appendix O	10631.2(a)	The UWMP must include energy information, as stated in the code, that a supplier can readily obtain.	System Suppliers, Energy Intensity	Section 6.3
X	X	Section 7.2	10634	Provide information on the quality of existing sources of water available to the supplier and the manner in which water quality affects water management strategies and supply reliability	Water Supply Reliability Assessment	Section 7.1.1
X	X	Section 7.2.4	10620(f)	Describe water management tools and options to maximize resources and minimize the need to import water from other regions.	Water Supply Reliability Assessment	Section 7.3 and Chapter 9
X	X	Section 7.3	10635(a)	Service Reliability Assessment: Assess the water supply reliability during normal, dry, and a drought lasting five consecutive water years by comparing the total water supply sources available to the water supplier with the total projected water use over the next20 years.	Water Supply Reliability Assessment	Section 7.1.3
X	X	Section 7.3	10635(b)	Provide a drought risk assessment as part of information considered in developing the demand management measures and water supply projects.	Water Supply Reliability Assessment	Section 7.2

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location (For Agency Review Use)
X	X	Section 7.3	10635(b)(1)	Include a description of the data, methodology, and basis for one or more supply shortage conditions that are necessary to conduct a drought risk assessment for a drought period that lasts 5 consecutive years.	Water Supply Reliability Assessment	Section 7.2.1
X	X	Section 7.3	10635(b)(2)	Include a determination of the reliability of each source of supply under a variety of water shortage conditions.	Water Supply Reliability Assessment	Section 7.1.3
X	X	Section 7.3	10635(b)(3)	Include a comparison of the total water supply sources available to the water supplier with the total projected water use for the drought period.	Water Supply Reliability Assessment	Section 7.1.3.3
X	X	Section 7.3	10635(b)(4)	Include considerations of the historical drought hydrology, plausible changes on projected supplies and demands under climate change conditions, anticipated regulatory changes, and other locally applicable criteria.	Water Supply Reliability Assessment	Section 7.1.1 and Section 6.2.10.1.
X	X	Chapter 8	10632(a)	Provide a water shortage contingency plan (WSCP) with specified elements below.	Water Shortage Contingency Planning	Chapter 8 and Appendix G
X	X	Chapter 8	10632(a)(1)	Provide the analysis of water supply reliability (from Chapter 7 of Guidebook) in the WSCP	Water Shortage Contingency Planning	Appendix F: Section 1.0
X	X	Section 8.10	10632(a)(10)	Describe reevaluation and improvement procedures for monitoring and evaluation the water shortage contingency plan to ensure risk tolerance is adequate and appropriate water shortage mitigation strategies are implemented.	Water Shortage Contingency Planning	Appendix F: Section 10.0
X	X	Section 8.2	10632(a)(2)(A)	Provide the written decision- making process and other methods that the supplier will use each year to determine its water reliability.	Water Shortage Contingency Planning	Appendix F: Section 2.1
X	X	Section 8.2	10632(a)(2)(B)	Provide data and methodology to evaluate the supplier's water reliability for the current year and one dry year pursuant to factors in the code.	Water Shortage Contingency Planning	Appendix F: Section 2.2 and 2.3
X	X	Section 8.3	10632(a)(3)(A)	Define six standard water shortage levels of 10, 20, 30, 40, 50 percent shortage and greater than 50 percent shortage. These levels shall be based on supply conditions, including percent reductions in supply, changes in groundwater levels, changes in surface elevation, or other conditions. The shortage levels shall also apply to a catastrophic interruption of supply.	Water Shortage Contingency Planning	Appendix F: Section 3.0
X	X	Section 8.3	10632(a)(3)(B)	Suppliers with an existing water shortage contingency plan that uses different water shortage levels must cross reference their categories with the six standard categories.	Water Shortage Contingency Planning	Appendix F: Section 3.0
X	X	Section 8.4	10632(a)(4)(A)	Suppliers with water shortage contingency plans that align with the defined shortage levels must specify locally appropriate supply augmentation actions.	Water Shortage Contingency Planning	Appendix F: Section 4.3

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location (For Agency Review Use)
X	X	Section 8.4	10632(a)(4)(B)	Specify locally appropriate demand reduction actions to adequately respond to shortages.	Water Shortage Contingency Planning	Appendix F: Section 4.1
X	X	Section 8.4	10632(a)(4)(C)	Specify locally appropriate operational changes.	Water Shortage Contingency Planning	Appendix F: Section 4.4
X	X	Section 8.4	10632(a)(4)(D)	Specify additional mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions are appropriate to local conditions.	Water Shortage Contingency Planning	Appendix F: Section 4.2
X	X	Section 8.4	10632(a)(4)(E)	Estimate the extent to which the gap between supplies and demand will be reduced by implementation of the action.	Water Shortage Contingency Planning	Appendix F: Section 4.1 and 4.3
X	X	Section 8.4.6	10632.5	The plan shall include a seismic risk assessment and mitigation plan.	Water Shortage Contingency Plan	Section 8.3
X	X	Section 8.5	10632(a)(5)(A)	Suppliers must describe that they will inform customers, the public and others regarding any current or predicted water shortages.	Water Shortage Contingency Planning	Appendix F: Section 5.0
X	X	Section 8.5 and 8.6	10632(a)(5)(B) 10632(a)(5)(C)	Suppliers must describe that they will inform customers, the public and others regarding any shortage response actions triggered or anticipated to be triggered and other relevant communications.	Water Shortage Contingency Planning	Appendix F: Section 5.0
X		Section 8.6	10632(a)(6)	Retail supplier must describe how it will ensure compliance with and enforce provisions of the WSCP.	Water Shortage Contingency Planning	N/A
X	X	Section 8.7	10632(a)(7)(A)	Describe the legal authority that empowers the supplier to enforce shortage response actions.	Water Shortage Contingency Planning	Appendix F: Section 7.0
X	X	Section 8.7	10632(a)(7)(B)	Provide a statement that the supplier will declare a water shortage emergency Water Code Chapter 3.	Water Shortage Contingency Planning	Appendix F: Section 7.0
X	X	Section 8.7	10632(a)(7)(C)	Provide a statement that the supplier will coordinate with any city or county within which it provides water for the possible proclamation of a local emergency.	Water Shortage Contingency Planning	Appendix F: Section 7.0
X	X	Section 8.8	10632(a)(8)(A)	Describe the potential revenue reductions and expense increases associated with activated shortage response actions.	Water Shortage Contingency Planning	Appendix F: Section 8.0
X	X	Section 8.8	10632(a)(8)(B)	Provide a description of mitigation actions needed to address revenue reductions and expense increases associated with activated shortage response actions.	Water Shortage Contingency Planning	Appendix F: Section 8.0
X		Section 8.8	10632(a)(8)(C)	Retail suppliers must describe the cost of compliance with Water Code Chapter 3.3: Excessive Residential Water Use During Drought	Water Shortage Contingency Planning	N/A

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location (For Agency Review Use)
X		Section 8.9	10632(a)(9)	Retail suppliers must describe the monitoring and reporting requirements and procedures that ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance.	Water Shortage Contingency Planning	N/A
X		Section 8.11	10632(b)	Analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas.	Water Shortage Contingency Planning	N/A
X	X	Sections 8.12 and 10.4	10635(c)	Provide supporting documentation that Water Shortage Contingency Plan has been, or will be, provided to any city or county within which it provides water, no later than 30 days after the submission of the plan to DWR.	Plan Adoption, Submittal, and Implementation	Section 8.4 and Appendix F: Section 12.0
X	X	Section 8.14	10632(c)	Make available the Water Shortage Contingency Plan to customers and any city or county where it provides water within 30 (days) after adopted the plan.	Water Shortage Contingency Planning	Section 8.4 and Appendix F: Section 12.0
	X	Sections 9.1 and 9.3	10631(e)(2)	Wholesale suppliers shall describe specific demand management measures listed in code, their distribution system asset management program, and supplier assistance program.	Demand Management Measures	Section 9.1
X		Sections 9.2 and 9.3	10631(e)(1)	Retail suppliers shall provide a description of the nature and extent of each demand management measure implemented over the past five years. The description will address specific measures listed in code.	Demand Management Measures	N/A
X		Chapter 10	10608.26(a)	Retail suppliers shall conduct a public hearing to discuss adoption, implementation, and economic impact of water use targets (recommended to discuss compliance).	Plan Adoption, Submittal, and Implementation	N/A
X	X	Section 10.2.1	10621(b)	Notify, at least 60 days prior to the public hearing, any city or county within which the supplier provides water that the urban water supplier will be reviewing the plan and considering amendments or changes to the plan. Reported in Table 10-1.	Plan Adoption, Submittal, and Implementation	Section 10.2, 10.3, and Appendix D
X	X	Section 10.4	10621(f)	Each urban water supplier shall update and submit its 2020 plan to the department by July 1, 2021.	Plan Adoption, Submittal, and Implementation	Section 10.4
X	X	Sections 10.2.2, 10.3, and 10.5	10642	Provide supporting documentation that the urban water supplier made the plan and contingency plan available for public inspection, published notice of the public hearing, and held a public hearing about the plan and contingency plan.	Plan Adoption, Submittal, and Implementation	Sections 10.2, and 10.3, Appendix D
X	X	Section 10.2.2	10642	The water supplier is to provide the time and place of the hearing to any city or county within which the supplier provides water.	Plan Adoption, Submittal, and Implementation	Section 10.2 and Appendix D
X	X	Section 10.3.2	10642	Provide supporting documentation that the plan and contingency plan has been adopted as prepared or modified.	Plan Adoption, Submittal, and Implementation	Section 10.3.2 and Appendix G
X	X	Section 10.4	10644(a)	Provide supporting documentation that the urban water supplier has submitted this UWMP to the California State Library.	Plan Adoption, Submittal, and Implementation	Section 10.4

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location (For Agency Review Use)
X	X	Section 10.4	10644(a)(1)	Provide supporting documentation that the urban water supplier has submitted this UWMP to any city or county within which the supplier provides water no later than 30 days after adoption.	Plan Adoption, Submittal, and Implementation	Section 10.3
X	X	Sections 10.4.1 and 10.4.2	10644(a)(2)	The plan, or amendments to the plan, submitted to the department shall be submitted electronically.	Plan Adoption, Submittal, and Implementation	Section 10.4
X	X	Section 10.5	10645(a)	Provide supporting documentation that, not later than 30 days after filing a copy of its plan with the department, the supplier has or will make the plan available for public review during normal business hours.	Plan Adoption, Submittal, and Implementation	Section 10.5
X	X	Section 10.5	10645(b)	Provide supporting documentation that, not later than 30 days after filing a copy of its water shortage contingency plan with the department, the supplier has or will make the plan available for public review during normal business hours.	Plan Adoption, Submittal, and Implementation	Section 10.5
X	X	Section 10.6	10621(c)	If supplier is regulated by the Public Utilities Commission, include its plan and contingency plan as part of its general rate case filings.	Plan Adoption, Submittal, and Implementation	N/A
X	X	Section 10.7.2	10644(b)	If revised, submit a copy of the water shortage contingency plan to DWR within 30 days of adoption.	Plan Adoption, Submittal, and Implementation	Section 10.6

Appendix D

SRWA and Public Notices

Stanislaus Regional Water Authority
156 S. Broadway, Ste. 270
Turlock, CA 95380
P: 209-668-4142 F:209-668-5695
www.stanrwa.com

August 15, 2024

SUBJECT: Preparation of Urban Water Management Plan and Water Shortage Contingency Plan

To Whom it May Concern:

Stanislaus Regional Water Authority (SRWA) is currently in the process of preparing its first Urban Water Management Plan (UWMP) and Water Shortage Contingency Plan (WSCP). The Urban Water Management Planning Act, Water Code Section 10610 et seq., requires every urban water supplier providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually to prepare and adopt an UWMP and periodically update that plan at least every five years. Further, a new urban water supplier shall adopt an UWMP within one year after it has become an urban water supplier. SRWA began delivering water on November 13, 2023. As such, SRWA's first UWMP is required to be submitted to the California Department of Water Resources (DWR) by November 13, 2024. The preparation of a WSCP is a required element of the UWMP per DWR's UWMP Guidebook 2020.

The UWMP is a planning document and a source document which reports, describes, and evaluates water deliveries and uses, water supply sources, and conservation efforts. The WSCP provides a plan for response to various water supply shortage conditions. As a wholesale urban water supplier, SRWA is coordinating with water management agencies, relevant public agencies, and other water suppliers on the preparation of the UWMP and WSCP.

If you wish to contact SRWA about its review process, you may do so by sending an email to CFisher@turlock.ca.us. Thank you.

Sincerely,

Christopher Fisher

Christopher Fisher
General Manager
Stanislaus Regional Water Authority

Stanislaus Regional Water Authority
156 S. Broadway, Ste. 270
Turlock, CA 95380
P: 209-668-4142 F:209-668-5695
www.stanrwa.com

October 1, 2024

Re: Notice of Public Hearing for Stanislaus Regional Water Authority's Urban Water Management Plan and Water Shortage Contingency Plan

To Whom it May Concern,

This letter is to notify you that the Board of Directors of the Stanislaus Regional Water Authority (SRWA) will hold the following public hearing to discuss the draft Urban Water Management Plan (UWMP) and Water Shortage Contingency Plan (WSCP). It is anticipated that the Board will formally adopt the 2020 UWMP and WSCP following the public hearing.

The public hearing for the UWMP and WSCP is scheduled for October 17, 2024 at 12:00 pm at the SRWA Water Treatment Plant (1235 Aldrich Road, Hughson, CA 95326).

The Urban Water Management Planning Act, Water Code Section 10610 et seq., requires every urban water supplier providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually to prepare and adopt an UWMP and periodically update that plan at least every five years. Further, a new urban water supplier shall adopt an UWMP within one year after it has become an urban water supplier. SRWA began delivering water on November 13, 2023. As such, SRWA's first UWMP is required to be submitted to the California Department of Water Resources (DWR) by November 13, 2024. The preparation of a WSCP is a required element of the UWMP per DWR's UWMP Guidebook 2020.

The UWMP is a planning document and a source document which reports, describes, and evaluates water deliveries and uses, water supply sources, and conservation efforts. The WSCP provides a plan for response to various water supply shortage conditions. As a wholesale urban water supplier, SRWA is coordinating with water management agencies, relevant public agencies, and other water suppliers on the preparation of the UWMP and WSCP.

If you wish to make a public comment at this meeting, please attend to provide verbal public comment.

SRWA will release the Draft UWMP and the Draft WSCP on October 2, 2024. The Draft UWMP and WSCP will be available for public review through the end of the

public hearing described above. The Draft UWMP and WSCP can be viewed on SRWA's website (www.stanrwa.com).

If you have any questions about SRWA's UWMP and WSCP, please contact me at CFisher@turlock.ca.us.

Sincerely,

Chris Fisher
General Manager

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING BY THE BOARD OF DIRECTORS OF THE STANISLAUS REGIONAL WATER AUTHORITY

Public hearing will be held on **THURSDAY, OCTOBER 17, 2024 AT 12:00P.M.,** at the Stanislaus Regional Water Authority Water Treatment Plant (1235 Aldrich Road, Hughson, CA 95326), to consider the adoption of the **2020 Urban Water Management Plan and Water Shortage Contingency Plan**. In accordance with the Urban Water Management Planning Act (California Water Code Section 10610 et seq), the Stanislaus Regional Water Authority (SRWA) is required to prepare and adopt an Urban Water Management Plan (UWMP) within one year after it has become an urban water supplier. SRWA began delivering water on November 13, 2023. As such, SRWA's first UWMP is required to be submitted to the California Department of Water Resources (DWR) by November 13, 2024. In addition, DWR requires SRWA to adopt a Water Shortage Contingency Plan (WSCP).

SRWA will release the Draft UWMP and the Draft WSCP on October 2, 2024. The Draft UWMP and WSCP will be available for public review through the end of the public hearing described above. The Draft UWMP and WSCP can be viewed on SRWA's website **(www.stanrwa.com)**. For questions or more information on the Draft UWMP and WSCP, please contact Christopher Fisher, SRWA General Manager at **CFisher@turlock.ca.us.**

If you wish to make a public comment on the Draft UWMP and WSCP at this meeting, please attend to provide verbal public comment.

The public hearing will be held to consider and adopt the 2020 UWMP and WSCP.

Challenges in court to any of the items identified in this public notice may be limited to only those issues raised at the public hearing described in this notice or in written correspondence delivered to the SRWA Board at, or prior to, the public hearing.

Pursuant to California Constitution Article III, Section 6, establishing English as the official language for the State of California, notice is hereby given that all proceedings before the SRWA Board shall be in English and anyone wishing to address the SRWA Board is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

RUN DATES:10/2, 9, 16, 2024

CC#9-16

Contact	Name	Email
East Stanislaus Integrated Regional Water Management	Jim Alves	jalves@modestogov.com
North Valley Regional Recycled Water Program	Anthea G. Hansen	ahansen@delpuertowd.org
Del Puterto Water District	Anthea G. Hansen	ahansen@delpuertowd.org
Merced County	Mr. Dana S. Hertfelder, P.E.	dhertfelder@co.merced.ca.us
Turlock Irrigation District	Brad Koehn	bkoehn@TID.org
City of Modesto	Joseph Lopez	joelopez@modestogov.com
City of Ceres	Tom Westbrook	Tom.Westbrook@ci.ceres.ca.us
City of Hughson	Merry Mayhew	mmayhew@hughson.org
Eastside Water District	Tim Johnson	tim-johnsonfarms@hotmail.om
Denair CSD	Jenny Gomes	tj@weststeelinc.com
Keyes CSD	Ernie Garza	egarza@keyescsd.org
Stanislaus County Public Works Department	David Leamon	leamond@stancounty.com
CSU Stanislaus		facilities_services@csustan.edu
Turlock GBA	Debbie Liebersbach	dcliebersbach@tid.org
Merced Irrigation District	Hicham ElTal	heltal@mercedid.org
Modesto Irrigation District	John Davids	john.davids@mid.org
City of Turlock	Reagan Wilson	rwilson@turlock.ca.us
East Turlock GSA and West Turlock GSA		turlockgroundwater@gmail.com

Appendix E

Water Rights Documentation

WATER SALES AGREEMENT

The Turlock Irrigation District (the "District"), and the Stanislaus Regional Water Authority, a California Joint Powers Authority ("SRWA") enter into this Water Sales Agreement ("Agreement") dated July 28, 2015, and agree as follows:

1. Definitions.

(a) Board – The Board of Directors of the Turlock Irrigation District.

(b) Closing Date - The date on which all approvals and permits under Sections 2(c), 2(d), and 4(m) have been obtain in accordance with those sections.

(c) District Delivery Facilities – The raw water infiltration gallery, the raw water pump station, and the pipeline from the pump station to and including the delivery meter at the SRWA treatment plant. The District Delivery Facilities are solely owned by District.

(d) District Delivery Facilities Capital Cost Allocation – Except as otherwise provided in this Agreement, the capital costs for existing and future District Delivery Facilities shall be allocated between the Parties as follows: District, Twenty Percent (20%); SRWA, Eighty Percent (80%).

(e) Fish flow requirements – All requirements in the FERC hydroelectric license or in any other regulatory requirements and any other applicable agreements, licenses, permits, or governmental approvals, now or existing in the future relating to fish resources below Don Pedro Dam, including but not limited to the following: minimum fish flows requirements (e.g., existing FERC License Article 37), flow fluctuation limitations (e.g., existing FERC License Article 38), river water temperatures, ramping rates limitations, and fish studies. The SRWA acknowledges and understands that the ongoing FERC licensing process for the Don Pedro Project and the La Grange Project and regulatory proceedings at the State Water Resources Control Board could result in significant changes to the existing fish flow requirements.

(f) Offset Water - Water provided by the SRWA to the District under Section 4(i) to offset the increased demand placed by the Project on TID water supplies.

(g) Party - The SRWA or the District, or collectively, "Parties".

(h) Point of Delivery - Defined in Section 4(a).

(i) Project - The Project consists of all property and work desirable or necessary to design, build, operate, own and maintain a domestic water treatment plant and associated treated water transmission facilities, excluding the District Delivery Facilities.

(j) Recycled water - Tertiary treated wastewater, which complies with all applicable laws and regulations for unrestricted agricultural use including, without limitation, use for row and feed crops and orchards.

(k) Transfer Water - The amount of raw water required to be sold by District to SRWA in accordance with the terms and conditions of this Agreement, as set forth in Section 3(a) below.

(l) Year - The twelve month period beginning April 1 through March 31 of the following year unless otherwise specified.

2. Overview.

(a) Purpose. The purpose of this Agreement is to provide the terms and conditions under which the District will sell and deliver Transfer Water to the SRWA. The Parties have not committed to approve all or any part of this Project and retain discretion to approve the Project, approve an alternative to the Project, adopt mitigation measures, or disapprove the Project.

(b) C.E.Q.A. District has performed the necessary CEQA investigation, analysis and documentation of CEQA requirements with respect to the District Delivery Facilities and the treatment plant, which documentation has been reviewed and approved by SRWA. In the event that additional work is required to update the District's previous CEQA work, the Parties agree that the District will be the CEQA lead agency and to split such costs based upon the District Delivery Facilities Capital Cost Allocation. SRWA will be the CEQA lead agency and will perform all other necessary CEQA investigation, analysis and documentation of CEQA requirements with respect to the Project and at SRWA's expense.

(c) Water Rights. District will use commercially reasonable efforts to petition the State Water Resources Control Board (SWRCB), and SRWA will reasonably cooperate in District's request, for a Long-Term Transfer under Water Code section 1735, et seq., to the SRWA for up to 30,000 acre feet of water per year and to add municipal and industrial purposes of use under District's post-1914 water rights License 11058 and to add the District Delivery Facilities as a point of rediversion.

(d) SWRCB's Failure to Approve Section 2(c) Petition. In that event that District cannot obtain the required SWRCB approvals described in section 2(c) on terms and conditions acceptable to the District in the District's sole discretion, the Parties will fulfill their already existing obligations to one another in this Agreement and the Agreement will then terminate.

(e) District Shall Maintain Rights. District shall diligently maintain the water rights to all Transfer Water throughout the life of this Agreement under all applicable laws and regulations. District agrees to diligently pursue renewal of the long-term water transfer prior to its expiration subject to the SRWA being in full compliance with this Agreement.

3. **District to Sell Water.**

(a) Sale of Water. Subject to the delivery limitations, the Offset Water requirements, and other terms and conditions of this Agreement, District shall make continuously available to SRWA 30,000 acre feet of Transfer Water per year in accordance with section 4. District will make such Transfer Water available to SRWA within the scope of District's valid post-1914 appropriative water rights.

(b) No Transfer of Water Rights. The Parties to this Agreement confirm that this constitutes a contractual right to purchase raw water and that no water right is being transferred by the District to the SRWA.

4. **Delivery of Water.**

(a) Point of Delivery. The Point of Delivery of Transfer Water from District to SRWA shall be at the delivery meter located at the SRWA's domestic water treatment plant. The delivery meter is part of the District Delivery Facilities. SRWA will provide easements on any property owned or leased by SRWA or any member agency to the District required by the District to install, access, and maintain the District Delivery Facilities and any additional District facilities connecting the District Delivery Facilities to the District's Ceres Main. SRWA is responsible for ensuring that Transfer Water does not flow back into District Delivery Facilities.

(b) Delivery Schedules. The amounts, times and rates of delivery of Transfer Water to SRWA during any Year will be in accordance with a water delivery schedule for that Year to be determined as follows:

(1) On or before January 1 preceding each new Year, the SRWA will submit to District a preliminary water delivery schedule indicating the amounts of water desired by the SRWA during each month of the next succeeding two Years. Beginning with the second full Year, the total amount of water requested for any given Year shall not vary by more than ten percent (10%) from the immediately prior Year and the next succeeding Year unless a greater variation is approved by the District. The delivery rate for each month of the schedule shall be at a fixed cubic feet per second.

(2) Upon receipt of a preliminary schedule, the District will review it and after consultation with SRWA will make such modifications as the District deems necessary. On or before March 1 preceding each new Year, District will determine and furnish to the SRWA the water delivery schedule for the coming new Year, commencing April 1, which will show the amounts of water to be delivered to the SRWA during each month of that Year. Because of fish flow requirements, SRWA agrees that during any river flow fluctuation limitation period, the SRWA delivery schedule may not reduce flows in the river by more than the amount or percentage of flow required by any fish flow requirement during the entire limitation period.

(3) A water delivery schedule may be amended by the District at its discretion upon the SRWA's written request. Proposed amendments will be submitted by the SRWA within a reasonable time before the desired change is to become effective, and shall be subject to review and modification by the District in like manner as the schedule itself. District will

not modify the delivery schedule if it will cause an increase in District's fish flow requirements under its FERC license.

(4) If the District determines during a Year that the availability of water to its agricultural and municipal customers has changed significantly, the District reserves the right to amend the delivery schedule in April or May of that Year for deliveries of Transfer Water during the remaining months of that Year.

(c) Measurement of Water Delivered. The District will measure all water delivered to the SRWA and all water diverted through the District Delivery Facilities but which are delivered to the Ceres Main Canal and not to the SRWA. The District will keep and maintain accurate and complete measurement records. The District will install, operate, and maintain water metering equipment that are reasonably acceptable to both Parties at all delivery points for water from the District Delivery Facilities to the SRWA and to the District's Ceres Main Canal. The meters shall be examined, tested and serviced regularly by the District to maintain their accuracy in accordance with the meter manufacturer's written recommendations. The SRWA may inspect the metering equipment and the measurement records during regular business hours upon reasonable notice. The District will provide the SRWA with instrumentation output signals for water flow rate and water pressure information at each meter. SRWA retains the right to install reciprocal measuring devices that comply with the same standards and procedures set forth above. Disparities between District and SRWA measurements will be resolved pursuant to Section 12, Resolution of Differences, of this Agreement.

(d) SRWA Responsible for Delivery Schedule Water Impacts.

(1) If deliveries under the Delivery Schedule result in any increase in the amount of any fish flow requirements, whether required by the FERC or any other regulatory agency, which flows cannot be diverted at the Infiltration Gallery for use by the SRWA, then SRWA agrees to pay for the cost of that additional water at the same per-acre-foot price as for water delivered to the SRWA. O&M costs described in Section 7(e) shall not apply to flows which cannot be diverted at the Infiltration Gallery for use by the SRWA.

(2) If the District releases water at La Grange Dam in accordance with the applicable Delivery Schedule but the SRWA fails to divert all or any portion of the water made available by the District for diversion at the Infiltration Gallery in accordance with the applicable Delivery Schedule, then the SRWA agrees to pay for the cost of the water at the same per-acre-foot price as for water delivered to the SRWA even if the District is actually able to divert all or any portion of the water into the Ceres Main Canal.

(e) SRWA and Agriculture Water Delivery Treated on Parity Basis. District agrees to treat District's agricultural customers and SRWA on a parity basis. If at any time before or during a Year the District decides it is necessary to reduce deliveries, it will cut back its deliveries to its agricultural customers and to SRWA in equal proportions based upon the base allocation of water allocated during that Year. If at any time before or during a Year

the District decides it can increase deliveries, it will increase its deliveries to its agricultural customers and to SRWA in equal portions based upon the base allocation of water allocated during that Year. For agriculture customers, the base allocation will be 48 inches per acre. For the SRWA, the base allocation will be the amount of water requested by the SRWA in the current Year of the most current approved two year delivery schedule. District agrees that its commitments to its agricultural customers and to SRWA shall be met before any subsequent transfers for delivery of water outside District's boundaries, with the exception of transfers of water released pursuant any agreement with the City and County of San Francisco and/or the Modesto Irrigation District relating to fish flow requirements.

(f) Formula for Reduction in Water Allocation. The allocation of Transfer Water to SRWA will be reduced in any Year that Y is less than 48 inches per acre.

$$(Y/48) \times Z = X$$

"Y" will be the actual final number of inches of water allocated by the Board to agricultural water users for the irrigation season commencing on or about April 1 of that Year. In the event a portion of the agricultural water allocation is optional and the fixed and optional amounts equal or exceed 48 inches, the Y will be 48 inches for the purposes of this calculation.

"Z" will be the total amount of water requested by the SRWA in the current Year of the two year delivery schedule.

"X" will be the actual amount of Transfer Water allocated to the SRWA for Years in which there is a reduction in the allocation. It is anticipated that from time to time District may modify its current agricultural water allocation. When District makes changes in its agricultural water allocation, the Parties will meet and confer and agree upon changes to ensure that reductions or increases in available water are in equal proportions as between District's agricultural customers and SRWA.

In no event will District be required to make available to SRWA more than the amount of Transfer Water than is stated in the delivery schedule. If there is a reduction or increase in the allocation in accordance with this section, the payment obligations of SRWA shall be adjusted in accordance with this Agreement.

(g) Force Majeure. In the event of Force Majeure, District shall first supply SRWA and its agricultural users in parity, except in the event this becomes physically impossible. The District is not required to deliver, and is not liable for failure to deliver, water under this Agreement when the cause of the failure is beyond the control of any Party, and which by the exercise of due diligence such Party is unable to prevent or overcome, including but not limited to, failure or refusal of any other person or entity to comply with then-existing contracts, an act of God, fire, flood, explosion, earthquake, strike, sabotage, pestilence, an act of the public enemy (including terrorism), civil or military authority including court orders, injunctions and orders of a governmental entity, or failure to issue a requested

order, license, or permit. Should either Party become aware of any impending Force Majeure, it shall notify the other Party as soon as is reasonably possible.

(h) Curtailment of Delivery for Maintenance Purposes. The District may temporarily discontinue or reduce the delivery of Transfer Water for the SRWA for purposes of necessary investigation, inspection, maintenance, repair, or replacement of any of the District Delivery Facilities necessary for the delivery of Transfer Water to the SRWA. The District will notify the SRWA as far in advance as possible of any such projected discontinuance or reduction, except in cases of emergency, in which case prior notice need not be given. Maintenance reductions of Transfer Water shall be made up within one calendar year of the maintenance reduction on a delivery schedule mutually agreed by the Parties and subject to the capacity of the District Delivery Facilities and limitations of any fish flow requirements.

(i) Offset Water To Be Provided by SRWA to the District. In any Year when there is a reduction in the water allocation under section 4(f), SRWA must provide Offset Water to the District starting on April 1 in accordance with the following formula:

Amount of Offset Water Required = 2 x % of Reduction x Actual Amount of Transfer Water Allocated

" % of Reduction" will be the factor by which the water allocated by the Board to agricultural water users for the irrigation season commencing immediately prior to the Year is reduced from 48 inches. For example, if the agricultural water allocation is 36 inches, it has been reduced by 12 inches which is a 25 % reduction from 48 inches (12 ÷ 48 = 0.25). The % of Reduction is 0.25.

"Actual Amount of Transfer Water Allocated" will be the amount determined to be "X" in section 4(f), Formula for Reduction in Water Allocation.

SRWA will not, however, be required to provide more Offset Water in a given Year than the Actual Amount of Transfer Water Allocated. Thus, if after the formula is applied, the Amount of Offset Water Required is greater than the Actual Amount of Transfer Water Allocated, the Offset Water required will be equal to the Actual Amount of Transfer Water.

The following table illustrates examples of potential reductions and Offset Water requirements:

SRWA Request: 30,000 AF

	0% Reduction	25% Reduction	50% Reduction	75% Reduction	100% Reduction
Actual Amount of Transfer Water Allocated	30,000	22,500	15,000	7,500	0
Total Offset Water by SRWA	0	11,250	15,000	7,500	0
Shortage from SRWA's request of 30,000 AF	0	7,500	15,000	22,500	30,000

(j) Upon approval by the State Water Resources Control Board, the City of Turlock, on behalf of the SRWA, will provide District with 2,000 AF of baseline recycled water every year, regardless of water year type. District would take delivery of the 2,000 AF of baseline recycled water only during the irrigation season, not to exceed 9.5 AF per day. The irrigation season would be determined yearly depending on water year. For planning purposes, it is assumed to be mid-March through mid-October or seven (7) full months. The treated wastewater that the City of Turlock provides to the District for the Walnut Energy Center is not included in the 2,000 AFY of baseline recycled water. During dry years when the SRWA is required to provide more Offset Water beyond the 2,000 AF of baseline recycled water, the SRWA may make up the difference with any other water source. The term "any other water source" shall mean water, which complies with all applicable laws and regulations for unrestricted agricultural use including, without limitation, use for row and feed crops and orchards; for example, well water.

Example: Assuming it is a dry year and there is a 25% reduction in water allocation. District would provide the SRWA with 22,500 AF of Transfer Water. The Offset Water required from SRWA would be 50% of the Transfer Water. In this case, the Offset Water required would be 11,250 AF. The City of Turlock, on behalf of the SRWA, would provide District with 2,000 AF of recycled water and the SRWA would provide the remaining amount of 9,250 AF from any other water source.

(k) The District will pay all reasonable costs associated with obtaining any and all approvals to use recycled water for irrigation purposes, whether or not such approvals are issued or obtained, including attorney and filing fees. District shall obtain all permits necessary from the State Water Resources Control Board, Regional Water Quality Control Board, or any other entity to use recycled water for irrigation purposes. SRWA agrees to provide assistance and all relevant and available information to the District for its use in obtaining these permits. If the District cannot obtain all of the required approvals and permits on terms and conditions acceptable to the District in the District's sole discretion, the Parties will fulfill their already existing obligation to one another in this Agreement and the Agreement will then automatically terminate.

(l) The District shall use all Offset Water within the Turlock Groundwater Subbasin. Offset Water provided by SRWA shall not be transferred outside the Turlock Groundwater Subbasin without prior SRWA approval, including but not limited to a revenue sharing agreement.

(m) The Parties agree that in providing Offset Water to the District, no water right is being transferred by the SRWA to the District.

(n) SRWA shall pay the design, construction, operation, maintenance, and replacement costs for the capital facilities needed to interconnect the Offset Water source or sources with the District's existing irrigation water delivery system. The Parties agree that the recycled water source shall interconnect with the District's Lateral 4 via the recycled water pipeline to Pedretti Park. The location and design of the interconnection facilities shall be subject to the prior review and approval of the District.

5. **Responsibility for Distribution of Water.**

(a) Water Quality. The District assumes no responsibility for the quality of the water delivered to SRWA under this Agreement and the District does not warrant the quality of any such water for any particular use. The SRWA shall be responsible for the treatment of all such water to the minimum water quality standards for water for domestic use as may be established from time to time by the State of California and/or by federal government, and notwithstanding subsection 5(c) below, the SRWA shall defend, indemnify, and hold harmless the District from and against any and all claims, damages, costs, expenses, judgments, attorney fees or other liability to any person or entity asserting that said water does not meet or has not met domestic use water quality standards.

(b) Non-Liability of District. Neither the District nor any of its officers, agents, or employees will be liable for the control, carriage, handling, use, disposal, or distribution of water delivered to the SRWA after such water has passed the Point of Delivery, nor for claims of damage of any nature whatsoever, including but not limited to property damage, personal injury or death, arising out of or connected with the control, treatment, carriage, handling, use, disposal, or distribution of the water beyond the Point of Delivery and attorneys' fees and related costs of defense. The SRWA shall defend, indemnify and hold harmless the District and its officers, agents, and employees from any damages or claims that arise under sections 5(a) and/or 5(b).

(c) Non-Liability of SRWA. Neither the SRWA nor any of its officers, agents, or employees will be liable for control, carriage, handling, use, disposal, or distribution of water delivered to the SRWA until such water has passed the Point of Delivery, nor for claim of damage of any nature whatsoever, including but not limited to property damage, personal injury or death, arising out of or connected with the control, treatment, carriage, handling, use, disposal, or distribution of the water before it has reached the Point of Delivery and attorneys' fees and related costs of defense. The District shall defend, indemnify and hold harmless the SRWA and its officers, agents, and employees from any such damages or claims that arise under this Section 5(c).

6. **Water Use.**

(a) Sale or Other Disposition of Project Allotment by SRWA. Transfer Water provided under this Agreement is for beneficial use exclusively within the irrigation boundary of the District. SRWA agrees that the amount of water purchased under this Agreement will not exceed the amount of water used by SRWA's customers within the District's irrigation boundary during the Year. No sale or other disposition of all or any portion of the SRWA's allotment shall relieve SRWA of any of its obligations under this Agreement.

(b) Ownership of Wastewater. Notwithstanding Paragraph 6(a), the SRWA will have sole ownership and responsibility for all wastewater and recycled water produced by SRWA's use of Transfer Water purchased under this Agreement. Once raw water furnished to

SRWA by District has passed the Point of Delivery, District shall not own or control it under any circumstances except by purchase, or except to the extent provided to the District by the SRWA as Offset Water.

7. **SRWA Payment Obligations.**

(a) Payments. The SRWA shall make payments, at the times and in the manner set forth below.

(b) Water Price. Subject to Section 4(d), District agrees to release and SRWA agrees to pay for all Transfer Water released at La Grange Dam in accordance with the delivery schedule and measured at the Point of Delivery minus the amount of any Offset Water that may be provided by the SRWA under Section 4(i). The price for the water delivered shall be the then current published per-acre-foot charge for the District's Tier 4 irrigation water subject to adjustment as approved by the District's Board of Directors. The District will issue monthly billing statements for the Transfer Water which will be due and payable on the first business day of each month, and will be considered delinquent if not paid within thirty (30) days of the due date.

(c) SWRCB Proceedings. The SRWA will pay all costs associated with filing the petition for and obtaining the long term water transfer from the SWRCB, whether or not the petition is successful. This includes attorney and filing fees, and any costs associated with implementing the water transfer. District will issue monthly billing statements for these costs as they accrue. Payment will be due and payable within thirty (30) days of issuance by the District.

(d) Capital Costs of the District Delivery Facilities.

(1) The District has paid a total of $924,302 to permit, design, and construct the existing Infiltration Gallery. The Parties agree that those capital costs shall be allocated between the Parties in accordance with the District Delivery Facilities Capital Cost Allocation. The SRWA agrees to pay the District the sum of $739,442 on the Closing Date.

(2) The District will incur additional capital costs to permit, design, and construct the pump station and the pipeline from the pump station to the treatment plant. The Parties agree that the pump station, pumps, and pipeline will be sized to a capacity of 100 cfs. The Parties recognize that the pump station will have multiple pumps and that the pumps may be installed in phases as the SRWA's Transfer Water demands or the District's use of the pumps increases over time. Unless the shared priority of use of the District Delivery Facilities under Section 7(f) changes, these additional capital costs will be allocated in accordance with the District Delivery Facilities Capital Cost Allocation.

(3) The Parties agree that the additional capital costs for the District Delivery Facilities under Section 7(d)(2) shall be paid by the Parties on a pay-as-you-go basis. Each Party shall be solely responsible for securing funds necessary to make all such payments.

(e) Annual Operation and Maintenance Costs of the District Delivery Facilities. The Parties agree that the annual operation and maintenance costs of the District Delivery Facilities shall include, but not be limited to, the following: costs to operate and maintain the Infiltration Gallery, the pump station (including all pumps and associated equipment), the pipeline from the pump station to the treatment plant, and the delivery meter, the electricity to operate the pump station, and the repair and replacement of any component.

(f) The Parties recognize and agree that the uses of the District Delivery Facilities will be for the following purposes: (1) delivery of the Transfer Water to the SRWA, (2) to divert water released at La Grange Dam to comply with fish flow requirements or to otherwise mitigate or enhance the fish habitat between La Grange Dam and the Infiltration Gallery and which is not delivered to the SRWA, and (3) if the District needs to provide irrigation water into the Ceres Main Canal. Uses (2) and (3) shall be called "District Water Use". Unless otherwise agreed pursuant to Section 7(d)(2), the scheduling of the use of the District Delivery Facilities for those purposes shall be on a prorate basis in accordance with the District Delivery Facilities Capital Cost Allocation.

The SRWA's annual share and payment of these costs shall be calculated as follows: The total number of acre feet of water delivered to the SRWA at the Point of Delivery in Section 4(a) ["SRWA Water Use"] divided by the sum of SRWA Water Use and District Water Use in acre feet pumped through the pump station during the Year with the resulting quotient expressed as a percentage. The total annual operation and maintenance costs shall be multiplied by the resulting quotient expressed as a percentage. The product shall be the amount of annual operation and maintenance costs payable by the SRWA to the District in 12 equal monthly installments.

(g) Payments to District of Capital and Operation and Maintenance Costs.

(1) Budget Process. In preparing and reviewing budgets for the District Delivery Facilities, the Parties will be guided by the principle that the District Delivery Facilities will be operated in as economic a manner as practical in accordance with generally accepted waterworks practices as evidenced by well-designed and operated similarly sized facilities in Northern California.

(2) Budget Preparation. The District will prepare a preliminary annual budget for the first year of District Delivery Facilities operation at least six months prior to the date the SRWA projects it will conduct operational testing of the Project. Thereafter, for each Year during the operation of the Project, District will prepare a preliminary budget for the District Delivery Facilities prior to January 1 for the next two ensuing Years for review and comment by the SRWA. Each budget will include (i) any credits to be applied, (ii) operating and maintenance costs, (iii) capital replacement costs, and (iv) capital costs for new capital additions to the District Delivery Facilities and will also include the estimated monthly payment to be paid for the ensuing year. District staff will use its best efforts to resolve any questions or concerns during such review. The Board of Directors of the District will adopt a final annual budget for each Year on or before March 15 of

each year after a public hearing for which ten days' notice has been given, and will supply a copy of the adopted budget to the SRWA.

(3) The District will issue monthly billing statements for the monthly payment estimated in the applicable budget which will be due and payable on the first business day of each month, and will be considered delinquent if not paid within thirty (30) days of the due date.

(4) As soon as practicable after each Year, District will determine the actual amount of Transfer Water delivered and the cost thereof, as well as the actual costs of operation and maintenance, and capital costs for the preceding Year. District will notify SRWA of any over or under payment by the SRWA and any necessary adjustments will be amortized and applied, without interest, to the regular monthly billing statements remaining in the then current Year following completion of the calculations.

8. Default.

(a) Written Demand Upon Failure to Perform. Upon failure of either Party to perform any obligation under this Agreement, the aggrieved Party shall send a written notice of default, specifying the nature of the default, and a demand for performance to the nonperforming Party.

(b) 30 Days to Cure. If the Nonperforming Party does not remedy its failure within 30 days of receipt of notice, or the Parties have not agreed on a plan to cure the default within that time, either Party may invoke the procedures specified in Section 12.

(c) Parties Liable for Cost of Default. Upon any default by the District or SRWA, the liable Party shall pay to the other Party all costs incurred because of the default, including attorney's fees, investigation costs, and other reasonable costs of implementing the default provisions. Neither party will be liable for breach-of-contract damages that the breaching party could not reasonably have foreseen on entry into this agreement.

9. Covenants of SRWA.

(a) Rate Sufficiency Covenant. The SRWA covenants and agrees to establish and collect rates and charges for the water provided to the Project sufficient to provide revenues adequate to meet its obligations under this Agreement.

(b) SRWA Annual Audited Financial Statements. The SRWA shall deliver to the District or make available to the District on the SRWA's website within 270 days following the end of each SRWA fiscal year, a copy of the SRWA's annual audited financial statements for such SRWA fiscal year. The annual statements will be prepared in accordance with the general accounting standards applicable to California joint powers agencies. In all cases the statements shall be for the most recent accounting period. If any such statements are not available on a timely basis due to a delay in preparation or certification, such delay shall not constitute a default under this Agreement so long as the SRWA diligently pursues the preparation, certification and delivery of the annual statements.

(c) Transfer of Ownership of SRWA Water System. The SRWA shall not transfer ownership of all or any substantial portion of its water system that is receiving Transfer Water from the Project to another entity without the written consent of District.

10. Indemnification.

(a) Indemnification by SRWA. The SRWA releases and agrees to defend and indemnify the District, its officers, employees and agents (collectively, the "Indemnified Parties") from and against any and all losses, claims, damages, liabilities or expenses arising out of, resulting from the SRWA's negligence, willful misconduct, or breach of this Agreement.

An Indemnified Party will promptly notify the SRWA in writing after receiving notice of any action against it for which indemnification may be sought against the SRWA. However, the omission to notify the SRWA of any such action shall not relieve the SRWA from any liability which it may have to the Indemnified Party under this indemnity agreement except to the extent that the SRWA is prejudiced thereby. If any action is brought against an Indemnified Party, the SRWA may, or if requested by the Indemnified Party must, participate in or assume the defense of the action with counsel satisfactory to the Indemnified Party at the SRWA's option. After notice to the Indemnified Party that the SRWA has elected to assume the defense of the action, the SRWA will not be liable to the Indemnified Party under this section for any legal or other expenses subsequently incurred by the Indemnified Party in connection with defending against the action other than the cost of reasonable investigation.

The SRWA will not be liable for settlement of any action effected without its consent by any Indemnified Party. If the SRWA consents to settlement of the action, the SRWA agrees to indemnify and hold harmless the Indemnified Party to the extent provided in this agreement.

(b) Indemnification by District. The District releases and agrees to indemnify the SRWA, its officers, employees and agents (collectively, the "Indemnified Parties") from and against any and all losses, claims, damages, liabilities or expenses arising out of, resulting from the District's negligence, willful misconduct, or breach of the Agreement.

An Indemnified Party will promptly notify the District in writing after receiving notice of any action against it for which indemnification may be sought against the District. However, the omission to notify the District of any such action shall not relieve the District from any liability which it may have to the Indemnified Party under this indemnity agreement except to the extent that the District is prejudiced thereby. If any action is brought against an Indemnified Party, the District may, or if requested by the Indemnified Party must, participate in or assume the defense of the action with counsel satisfactory to the Indemnified Party. After notice to the Indemnified Party that the District has elected to assume the defense of the action, the District will not be liable to the Indemnified Party under this section for any legal or other expenses subsequently incurred by the Indemnified Party in connection with defending against the action other than the costs of reasonable investigation.

The District will not be liable for settlement of any action effected without its consent by any Indemnified Party. If the District consents to settlement of the action, the District agrees to indemnify and hold harmless the Indemnified Party to the extent provided in the Agreement.

(c) Term of Indemnity. The provision of this section will survive the termination of this Agreement.

11. Term and Ownership of Facilities.

(a) Term. The term of this Agreement shall commence upon its execution by the authorized representatives of the Parties and shall continue in effect for 50 years, unless sooner terminated in accordance with this Agreement or unless extended by the mutual agreement of the Parties.

(b) Reopening Negotiations. District may reopen this Agreement at any time for the purpose of negotiating changes to the amount of Transfer Water provided by District and Offset Water provided by SRWA if conditions or restrictions on the District's use of its water are imposed by the Federal Energy Regulatory Commission, the State Water Resources Control Board or any other entity.

(c) Ownership of Facilities. At all times during the term of this Agreement, the District will have sole ownership of the District Delivery Facilities and the District facilities connecting the District Delivery Facilities to the Ceres Main Canal, and SRWA will have sole ownership of all physical facilities from the Point of Delivery meter. Nothing in this Agreement may be construed to create a partnership or joint venture of any kind.

(d) Ownership of Real Property. Upon approval of the long-term water transfer by the SWRCB, the District agrees to sell the treatment plant site, subject to a reservation of such easements for the District's pipelines to the treatment plant from the pump station and from the treatment plant to the Ceres Main Canal, to the SRWA at a sales price of $1,436,674.00 payable to the District on the Closing Date. The Parties agree that should the treatment plant not be built, SRWA will reconvey the treatment plant site to the District at the sales price of $1,436,674.00. A legal description and parcel map of the treatment plant site is attached hereto as Exhibit "A" and incorporated herein by reference. SRWA will acquire such additional lands and/or easements to complete, operate and maintain the treatment plant and treated water delivery pipelines and facilities.

12. Resolution of Differences.

(a) Dispute Resolution. This Section 12 shall apply to all disputes arising out of or relating to this Agreement. The Parties shall attempt in good faith to resolve any dispute promptly by negotiation between the District General Manager and the SRWA General Manager.

(b) Binding Arbitration. If the District and the SRWA are unable to reach an agreement after discussions under subsection (a) above, within 90 calendar days after the date of the initial

Managers' meeting on the dispute, either Party may serve the other with a request for binding arbitration under the Arbitration Rules of the American Arbitration Association ("AAA") ("Rules") by a single arbitrator. The demand must set forth the nature of the dispute and the claim or relief sought. If the District and the SRWA cannot agree on a person to serve as the arbitrator, the dispute shall be submitted to one neutral arbitrator selected from the panels of arbitrators of the AAA. To this end, the Parties agree to select the arbitrator from a panel of five arbitrators offered by AAA by alternate strikes. The Party who served the request for binding arbitration shall strike first. The District and the SRWA agree that they will faithfully observe the Rules and will abide by and perform any award rendered by the arbitrator, and that a judgment of the court having jurisdiction may be entered on the award. Notwithstanding the Rules, discovery will be permitted and the provisions of the California Code of Civil Procedure Section 1283.05 are incorporated herein unless the parties agree otherwise. The District and the SRWA hereby consent to the jurisdiction of the courts of Stanislaus County, California, for the confirmation, correction or vacation of any arbitration award. The arbitrator may grant any remedy or relief deemed by the arbitrator just and equitable under the circumstances, whether or not such relief could be awarded in a court of law. The arbitrator will have no power to award punitive damages or other damages not measured by the Party's actual damages against any Party. This limitation of the arbitrator's powers under this Agreement shall not operate as an exclusion of the issue of punitive damages from this Agreement to arbitrate sufficient to vest jurisdiction in a court with respect to that issue. The arbitrator's award will be deemed final, conclusive and binding to the fullest extent allowed by California law, and may be entered as a final judgment in court.

13. Miscellaneous

(a) Assignment. SRWA may not sell, transfer or assign all or any portion of this Agreement without the prior written consent of District. District agrees not to sell, transfer, or assign any of its right or interest in the Project including this Agreement, in whole or in part, without prior written consent of SRWA.

(b) Amendment/Termination. This Agreement or any provision hereof may be changed, waived, or terminated only by a statement in writing signed by the Party against which such change, waiver or termination is sought to be enforced.

(c) No Waiver. No delay in enforcing or failing to enforce any right under this Agreement will constitute a waiver of such right. No waiver of any default under this Agreement will operate as a waiver of any other default or of the same default on a future occasion.

(d) Partial Invalidity. If any one or more of the terms, provisions, covenants or conditions of this Agreement are to any extent declared invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, the finding or order or decree of which becomes final, the Parties agree to amend the terms in a reasonable manner to achieve the intention of the Parties without invalidity. If the terms cannot be amended thusly, the invalidity of one or several terms will not affect the validity of the Agreement as a whole, unless the invalid terms are of such essential importance to this Agreement that it

can be reasonably assumed that the Parties would not have contracted this Agreement without the invalid terms. In such case, the Party affected may terminate this Agreement by written notice to the other Party without prejudice to the affected Party's rights in law or equity.

(e) Entire Agreement. This Agreement is intended by the Parties as a final expression of their agreement and is intended as a complete and exclusive statement of the terms and conditions thereof. Acceptance of or acquiescence in a course of performance rendered under this Agreement shall not be relevant to determine the meaning of this Agreement even though the accepting or acquiescing Party had knowledge of the nature of the performance and opportunity for objection.

(f) Choice of Law. This Agreement will be construed in accordance with the laws of the State of California.

(g) Further Assurances. Each Party agrees to execute and deliver all further instruments and documents, and take all further action that may be reasonably necessary to complete performance of its obligations hereunder and otherwise to effectuate the purposes and intent of this Agreement.

(h) Headings. The headings of the sections hereof are inserted for convenience only and shall not be deemed a part of this Agreement.

(i) Notices. Any notice, demand, offer, or other written instrument required or permitted to be given pursuant to this Agreement shall be acknowledged by the Party giving such notice, and shall to the extent reasonably practicable be sent by hand delivery, and if not reasonably practicable to send by hand delivery, then by telecopy, overnight courier, electronic mail, or registered mail, in each case to the other Party at the address for such Party set forth below:

If delivered to SRWA:

STANISLAUS REGIONAL WATER AUTHORITY
General Manager
C/O City of Modesto Utilities Department
P.O. Box 642
Modesto, CA 95353

If delivered to the District:

TURLOCK IRRIGATION DISTRICT
General Manager
333 East Canal Drive
Turlock, CA 95380

A Party may change its place of notice by a notice sent to the other Party in compliance with this section.

(j) No Third Party Beneficiaries. Except for the Parties and their respective successors and assigners, nothing in this Agreement, whether express or implied, is intended to confer any rights on any person or entity whatsoever.

(k) No Breach of Other Agreements. Neither Party's execution and performance of this Agreement will result in the breach of any other agreement to which that party is a Party, or to which that Party is otherwise subject or bound.

(l) No Party Drafter. Neither Party to this agreement shall be considered its drafter. The provisions of this Agreement shall be construed as a whole according to their common meaning and not strictly for or against either Party.

IN WITNESS WHEREOF, the SRWA has executed the Agreement with the approval of its Board, and the District has executed this Agreement in accordance with the authorization of its Board of Directors, as of the date first written above.

TURLOCK IRRIGATION DISTRICT

By: _____

CASEY HASHIMOTO, General Manager

STANISLAUS REGIONAL WATER AUTHORITY

By: _____

STEVAN STROUD, Interim General Manager

ATTEST:

By: _____

JUDY ROSA, Secretary to the Board

APPROVED AS TO FORM:

By: _____

ROLAND STEVENS, General Counsel

EXHIBIT "A"

EXHIBIT A
LEGAL DESCRIPTION

WATER TREATMENT PLANT PARCEL

All that certain real property situate, lying, and being a portion of that certain parcel of land described in the Grant Deed to Rodney Beard and Virginia Beard, recorded August 19, 1994 as Instrument No. 94082327, Stanislaus County Records, commonly known as Assessor's Parcel No. 018-006-002, lying in the west half of Section 2, Township 4 South, Range 10 East, Mount Diablo Base and Meridian, being more particularly described as follows:

COMMENCING at the south ¼ corner of said Section 2, thence northerly, along the north-south ¼ section line, North 0°04'38" East 1533.54 feet, to the southeasterly corner of the aforementioned Beard Parcel, also being on the northerly line of the of the Turlock Irrigation District Ceres Main Canal, said point being the **POINT OF BEGINNING** of this description; thence, along the southerly line of said Beard Parcel and the northerly line of said Ceres Main Canal, South 78°11'02" West 81.76 feet; thence, parallel with, and 80.00 feet west (measured at a right angle) of the east line of said Beard Parcel, North 00°04'38" East 414.65 feet; thence North 77°06'05" West 237.38 feet; thence North 75°48'12" West 50.95 feet, to the beginning of a curve, concave to the south, having a radius of 295.00 feet, and a central angle of 49°52'42"; thence, along the arc of said curve, 256.81 feet; thence South 54°19'06" West 246.25 feet; thence South 51°35'56" West 292.30 feet; thence South 49°54'08" West 106.47 feet; thence South 82°06'37" West 9.20 feet; thence North 07°52'53" West 688.63 feet; thence South 88°25'07" West 30.18 feet, to an angle point on the westerly boundary of said Beard Parcel; thence, along the westerly and northerly boundary of said Beard Parcel, the following five (5) courses:

1) North 07°52'53" West 803.65 feet; thence
2) North 33°25'28" East 439.15 feet; thence
3) North 49°50'18" East 217.57 feet; thence
4) North 88°24'35" East 527.96 feet; thence
5) South 67°15'25" East 461.54 feet,

to a point on the aforementioned north-south ¼ section line; thence, along said north-south ¼ section line, also being along the easterly boundary of said Beard Parcel, South 00°04'38" West 1842.38 feet, to the point of beginning.

Containing a total of 47.90 acres, more or less.

SUBJECT TO:

And easement for ingress/egress over the following described portion of the parcel described above:

COMMENCING at the south ¼ corner of said Section 2, thence northerly, along the north-south ¼ section line, North 0°04'38" East 1533.54 feet, to the southeasterly corner of the aforementioned Beard Parcel, also being on the northerly line of the of the Turlock Irrigation District Ceres Main Canal, said point being the **POINT OF BEGINNING** of this description; thence, along the southerly line of said Beard Parcel and the northerly line of said Ceres Main Canal, South 78°11'02" West 81.76 feet; thence, parallel with, and 80.00 feet west (measured at a right angle) of the east line of said Beard Parcel, North 00°04'38" East 414.65 feet; thence South 89°55'22" East 80.00 feet, to a point on the easterly boundary of said Beard Parcel; thence, along said easterly boundary, South 00°04'38" West 397.80 feet, to the point of beginning.

Containing a total of 0.75 acres, more or less.

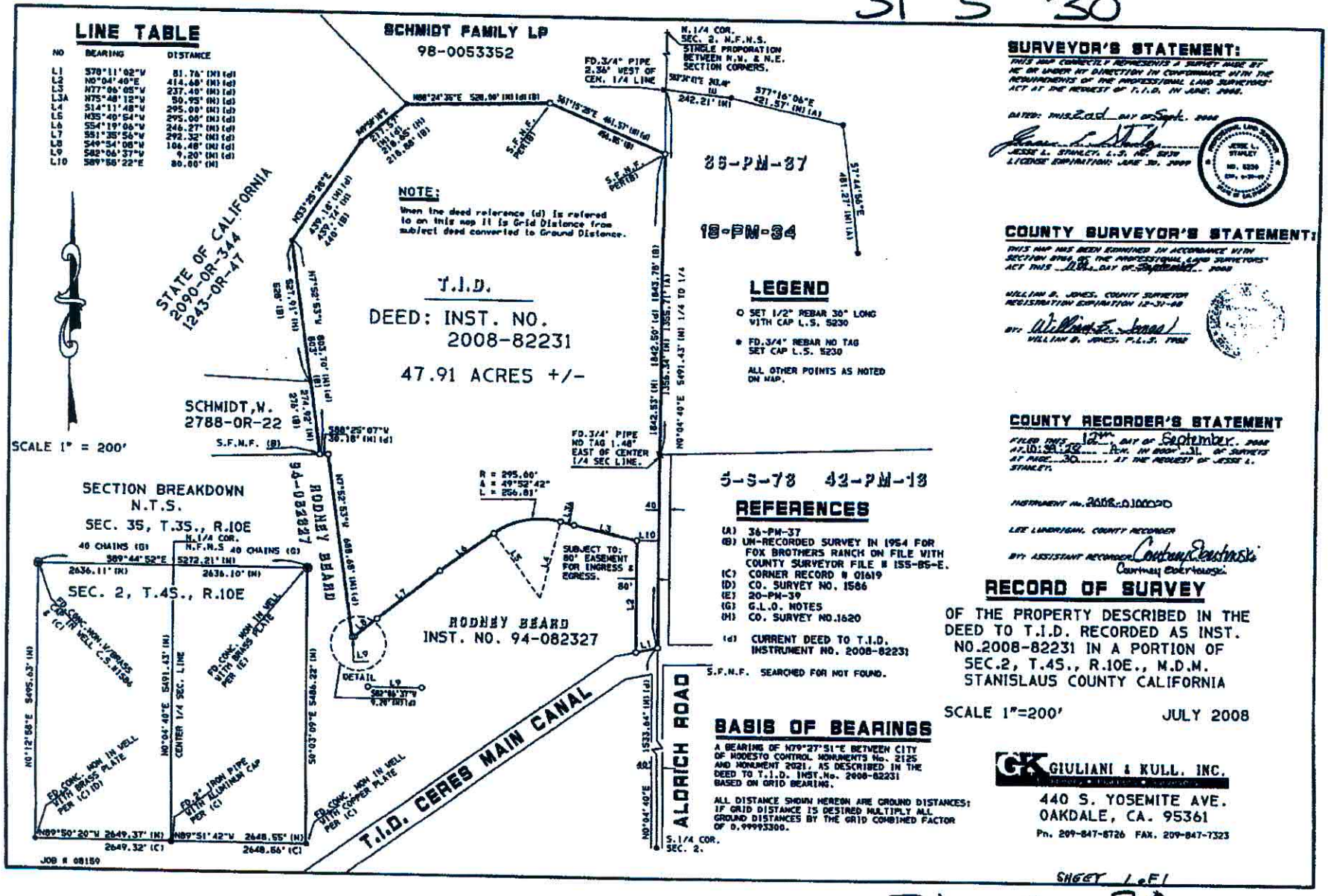
Subject to covenants, conditions, restrictions, reservations, rights, rights-of-way, and easements of record.

Bearings and distances are based on the California Coordinate System-83, Zone 3 (1991.35). A line between City of Modesto monuments 2021 and 2125 bears North 79°27'51" East as calculated from City of Modesto GPS Control Network Survey, filed for record in Book 22 of Surveys, at Page 51, Stanislaus County Records. All distances are grid, based on a combination factor of 0.99993300. To convert distances shown hereon to ground, multiply by the reciprocal of said combination factor, 1.00006700.

LICENSED LAND SURVEYOR
MICHAEL HALTERMAN
Exp. 6-30-09
No.8040
STATE OF CALIFORNIA

9 Jun 08

31 S 30



SURVEYOR'S STATEMENT:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS' ACT AT THE REQUEST OF T.I.D. IN JUNE, 2008.

DATED: THIS 22nd DAY OF Sept. 2008

JESSE L. STANLEY, L.S. NO. 5230

LICENSE EXPIRATION: JUNE 30, 2009

COUNTY SURVEYOR'S STATEMENT:

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE PROFESSIONAL LAND SURVEYORS' ACT THIS 12th DAY OF September, 2008

WILLIAM B. JONES, COUNTY SURVEYOR

REGISTRATION EXPIRATION 12-31-08

BY: WILLIAM B. JONES, P.L.S. 7982

COUNTY RECORDER'S STATEMENT

FILED THIS 12th DAY OF September, 2008 AT 10:38:28 A.M. IN BOOK 31 OF SURVEYS AT PAGE 30 AT THE REQUEST OF JESSE L. STANLEY.

INSTRUMENT No. 2008-0100020

LEE LUNDRIGAN, COUNTY RECORDER

BY: ASSISTANT RECORDER Courtney Eberhardt

Courtney Eberhardt

RECORD OF SURVEY

OF THE PROPERTY DESCRIBED IN THE DEED TO T.I.D. RECORDED AS INST. NO.2008-82231 IN A PORTION OF SEC.2, T.4S., R.10E., M.D.M. STANISLAUS COUNTY CALIFORNIA

SCALE 1"=200' JULY 2008

GIULIANI & KULL, INC.
440 S. YOSEMITE AVE.
OAKDALE, CA. 95361
PH. 209-847-8726 FAX. 209-847-7323

SHEET 1 of 1

31 S 30

AMENDMENT NO. 1
TO TID/SRWA WATER SALES AGREEMENT

THIS AMENDMENT TO AGREEMENT is made this April 16, 2020, between Turlock Irrigation District, a local government agency (**District**), and Stanislaus Regional Water Authority, a joint powers authority (**SRWA**), who agree as follows:

1. Recitals. The parties approve this Amendment with reference to the following background recitals:

1.1. On July 28, 2015, the parties entered into the Water Sales Agreement (the **Agreement**), which is on file in the District and SRWA offices.

1.2. The parties now desire to amend the Agreement to reflect changed circumstances and make other changes and clarifications. Capitalized terms in this Amendment shall have the same meanings as set forth in the Agreement.

2. Amendments to Agreement. The parties amend the Agreement as follows:

2.1. Section 1, subsection (b) is amended to read as follows:

(b) Closing Date - The date on which the Parties close escrow on the purchase and transfer of the treatment plant site pursuant to section 11(d).

2.2. Section 2, subsection (b) (CEQA) is amended by adding the following:

In 2018, after the 2015 approval of the Agreement, SRWA certified the Surface Water Supply Project Final Environmental Impact Report (**EIR**) for the Regional Surface Water Supply Project and approved the Project pursuant to the California Environmental Quality Act and CEQA Guidelines. The approval of this Amendment is consistent with and achieves the purposes as evaluated and approved in the 2018 EIR.

2.3. Section 2, subsections (c) and (d) are amended to read as follows:

(c) Water Rights. District submitted a water right petition to the State Water Resources Control Board (**SWRCB**) for a long-term transfer of a maximum of 17,375 acre feet of water per year of District's post-1914 water rights (SWRCB License 11058) and Water Code section 1735 et seq. to SRWA, to add the District Delivery Facilities as a point of rediversion, and to add municipal and industrial as an authorized purpose of use. District will use commercially reasonable efforts to pursue and process the petition and SRWA will reasonably cooperate in District's request. District retains the sole discretion to (1) determine whether any terms and conditions that the SWRCB may impose pursuant to the change petition are acceptable, (2) and to determine whether Transfer Water will be delivered under the District's pre-1914 water rights, the District's post-1914 water rights, or some combination of both.

(d) SWRCB's Failure to Approve Section 2(c) Petition. In the event that District cannot obtain the SWRCB approval of the License 11058 water right change petition described in section 2(c) on terms and conditions acceptable to District in District's sole discretion, then District will deliver Transfer Water to SRWA under the District's pre-1914 water rights, the District's post-1914 water rights, or some combination of both..

2.4. Section 3, subsection (a) is amended to read as follows:

(a) Sale of Water. Subject to the delivery limitations, the Offset Water requirements, and other terms and conditions of this Agreement, District shall make continuously available to SRWA up to 30,000 acre feet of Transfer Water per year in accordance with section 4. District will make such Transfer Water available to SRWA within the scope of District's water rights as described in section 2(c).

2.5. Section 4, subsection (c) is amended to read as follows:

(c) Measurement of Water Delivered. SRWA will measure all water delivered to SRWA and all water diverted through the District Delivery Facilities but which are delivered to the Ceres Main Canal and not to the SRWA. SRWA will keep and maintain accurate and complete measurement records. SRWA will install, operate, and maintain water metering equipment that are reasonably acceptable to both Parties at all delivery points for water from the District Delivery Facilities to the SRWA and to the District's Ceres Main Canal. The meters shall be examined, tested and serviced regularly by the SRWA to maintain their accuracy in accordance with the meter manufacturer's written recommendations. The District may inspect the metering equipment and the measurement records during regular business hours upon reasonable notice. The SRWA will provide the District with instrumentation output signals for water flow rate and water pressure information at each meter. District retains the right to install reciprocal measuring devices that comply with the same standards and procedures set forth above. Disparities between District and SRWA measurements will be resolved pursuant to Section 12, Resolution of Differences, of this Agreement.

2.6. Section 4, subsection (h) (Curtailment of Delivery for Maintenance Purposes) is deleted.

2.7. Section 4, subsection (k) is amended to read as follows:

(k) The District will pay all reasonable costs associated with obtaining any and all approvals to use Recycled Water for irrigation purposes, whether or not such approvals are issued or obtained, including any attorney and filing fees. District shall obtain all permits necessary from the SWRCB Regional Water Quality Control Board, or any other federal, state, or local government agency with jurisdiction to use Recycled Water for irrigation purposes. SRWA agrees to provide assistance and all relevant and available information to the District for its uses in obtaining these permits. If the District cannot obtain all of the required approvals and permits on

terms and conditions acceptable to the District in the District's sole discretion by the time Transfer Water deliveries commence, SRWA will purchase the undelivered Recycled Water from the District in the same amount per acre foot that the City of Turlock receives for recycled water under the North Valley Regional Recycled Water Program until such approvals and permits are obtained.

2.8. Section 7, subsection (c) is amended to read as follows:

(c) Administration and Fees. District may elect to deliver water under this Agreement pursuant to one or both of the following:

(1) For the License 11058 water right supply option, SRWA will pay all costs associated with filing the water right change petition for and obtaining the long term water transfer from the SWRCB, whether or not the petition is successful. This includes attorney and filing fees, and any costs associated with implementing the water transfer. District will issue monthly billing statements for these costs as they accrue. Payment will be due and payable within thirty (30) days of issuance by the District.

(2) If pre-1914 water is transferred, SRWA will reimburse District for all liabilities and costs, including attorneys' fees, associated with delivering the pre-1914 rights under this Agreement, and defending any claims or challenges to the use of those water rights for purposes of this Agreement, including, but not limited to, any challenge under Water Code sections 1702, 1706, 1725 or stream adjudication. District will issue monthly billing statements for these costs as they accrue. Payment will be due and payable within thirty (30) days of issuance by the District.

2.9. Section 7, subsection (f) is amended to read as follows:

(f) Use of District Delivery Facilities; Cost Sharing. The Parties recognize and agree that the District Delivery Facilities will be used for the following purposes: (1) to divert and deliver the Transfer Water to the SRWA, (2) to divert and deliver water for District agricultural uses, or (3) to divert and deliver water for District agricultural uses if water was ordered by the SRWA pursuant to the Delivery Schedule but cannot be used by the SRWA after the water is released at La Grange Dam because of an emergency or operational problem at the water treatment plant or in the Project's treated water transmission system. Uses (1) and (3) shall cumulatively be called "**SRWA Water Use**." Use (2) shall be called "**District Water Use**." Upon SRWA's completion of construction of the District Delivery Facilities, the water diverted and delivered through the District Delivery Facilities will be used initially in the SRWA member agency public water systems and other community water systems within District boundaries that may become SRWA wholesale treated water customers.

Because SRWA initially will have sole use of the District Delivery Facilities, the SRWA shall operate, maintain, and, as necessary, repair and replace the District Delivery Facilities, and pay for 100% of the costs described in subsection (e) (the "**Operating and Maintenance Costs**") until such time that District commences regular District Water Use and there is dual use of the District Delivery Facilities by

both Parties. Once dual use of the District Delivery Facilities has begun, the SRWA's annual share and payment of the Operation and Maintenance Costs shall be calculated as follows: In acre feet, SRWA Water Use divided by the sum of SRWA Water Use and District Water Use pumped through the pump station during the Year with the resulting quotient expressed as a percentage. The total annual Operation and Maintenance Costs shall be multiplied by the resulting quotient expressed as a percentage. The product shall be the percentage share of annual Operation and Maintenance Costs payable by the SRWA. SRWA shall invoice District for the remaining percentage share of Operation and Maintenance Costs for District Water Use and District will pay any such invoice to SRWA pursuant to the budget and billing provisions set forth below. SRWA shall begin implementing the budget, billing, and collection procedures in subsection (g) when and after District commences regular District Water Use and there is dual use of the District Delivery Facilities by both Parties and shared Operation and Maintenance Costs.

2.10. Section 9, subsection (a) is amended to read as follows:

(a) Rate Sufficiency Covenant. SRWA covenants and agrees to bill and collect payments from the SRWA member agencies for the water provided to the Project sufficient to provide revenues adequate to meet its obligations under this Agreement.

2.11. Section 11, subsection (d) is amended to read as follows:

(d) Ownership of Real Property. District agrees to sell the treatment plant site, subject to a reservation of such easements for the District's pipelines to the treatment plant from the pump station and from the treatment plant to the Ceres Main Canal, to the SRWA at a sales price of $1,436,674.00 payable to the District. Upon execution of Amendment No. 1 to the TID/SRWA Water Sales Agreement by both Parties, the Parties shall proceed expeditiously to open escrow with a mutually acceptable title company and to process and close escrow on the purchase and transfer of the site. The Parties agree that should the treatment plant not be completed by 2028, the District will have the option to require SRWA to reconvey the treatment plant site to the District at the sales price of $1,436,674.00. A legal description and parcel map of the treatment plant site is attached hereto as Exhibit "A" and incorporated herein by reference. SRWA will acquire such additional lands and/or easements to complete, operate and maintain the treatment plant and treated water delivery pipelines and facilities.

3. No Effect on Other Provisions. Except for the amendments in Section 2, the remaining provisions of the Agreement are unaffected and remain in full force and effect.

TURLOCK IRRIGATION DISTRICT

By: _____
General Manager

Attest:

_____
Secretary

Approved as to form:

_____
General Counsel

STANISLAUS REGIONAL WATER AUTHORITY

By: _____
General Manager

Attest:

_____
Secretary

Approved as to form:

_____
General Counsel

Appendix F

Draft Water Shortage Contingency Plan

DRAFT REPORT | SEPTEMBER 2024

Water Shortage Contingency Plan

PREPARED FOR

Stanislaus Regional Water Authority

SRWA
STANISLAUS REGIONAL WATER AUTHORITY

PREPARED BY

WEST YOST
Water. Engineered.

Table of Contents

LIST OF TABLES

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LIST OF ACRONYMS AND ABBREVIATIONS

AWIA	America's Water Infrastructure Act of 2018
AWSDA	Annual Water Supply and Demand Assessment
Ceres	City of Ceres
Cities	Cities of Ceres and Turlock
CWC	California Water Code
DWR	Department of Water Resources
ERP	Emergency Response Plan
MGD	Million Gallons Per Day
SRWA	Stanislaus Regional Water Authority
TID	Turlock Irrigation District
Turlock	City of Turlock
UWMP	Urban Water Management Plan
WSCP	Water Shortage Contingency Plan
WTP	Water Treatment Plant

Water Shortage Contingency Plan

A water shortage may occur due to a number of reasons, such as population growth, climate change, drought, and catastrophic events. Drought, regulatory action constraints, and natural and manmade disasters may occur at any time. A water shortage means that the water supply available is insufficient to meet the normally expected customer water use at a given point in time.

This plan presents the Stanislaus Regional Water Authority (SRWA)'s Water Shortage Contingency Plan (WSCP). The WSCP describes SRWA's strategic plan in preparation for and responses to water shortages with a goal to proactively prevent catastrophic service disruptions. It includes water shortage levels and associated actions that will be implemented in the event of a water supply shortage. As part of the WSCP, SRWA's legal authorities, communication protocols, compliance and enforcement, and monitoring and reporting are included.

In 2018, the California State Legislature enacted two policy bills, (Senate Bill 606 (Hertzberg) and Assembly Bill 1668 (Friedman)) (2018 Water Conservation Legislation), which set new requirements for water shortage contingency planning.

SRWA's WSCP has been prepared consistent with the 2018 Water Conservation Legislation requirements. Refinement procedures and adoption requirements are provided in this plan to allow SRWA to modify this WSCP outside of the Urban Water Management Plan (UWMP) process.

1.0 WATER SUPPLY RELIABILITY ANALYSIS

Chapters 6 and 7 of SRWA's 2020 UWMP present SRWA's water supply sources and reliability, respectively. Findings show that SRWA's five consecutive dry year supplies, single-dry year supplies, and even normal year supplies, whether occurring now or 20 years in the future, may be insufficient to meet projected demands – meaning that SRWA's wholesale customers, the City of Ceres (Ceres) and City of Turlock (Turlock) (Cities), cannot rely entirely on SRWA's surface water supplies to meet their demands.

Statewide water supply conditions, hydrologic conditions, changes in groundwater levels, subsidence, and actions by other agencies, may impact SRWA's available water supply. For SRWA, a water shortage condition occurs when the supply of potable water available cannot meet its customers' normal water demands for human consumption, sanitation, fire protection, and other beneficial uses.

The analysis associated with this WSCP was developed in the context of SRWA's water supply sources and system reliability. In some cases, SRWA may be able to foresee its water shortage condition, but the water shortage may also be caused by an unforeseen emergency event. In general, SRWA's water supply conditions may be affected by the following:

- Turlock Irrigation District (TID) supply allocations and storage levels, and resulting allocation reductions to TID customers, and
- Timing and frequency of TID's curtailment periods, and changes in Tuolumne River water quality that could not be addressed by the Regional Water Treatment Plant (WTP).

SRWA may also experience unforeseen water shortages when catastrophic interruption of water supplies occurs due to regional power outages, earthquakes, or other potential emergency events. In response to supply shortfalls, SRWA may declare a water shortage level (as described in Section 4.0).

In future years, SRWA will conduct an annual water supply and demand assessment in accordance with Section 2. The analysis associated with this WSCP was developed in the context of SRWA's water supply sources and reliability.

2.0 ANNUAL WATER SUPPLY AND DEMAND ASSESSMENT PROCEDURES

Beginning July 1, 2022, California Water Code (CWC) §10632.1 requires water suppliers to submit an Annual Water Supply and Demand Assessment (AWSDA). Water suppliers are also required to submit an Annual Water Shortage Assessment Report beginning July 1, 2022. This WSCP provides the procedures for SRWA to conduct its AWSDA. The findings from that assessment will provide information for SRWA's Annual Water Shortage Assessment Report.

Since SRWA did not begin operations until November 2023, and will not complete its first UWMP until November 2024, SRWA's first AWSDA will be submitted to the California Department of Water Resources (DWR) by July 1, 2025.

The procedures provided in this section are intended to assist SRWA in planning for potential, foreseeable shortage in water supplies. These procedures provide the steps SRWA needs to take that may lead to declaring a water shortage emergency and associated water shortage level (see Section 3) and implementation of water shortage response actions (see Section 4).

2.1 Decision-Making Process

The decision-making process described below will be used by SRWA to determine its water supply reliability in a consistent manner annually. SRWA may adjust this process for improved decision-making during implementation.

SRWA staff will prepare the Annual Water Shortage Assessment Report and submit it to DWR by July 1 of each year. Key data inputs described in Section 2.2 will be gathered and the assessment will be conducted in accordance with Section 2.3.

Staff will follow the sequence of activities shown in Table 1. Due to variations in climate and hydrologic conditions, SRWA's assessment schedule may vary. SRWA intends to implement shortage response actions to effectively address anticipated water shortage conditions in a timely manner while complying with the State's reporting requirements. SRWA recognizes that its wholesale customers' AWSDA reporting and timely response to water shortage events is directly affected by its AWSDA. SRWA must complete its assessment in order to allow the Cities to complete their AWSDA reporting.

Typically, by the end of March of each year, SRWA will complete the assessment. Staff will present the AWSDA and Annual Water Shortage Assessment Report to the General Manager, or designee, for review and approval. If the AWSDA finds that available water supply will be sufficient to meet expected demands for the current year and one subsequent dry year, no further action will be required. The final approved documents will be submitted to DWR by July 1st of each year.

Table 1. Schedule of Assessment Activities

Schedule	Activities
Mid-March to Early-April	Using the most current information, prepare the summaries of water supply sources for current year and a subsequent dry year. Consider factors affecting supply as described in Section 2.2.
Mid-March to Early-April	Document water demands for the current year and a subsequent dry year. Demands will generally be based on the Cities' delivery requests to SRWA by December of the prior year. Consider factors affecting demand as described in Section 2.2.

Table 1. Schedule of Assessment Activities	
Schedule	Activities
Mid-March to Early-April	Using the methodology described in Section 2.3, calculate SRWA's water supply reliability over the current year and a subsequent dry year. Determine if a water shortage condition is expected and recommend associated actions.
Mid-April	Prepare the AWSDA and Annual Water Shortage Assessment Report and submit to General Manager, or designee(s), for review. General Manager, or designee(s), to review and provide comments as needed.
Late April-June	Finalize and approve AWSDA and Annual Water Shortage Assessment Report.
Before July 1	Submit the AWSDA and Annual Water Shortage Assessment Report to DWR.

Should the annual assessment find that available supply will not meet expected demands, SRWA will coordinate with its customers to inform them of the AWSDA results. SRWA will inform the Cities that they will need to implement their WSCP and utilize alternative sources (i.e., City groundwater resources) to close the anticipated water supply gaps. The General Manager will present the finalized assessment to the Board, along with recommendations on water shortage condition determination and actions. Recommended actions may include declaration of a water shortage emergency, declaration of a water shortage level, and water shortage actions.

Based on the findings of the Annual Assessment, the Board will determine if a water shortage condition exists and, if needed, adopt a resolution declaring a water shortage emergency and an associated water shortage level, and authorizing water shortage actions. Staff will finalize the SRWA's Annual Water Shortage Assessment Report, incorporating Board determinations and approved actions.

The schedule of decision-making activities is provided in Table 2. The schedule and the activities shown in this table are approximate and may be adjusted as needed to respond to the water shortage condition in a timely manner.

Table 2. Schedule of Decision-Making Activities		
Start Date	Activities	Responsible Party
Mid-March to mid-April	Based on finalized determinations of AWSDA regarding water shortage condition and recommended actions, prepare recommendations on water shortage condition determination and actions.	SRWA Staff and/or Consultant
Mid-March to mid-April	Prepare ordinances or resolutions approving determinations and actions.	SRWA Staff and/or Consultant
April SRWA Board Meeting (currently third Thursday)	Receive presentation of AWSDA and Annual Water Shortage Assessment Report, including determinations and recommendations. Adopt resolution(s) approving determinations and actions, as appropriate.	SRWA Board
January-April	Finalize water transfer requests and any new agreements, if needed. New agreements will require SRWA Board approval.	SRWA Board

2.2 Key Data Inputs

The AWSDA requires the evaluation of supply and demands for the current year and one dry year that is assumed to follow the current year. The following key data inputs will be used to evaluate SRWA's water supply reliability.

Planned water supplies will be used as input to the AWSDA for the current year and the following one dry year. In planning for water supplies, the following factors are considered:

1. Delivery requests from the Cities, typically received by December 1 the year prior
2. Schedule of delivery, typically received from TID by mid-March
3. Hydrologic conditions
4. Regulatory conditions
5. Contractual constraints
6. Surface water and groundwater quality conditions
7. Well production limitations
8. Infrastructure capacity constraints or changes
9. Capital improvement projects implementation

Planned water supply sources and quantities will be described and be reasonably consistent with the supply projections in SRWA's last updated UWMP Chapter 6 (Water Supply Characterization). Should the supply sources and projections deviate significantly from projections, an explanation for the difference will be provided in the AWSDA report.

Planned unconstrained water demands will be used as input to the AWSDA for the current year and the following assumed dry year. Unconstrained water demands are customer demands where no water conservation measures are in effect. In planning for water demands, the following factors are considered:

1. Weather conditions
2. Water year type
3. Population changes (for example, due to development projects)
4. Anticipated new demands (for example, changes to land use)
5. Pending policy changes that may impact demands
6. Infrastructure operations

Planned water demands types and quantities will be described and be reasonably consistent with the demand projections in SRWA's last updated UWMP Chapter 4 (Water Demand Characterization). Should the demand projections deviate significantly from projections, an explanation for the difference will be provided in the AWSDA report.

2.3 Assessment Methodology

In preparing the AWSDA, SRWA will follow the following assessment methodology and evaluation criteria to evaluate SRWA's water supply reliability for the current year and an assumed subsequent dry year. SRWA will assess the data listed in Section 2.2 to develop its supply and demand forecasts, which are then compared to determine SRWA's water supply reliability. SRWA's water supply will be deemed reliable if it can meet planned, unconstrained water demands. If water supply cannot meet planned, unconstrained water demands in the current year or the following assumed dry year, the extent of the water shortage

condition will be determined. SRWA will prepare recommended response actions in accordance with this WSCP. Findings from the AWSDA will be presented to the SRWA Board, along with the recommendations for action.

3.0 SIX STANDARD WATER SHORTAGE LEVELS

To provide a consistent regional and statewide approach to conveying the relative severity of water supply shortage conditions, the 2018 Water Conservation Legislation mandated that water suppliers plan for six standard water shortage levels that correspond to progressive ranges of up to 10, 20, 30, 40, 50 percent, and greater than 50 percent shortages from the normal reliability condition. Each shortage condition should correspond to additional actions water suppliers would implement to meet the severity of the impending shortages.

For each of the State's standard shortage levels, Table 3 (DWR Table 8-1), summarizes the water shortage range (i.e., percent shortage from normal supplies), a brief narrative description of the corresponding water shortage condition, and the corresponding shortage response actions. These water shortage levels apply to both foreseeable and unforeseeable water supply shortage conditions.

As described in Section 2, beginning in 2025, SRWA will conduct an AWSDA to determine its water supply condition for the current year and a subsequent assumed dry year. The preparation of AWSDA will help SRWA ascertain the need to declare a water shortage emergency and water shortage level. In other cases, SRWA may need to declare a water shortage emergency due to unforeseen water supply interruptions. When SRWA anticipates or identifies that water supplies may not be adequate to meet the normal water supply needs of its customers, the SRWA Board will inform its customers that they will need to implement their WSCP and rely on alternative sources (i.e., City groundwater resources) to close the anticipated gap between supply and demand. The SRWA Board may also determine that a water shortage exists and consider a resolution to declare a water shortage emergency and associated level. The shortage level provides direction on shortage response actions.

Table 3. Water Shortage Contingency Plan Levels (DWR Table 8-1)

Submittal Table 8-1 Water Shortage Contingency Plan Levels			
Shortage Level	**Percent Shortage Range**	**Water Shortage Condition** (*Narrative description*)	**Shortage Response Actions** (*Narrative description*)
1	Up to 10%	Assessment shows water supply is not able to meet demands by 10%; or definable event has reduced water supply by 10%.	Inform Cities in timely manner about the timing of any water shortages or water allocation reductions from TID. Work with Cities to adjust surface water delivery schedules as-needed. Refer to DWR Table 8-3 for more details.
2	Up to 20%	Assessment shows water supply is not able to meet demands by 20%; or definable event has reduced water supply by 20%.	Inform Cities in timely manner about the timing of any water shortages or water allocation reductions from TID. Work with Cities to adjust surface water delivery schedules as-needed. Refer to DWR Table 8-3 for more details.
3	Up to 30%	Assessment shows water supply is not able to meet demands by 30%; or definable event has reduced water supply by 30%.	Inform Cities in timely manner about the timing of any water shortages or water allocation reductions from TID. Work with Cities to adjust surface water delivery schedules as-needed. Refer to DWR Table 8-3 for more details.
4	Up to 40%	Assessment shows water supply is not able to meet demands by 40%; or definable event has reduced water supply by 40%.	Inform Cities in timely manner about the timing of any water shortages or water allocation reductions from TID. Work with Cities to adjust surface water delivery schedules as-needed. Refer to DWR Table 8-3 for more details.
5	Up to 50%	Assessment shows water supply is not able to meet demands by 50%; or definable event has reduced water supply by 50%.	Inform Cities in timely manner about the timing of any water shortages or water allocation reductions from TID. Work with Cities to adjust surface water delivery schedules as-needed. Refer to DWR Table 8-3 for more details.
6	>50%	Assessment shows water supply is not able to meet demands by over 50%; or definable event has reduced water supply by more than 50%.	-Inform Cities in timely manner about the timing of any water shortages or water allocation reductions from TID. -Work with Cities to adjust surface water delivery schedules as-needed and mediate a negotiation between the Cities for an alternative delivery schedule in instances where one City may forego some of their surface water allocation for a period of time to aid the other City. -Consider working with the Cities to arrange for supplemental surface water supplies through water transfer agreements -Alert Cities that deliveries will be discontinued if necessary -Work with Cities to coordinate water supply changes to maintain acceptable water quality throughout Cities' distribution systems. details. -Work with Cities to coordinate implementation of their respective WSCPs. Refer to DWR Table 8-3 for more
NOTES: The indicated stages are not intended to denote thresholds at which specific actions need to occur that are different from the actions at any other stage, except for Stage 6, at which point SRWA will either have to enter into a water transfer agreement for supplemental surface water supplies, or will no longer be able to deliver surface water to its customers.			

4.0 SHORTAGE RESPONSE ACTIONS AND EFFECTIVENESS

CWC Section 10632 (a)(4) requires shortage response actions that align with the defined shortage levels. SRWA's shortage response actions consist of a combination of demand reduction, supply augmentation, and operational changes. SRWA's suite of response actions are dependent on the event that precipitates a water shortage level, the time of year the event occurs, the water supply sources available, and the condition of its water system infrastructure.

SRWA plans to use a balanced approach, combining supply augmentation, and operational changes to respond to the event and the resulting water shortage level. SRWA will adapt its implementation of response actions to close the gap between water supplies and water demand and meet the water use goals associated with the declared water shortage level.

SRWA's water system is fully metered, from production to Cities' turnouts. Records of water deliveries to each wholesale customer is prepared daily and can be used to track the effectiveness of SRWA's response actions. Water production and water use can be compared to the previous year, previous month, or previous week. Water use can also be compared by wholesale customer. This continuous monitoring allows SRWA to evaluate its demand reduction efforts in real-time and adjust its shortage response actions accordingly.

As noted above, SRWA's overall shortage response will be dynamic to close the gap between water supply and demands to meet the goal of the declared shortage level. For example, SRWA may intensify its public outreach or work with the Cities to enforce water use prohibitions more vigorously if water demand reduction goals are not met.

The shortage response actions discussed below may be considered as tools that allow SRWA to respond to water shortage conditions. Because SRWA may continuously monitor and adjust its response actions to reasonably equate demands with available supply, the extent to which implementation of each action reduces the gap between water supplies and water demand is difficult to quantify and thus only estimated. Certain response actions, such as working with the Cities to adjust surface water delivery schedules, support the effectiveness of other response actions and do not have a quantifiable effect on their own.

4.1 Demand Reduction

Since SRWA operates as a wholesale water agency, it cannot set or enforce consumption limits at the customer (e.g., household) level. As a result, this WSCP does not include per capita allotment, penalties, or customer incentives for conservation for any customer sector. SRWA may request that their wholesale customers reduce demands when supplies are insufficient. SRWA's wholesale customers will implement their respective WSCP, including any demand reduction response.

For all the shortage levels identified in Table 3 (DWR Table 8-1), SRWA is responsible for informing the Cities in a timely manner of the timing and extent of water supply reductions. SRWA will work with the Cities to schedule deliveries of limited surface water supplies.

Table 4 (DWR Table 8-2) summarizes SRWA's demand reduction actions, or perhaps more appropriately supply management actions, at different levels of supply reductions. SRWA will share water production metered data with the Cities so that they may ascertain the effectiveness of their demand reduction actions.

Table 4. Demand Reduction Actions (DWR Table 8-2)

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions ***Drop down list*** *These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.*	How much is this going to reduce the shortage gap? *Include units used (volume type or percentage)*	Additional Explanation or Reference *(optional)*	Penalty, Charge, or Other Enforcement? ***For Retail Suppliers Only*** *Drop Down List*
Add additional rows as needed				
All Stages	Other	Up to the full shortage gap	SRWA will defer to the Cities' Demand Reduction Actions. SRWA will not impose separate Demand Reduction Actions.	No

4.2 Additional Mandatory Restrictions

As a wholesaler, SRWA does not have direct authority to institute water use prohibitions. SRWA will support mandatory restrictions imposed by the Cities on their customers and coordinate with the Cities to provide consistent public outreach messaging. SRWA will share water production metered data with the Cities so that they may ascertain the effectiveness of their mandatory restrictions.

4.3 Supply Augmentation and Other Actions

Chapter 6 of SRWA's 2020 UWMP describes SRWA's normal water supply portfolio, as well as dry-year and emergency supplies. SRWA uses entirely surface water supplies from the Tuolumne River. In the event of a dry year or other water supply interruption, when SRWA's water allocations from TID are insufficient to meet all SRWA's wholesale customer demands, SRWA will consider the option of purchasing additional water supplies from other TID customers or other upstream water right holders for diversion from the Tuolumne River via SRWA's intake.

4.4 Operational Changes

SRWA may modify its operations on a short-term or long-term basis in response to any water shortage condition. SRWA may take any one or a combination of the following actions:

1. Reduce pumping according to the reduction in water allocation from TID that may come with the various levels of water shortage.
2. Investigate supplemental surface water purchase options.
3. Coordinate with the Cities to adjust the WTP capacity allocation for a limited period of time to augment one city's supply, while reducing the other city's supply. The capacity of the Cities' Treated Water Transmission Pipelines is designed for buildout of each city. The Cities have flexibility for the season or months that the City receives a reduced allocation, as the Cities can use groundwater from their wells to meet their customer water demands throughout the year.

While SRWA will employ whatever operational changes may be necessary to respond to water shortage conditions, it will also prioritize maintaining a minimum diversion of 5 million gallons per day (MGD) each day to keep the WTP operational. When maintaining the minimum 5 MGD flow appears unlikely, SRWA will more seriously consider a supplemental surface water purchase to avoid the need to shut down the WTP.

4.5 Emergency Response Plan

As stated in Section 3, SRWA's water shortage levels apply to both foreseeable and unforeseeable water supply shortage conditions.

SRWA is currently preparing its Emergency Response Plan (ERP) to support final operational permitting. The ERP is anticipated to be completed in October 2024. In addition, the ERP is being prepared to meet the requirements of the America's Water Infrastructure Act of 2018 (AWIA). AWIA requires community water systems serving greater than 3,300 people to prepare or revise an ERP on a 5-year cycle. Since SRWA began operation in November 2023, the AWIA ERP compliance date of September 30, 2025 will be its first. Prior to this compliance date, SRWA will self-certify with the United States Environmental Protection Agency that the ERP has been updated.

The ERP outlines all-hazards response procedures for incidents such as water supply disruption, water supply contamination, earthquake, infrastructure failure, and other events. The ERP includes actions to be taken in preparation for, during response operations, and in recovery from such events. It also includes guidance and procedures for engaging with response partners such as Stanislaus County for water shortage emergencies.

SRWA's current capabilities to prevent and respond to potential water service disruptions includes use of standby generators, storage of several weeks' worth of treatment chemicals, and capable operations staff. Water storage, treatment, and pumping facilities have been constructed to meet earthquake safety standards.

5.0 COMMUNICATION PROTOCOLS

In the event of a water shortage, SRWA must inform their customers, the general public and interested parties, and local, regional, and state entities. Communication protocols for foreseeable and unforeseeable events are provided in this section. In any event, timely and effective communication must occur for appropriate response to the event.

5.1 Communication for Foreseeable Events

Water shortage may be foreseeable when SRWA conducts its AWSDA as described in Section 2. For foreseeable water shortages, SRWA will follow the communication protocols and procedures detailed below. SRWA may trigger any of these protocols at any water shortage level.

1. If a water shortage emergency is anticipated, SRWA will coordinate with Stanislaus County and SRWA's wholesale customers for the possible proclamation of a local emergency.
2. SRWA will schedule a duly noticed Board meeting in which the AWSDA findings and recommendations for a water shortage emergency and shortage response actions are presented.
3. SRWA will communicate conditions to the general public using some or all of the following options, as needed at the various shortage levels: press releases, radio/television coverage, social media posts, and postings on SRWA's website. Public entities and officials are informed of water shortage information via email.

5.2 Communication for Unforeseeable Events

Water shortage may occur during unforeseeable events such as earthquakes, fires, infrastructure failures, civil unrest, and other catastrophic events. SRWA's ERP will provide specific communication protocols and procedures to convey water shortage contingency planning actions during these events. SRWA may trigger any of these communication protocols at any water shortage level, depending on the event.

In general, communications and notifications should proceed along the chain of command. Notification decisions will be made under the direction of the General Manager. External communications will be managed by SRWA's wholesale customers. The General Manager will work with the Project Manager/Plant Supervisor to notify regulatory agencies. The ERP provides a list of relevant contacts to notify at the local, regional, and state level.

To maintain the security of SRWA's water system, the ERP will be maintained as a confidential document and may not be incorporated in this WSCP.

6.0 COMPLIANCE AND ENFORCEMENT

When supplies are insufficient, SRWA can ask the Cities to reduce demands, but the specific compliance and enforcement mechanisms are at the discretion of the Cities. SRWA is committed to working with and supporting the Cities in implementing water shortage response actions.

7.0 LEGAL AUTHORITIES

SRWA has the legal authority to create, manage, and activate emergency plans and carry out the responsibilities of those plans under the California Emergency Services Act, which authorizes all political subdivisions of the state (i.e., special districts, cities, and counties) to conduct emergency operations.

When a water shortage is determined, SRWA will coordinate with SRWA's wholesale customers and with Stanislaus County for the possible proclamation of a local emergency in accordance with California Government Code, California Emergency Services Act (Article 2, Section 8558).

In a duly noticed meeting, the SRWA Board will determine whether a water shortage emergency condition exists and, if so, the degree of the emergency and what regulations and restrictions should be enforced in response to the shortage. SRWA shall declare a water shortage emergency in accordance with CWC Chapter 3 Division 1.

> *Water Code Section Division 1, Section 350*
> *…The governing body of a distributor of a public water supply…shall declare a water shortage emergency condition to prevail within the area served by such distributor whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.*

The water shortage emergency declaration triggers communication protocols described in Section 5 of this WSCP.

8.0 FINANCIAL CONSEQUENCES OF WSCP

The Cities anticipate revenue losses, and SRWA could experience increased expenses, during the potential water shortages described in this WSCP. Revenue losses could result from decreased water sales due to conservation. Increased expenses can include supplemental water supply purchases. SRWA maintains an operational reserve fund to protect against a temporary water shortage.

Water conservation directly affects the Cities' revenue stability, as the Cities of Ceres and Turlock collect revenue for water system operating costs through volumetric or consumption-based rates. However, the majority of SRWA's operation costs are fixed. The Cities prepare for these events through prudent financial planning, including water rate studies and the establishment of reserves to offset revenue losses. A water shortage surcharge could be enacted by the Cities' Councils to address revenue impacts from conservation.

9.0 MONITORING AND REPORTING

In their UWMPs, SRWA's wholesale customers, the Cities of Ceres and Turlock, will detail their monitoring and reporting requirements and procedures that ensure appropriate data is collected, tracked, and analyzed to evaluate customer compliance with conservation goals. As mentioned above, SRWA's water system is fully metered, including production at its water treatment facilities. SRWA can also track deliveries to the Cities through their respective turnouts.

SRWA will work collaboratively with the Cities to monitor water use and support their reporting.

10.0 WSCP REFINEMENT PROCEDURES

This WSCP is an adaptive management plan. It is subject to refinements as needed to ensure that SRWA's shortage response actions and mitigation strategies are effective and produce the desired results. Based on monitoring described in Section 9 and the need for compliance and enforcement actions described in Section 6 of this WSCP, SRWA may adjust its response actions and may modify its WSCP. When a revised WSCP is proposed, the revised WSCP will undergo the process described in Section 12 for adoption by the SRWA Board and distribution to Stanislaus County, the Cities, and the general public.

11.0 SPECIAL WATER FEATURE DISTINCTION

SRWA is a water wholesaler and does not directly supply treated water to customers with water features. As described in their respective WSCP, the Cities distinguish water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas.

12.0 PLAN ADOPTION, SUBMITTAL, AND AVAILABILITY

This WSCP is adopted concurrently with SRWA's 2020 UWMP, by separate resolution. Prior to adoption, a 60-day notice of preparation was issued and a draft WSCP was made available for public review at least 14 days prior to adoption. A duly noticed public hearing was conducted. A hard copy of this WSCP will be submitted to DWR within 30 days of adoption, along with an electronic copy.

No later than 30 days after submittal to DWR, copies of this WSCP will be available at SRWA's office. A copy will also be provided to Stanislaus County and SRWA's retailers. An electronic copy of this WSCP as well as the 2020 UWMP will also be available for public review and download on SRWA's website.

Appendix G

UWMP and WSCP Adoption Resolution

Not included with this submittal.