

## **PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

RESOLUTION NO. 15-0119

WHEREAS, On July 15, 2014, the State Water Resources Control Board adopted emergency regulations, Resolution 2014-0038, which require urban water suppliers to implement all requirements and actions of its water shortage contingency plan that impose mandatory restrictions on outdoor irrigation; and

WHEREAS, On January 31, 2014, the San Francisco Public Utilities Commission (SFPUC) asked all SFPUC customers to voluntarily curtail water consumption by at least 10%; and

WHEREAS, On August 12, 2014, the SFPUC adopted Resolution 14-0121 to impose mandatory restrictions, consistent with the State Water Board's emergency regulations, on outdoor irrigation by reducing all outdoor irrigation of ornamental landscapes or turf with potable water by retail customers by at least 10%; and

WHEREAS, On August 26, 2014, the SFPUC adopted Resolution 14-0140 to adopt regulations for administering the excess use charges, determining irrigation water use allocations, and considering allocation and exception determinations corresponding to the 10% reduction; and

WHEREAS, On March 17, 2015, the State Water Board adopted emergency regulations, Resolution 2015-0013, which extended and expanded the existing emergency regulations with additional mandatory restrictions on outdoor water use and commercial businesses; and

WHEREAS, On April 28, 2015, the SFPUC adopted Resolution 15-0102 to impose additional mandatory restrictions, consistent with the State Water Board's emergency regulations, on outdoor water use and commercial businesses; and

WHEREAS, On May 5, 2015, the State Water Board adopted emergency regulations, Resolution 2015-0032, which assigned a conservation standard of 8% to the SFPUC with the intent to achieve a statewide water use reduction of 25% through February 2016 and includes additional mandatory restrictions on outdoor irrigation, as required by the Governor's Executive Order B-29-15 issued April 1, 2015; and

WHEREAS, per the State Water Board adopted emergency regulations, Resolution 2015-0032, the SFPUC is subject to issuance of information orders, conservation orders, or cease and desist orders from the State Water Board if the 8% conservation standard is not met, and violation of cease and desist orders are subject to a civil liability of up to \$10,000 a day; and

WHEREAS, The Retail Water Shortage Allocation Plan (Plan) was adopted by the SFPUC on December 11, 2001 to provide the SFPUC with a guidance tool to be used for allocating water among SFPUC retail customers in the event of a water shortage due to drought; and

WHEREAS, The Plan allows the SFPUC to impose any additional water use prohibitions applicable to retail customers; and

WHEREAS, The SFPUC determines the volume of wastewater subject to sewer service charges based on a wastewater flow factor, which is the percentage of water use discharged to the sewer and is assumed to be a standard 90% for single family residential users, 95% for multi-family residential users, and 90% for all other users; and

WHEREAS, rules providing for appeals of residential wastewater flow factors were adopted by the SFPUC on June 10, 2013 (Resolution 03-0112) to provide greater clarity in processing sewer service appeals from residential customers; and

WHEREAS, rules and regulations for administering Interruptible Water Service were adopted by the SFPUC on February 10, 2015 (Resolution 15-0040) intended to distinguish irrigation customers who elect to reduce water use early and significantly when the SFPUC declares voluntary and mandatory shortages; and

WHEREAS, The SFPUC caused a notice of public hearing on the proposed Drought Program and updated excess use charges for excessive use of water on ornamental landscaping and turf, to be published in the official newspaper on May 8 and 10 through 13, 2015; and

WHEREAS, The Bureau of Environmental Management has determined enactment of the proposed emergency restrictions is exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Sections 15269 (Emergency Projects) and 15308 (Actions by Regulatory Agencies for Protection of the Environment); now, therefore, be it

RESOLVED, That this Commission hereby authorizes the General Manager of the SFPUC to impose a mandatory reduction on all outdoor irrigation of ornamental landscapes or turf with potable water by retail customers by at least 25%, effective July 1, 2015 until the water shortage emergency is lifted by the General Manager; and be it

FURTHER RESOLVED, That this Commission hereby adopts the proposed amendments to the Excess Use Charges regulations, on file with the Commission Secretary, effective July 1, 2015, applicable to outdoor irrigation of ornamental landscapes or turf with potable water by retail customers in excess of the allocations determined by the General Manager consistent with this Resolution, subject to excess use charges at 100% ("1x") of the applicable water rate; and be it


FURTHER RESOLVED, That this Commission hereby adopts the proposed amendments to Interruptible Water Service regulations, on file with the Commission Secretary, effective July 1, 2015, applicable to retail irrigation customers who opt-in to the Interruptible Water Service program and use water in excess of the allocations determined by the General Manager consistent with this Resolution, subject to excess use charges at 200% ("2x") of the applicable water rate; and be it

FURTHER RESOLVED, That this Commission hereby adopts the proposed amendments to the rules for flow factor appeals, on file with the Commission Secretary, effective July 1, 2015, applicable to retail customers with existing reduced flow factors or who wish to appeal their assigned standard flow factors; and be it

FURTHER RESOLVED, That this Commission hereby authorizes the General Manager of the SFPUC to prohibit potable water irrigation of ornamental turf on public street medians, effectively immediately and until the water shortage emergency is lifted by the General Manager; and be it

FURTHER RESOLVED, That the Commission urges the San Francisco Board of Supervisors to adopt any legislation that is necessary in the view of the City Attorney to implement and enforce water use restrictions adopted by this Commission or the General Manager of the SFPUC.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of May 26, 2015.*



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*Secretary, Public Utilities Commission*

