



CALIFORNIA CODES  
WATER CODE  
SECTION 10610-10610.4

10610. This part shall be known and may be cited as the "Urban Water Management Planning Act."

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.

(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.

(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.

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.

(b) The management of urban water demands and efficient use of urban water supplies shall be a guiding criterion in public decisions.

(c) Urban water suppliers shall be required to develop water

management plans to actively pursue the efficient use of available supplies.

CALIFORNIA CODES  
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SECTION 10611-10617

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

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.

10612. "Customer" means a purchaser of **water** from a **water** supplier who uses the **water** for municipal purposes, including residential, commercial, governmental, and industrial uses.

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.

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

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.

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

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

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.

CALIFORNIA CODES  
WATER CODE  
SECTION 10620-10621

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) (1) 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 and efficient **water** use.

(2) 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.

10621. (a) Each urban **water** supplier shall update its plan at least once every five years on or before December 31, in years ending in five and zero.

(b) Every urban **water** supplier required to prepare a plan pursuant to this part shall 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) 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).

CALIFORNIA CODES  
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SECTION 10630-10634

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.

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

(a) Describe the service area of the supplier, including current and projected population, climate, and other 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.

(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). If groundwater is identified as an existing or planned source of **water** available to the supplier, all of the following information shall be included in the plan:

(1) A copy of 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.

(2) A description of any groundwater basin or basins from which the urban **water** supplier pumps groundwater. For those basins for which 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 basins that have not been adjudicated, information as to whether the department has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, 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 eliminate the long-term overdraft condition.

(3) 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.

(4) 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 reliability of the **water** supply and vulnerability to seasonal or climatic shortage, to the extent practicable, and provide data for each of the following:

(1) An average **water** year.

- (2) A single dry water year.
- (3) Multiple dry water years.

For any water source that may not be available at a consistent level of use, given specific legal, environmental, water quality, or climatic factors, describe plans to supplement or replace that source with alternative sources or water demand management measures, to the extent practicable.

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

(e) (1) 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, identifying the uses among water use sectors including, but not necessarily limited to, all of the following uses:

- (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.

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

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

(1) A description of each water demand management measure that is currently being implemented, or scheduled for implementation, including the steps necessary to implement any proposed measures, including, but not limited to, all of the following:

- (A) Water survey programs for single-family residential and multifamily residential customers.
- (B) Residential plumbing retrofit.
- (C) System water audits, leak detection, and repair.
- (D) Metering with commodity rates for all new connections and retrofit of existing connections.
- (E) Large landscape conservation programs and incentives.
- (F) High-efficiency washing machine rebate programs.
- (G) Public information programs.
- (H) School education programs.
- (I) Conservation programs for commercial, industrial, and institutional accounts.
- (J) Wholesale agency programs.
- (K) Conservation pricing.
- (L) Water conservation coordinator.
- (M) Water waste prohibition.
- (N) Residential ultra-low-flush toilet replacement programs.

(2) A schedule of implementation for all water demand management measures proposed or described in the plan.

(3) A description of the methods, if any, that the supplier will use to evaluate the effectiveness of water demand management measures implemented or described under the plan.

(4) An estimate, if available, of existing conservation savings on water use within the supplier's service area, and the effect of the savings on the supplier's ability to further reduce demand.

(g) An evaluation of each water demand management measure listed in paragraph (1) of subdivision (f) that is not currently being

implemented or scheduled for implementation. In the course of the evaluation, first consideration shall be given to **water** demand management measures, or combination of measures, that offer lower incremental costs than expanded or additional **water** supplies. This evaluation shall do all of the following:

(1) Take into account economic and noneconomic factors, including environmental, social, health, customer impact, and technological factors.

(2) Include a cost-benefit analysis, identifying total benefits and total costs.

(3) Include a description of funding available to implement any planned **water** supply project that would provide **water** at a higher unit cost.

(4) Include a description of the **water** supplier's legal authority to implement the measure and efforts to work with other relevant agencies to ensure the implementation of the measure and to share the cost of implementation.

(h) 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, other than the demand management programs identified pursuant to paragraph (1) of subdivision (f), that the urban **water** supplier may implement to increase the amount of the **water** supply available to the urban **water** supplier in average, single-dry, and multiple-dry **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.

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

(j) Urban **water** suppliers that are members of the California Urban **Water** Conservation Council and submit annual reports to that council in accordance with the "Memorandum of Understanding Regarding Urban **Water** Conservation in California," dated September 1991, may submit the annual reports identifying **water** demand management measures currently being implemented, or scheduled for implementation, to satisfy the requirements of subdivisions (f) and (g).

(k) Urban **water** suppliers that rely 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 (c). 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 (c).

10631.5. The department shall take into consideration whether the urban **water** supplier is implementing or scheduled for implementation, the **water** demand management activities that the urban **water** supplier

identified in its urban **water** management plan, pursuant to Section 10631, in evaluating applications for grants and loans made available pursuant to Section 79163. The urban **water** supplier may submit to the department copies of its annual reports and other relevant documents to assist the department in determining whether the urban **water** supplier is implementing or scheduling the implementation of **water** demand management activities.

10632. The plan shall provide an urban **water** shortage contingency analysis which includes each of the following elements which are within the authority of the urban **water** supplier:

(a) Stages of action to be undertaken by the urban **water** supplier in response to **water** supply shortages, including up to a 50 percent reduction in **water** supply, and an outline of specific **water** supply conditions which are applicable to each stage.

(b) An estimate of the minimum **water** supply available during each of the next three **water** years based on the driest three-year historic sequence for the agency's **water** supply.

(c) Actions to be undertaken by the urban **water** supplier to prepare for, and implement during, a catastrophic interruption of **water** supplies including, but not limited to, a regional power outage, an earthquake, or other disaster.

(d) Additional, mandatory prohibitions against specific **water** use practices during **water** shortages, including, but not limited to, prohibiting the use of potable **water** for street cleaning.

(e) Consumption reduction methods in the most restrictive stages. Each urban **water** supplier may use any type of consumption reduction methods in its **water** shortage contingency analysis that would reduce **water** use, are appropriate for its area, and have the ability to achieve a **water** use reduction consistent with up to a 50 percent reduction in **water** supply.

(f) Penalties or charges for excessive use, where applicable.

(g) An analysis of the impacts of each of the actions and conditions described in subdivisions (a) to (f), inclusive, on the revenues and expenditures of the urban **water** supplier, and proposed measures to overcome those impacts, such as the development of reserves and rate adjustments.

(h) A draft **water** shortage contingency resolution or ordinance.

(i) A mechanism for determining actual reductions in **water** use pursuant to the urban **water** shortage contingency analysis.

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, 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.

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.

CALIFORNIA CODES  
WATER CODE  
SECTION 10640-10645

10640. 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.

10641. An urban **water** supplier required to prepare a 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.

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 the plan. Prior to adopting a plan, the urban **water** supplier shall make the plan available for public inspection and shall hold a public hearing thereon. Prior to the hearing, notice of the time and place of 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 hearing to any city or county within which the supplier provides **water** supplies. A privately owned **water** supplier shall provide an equivalent notice within its service area. After the hearing, the plan shall be adopted as prepared or as modified after the hearing.

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

10644. (a) 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.

(b) The department shall prepare and submit to the Legislature, on or before December 31, in the years ending in six and one, a report summarizing the status of the plans adopted pursuant to this part. The report prepared by the department shall identify the outstanding elements of the individual plans. The department shall provide a copy of the report to each urban **water** supplier that has submitted its plan to the department. The department shall also prepare

reports and provide data for any legislative hearings designed to consider the effectiveness of plans submitted pursuant to this part.

10645. 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.

CALIFORNIA CODES  
WATER CODE  
SECTION 10650-10657

10650. Any actions or proceedings 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 shall be commenced within 18 months after that adoption is required by this part.

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

10651. In any action or proceeding to attack, review, set aside, void, or annul a plan, or an action taken pursuant to the plan 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.

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.

10653. The adoption of a plan shall satisfy any requirements of state law, regulation, or order, including those of the State **Water** Resources Control Board and the Public Utilities Commission, for the preparation of **water** management plans or conservation plans; provided, that if the State **Water** Resources Control Board or the Public Utilities Commission requires additional information concerning **water** conservation 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 prepared to meet 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.

10654. An urban **water** supplier may recover in its rates the costs incurred in preparing its plan and implementing the reasonable **water** conservation measures included in the plan. Any best **water** management practice that is included in the plan that is identified in the "Memorandum of Understanding Regarding Urban **Water** Conservation in California" is deemed to be reasonable for the purposes of this section.

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.

10656. An urban **water** supplier that does not prepare, adopt, and submit its urban **water** management plan to the department in accordance with this part, is ineligible to receive funding pursuant to Division 24 (commencing with Section 78500) or Division 26 (commencing with Section 79000), or receive drought assistance from the state until the urban **water** management plan is submitted pursuant to this article.

10657. (a) The department shall take into consideration whether the urban **water** supplier has submitted an updated urban **water** management plan that is consistent with Section 10631, as amended by the act that adds this section, in determining whether the urban **water** supplier is eligible for funds made available pursuant to any program administered by the department.

(b) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.