

## ORDINANCE NO. 2008-82

### AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SIERRA LAKES COUNTY WATER DISTRICT CONCERNING WATER SERVICE CONNECTION PRIORITIES, WATER MANAGEMENT PLANNING POLICY, WATER AVAILABILITY FOR NEW WATER SERVICE CONNECTIONS, AND WATER SERVICE CONDITIONS OF ANNEXATION

**BE IT ORDAINED** by the Board of Directors of the Sierra Lakes County Water District, Placer County, California, that the District adopt the following policy:

To manage the District's water supply to provide water service in accordance with the following Priorities for New Water Service Connections, Water Management Planning Policy, Water Availability for New Water Service Connections, and Water Service Conditions of Annexation.

#### **SECTION ONE.**     **Findings.**

The Sierra Lakes County Water District (District) Board of Directors finds:

1. The District was created to provide water and sewer service to the Serene Lakes Subdivision and other property within its Service Area. At present, approximately three-quarters of the lots in the subdivision have been developed and are obtaining water service. Every subdivided lot within the Serene Lakes Subdivision, whether developed or not, has been assessed a water facility bond repayment charge and a sewer facility bond repayment charge and annual Sierra Lakes County Water District General Tax and the Sierra Lakes County Water District Water Tax. Subdivided lots outside the Serene Lakes Subdivision have not been assessed bond charges because the sewer and water facilities have not been extended outside the subdivision. For many years, the undeveloped lots in the subdivision were assessed a standby charge to be eligible for water and sewer service. The standby charges were imposed to fund maintenance of the water and sewer facilities. Those assessments were recently suspended when the District imposed a sewer connection moratorium. Other properties within the Service Area currently receiving water service are the Royal Gorge Cross-Country Summit Station Day Lodge, the Ice Lakes Lodge, and the District Operations & Administrative Offices. As additional sewer treatment capacity has been obtained by the District, sewer and water connections have been released for use by properties within the District service area on a first-come, first-serve basis.
2. The District's surface water is supplied through diversions from Lake Serena under water right Permit No. 14248 (Application 20601). The District has a limited groundwater supply that has been designated by the District for short-term, emergency use only.

3. Existing water supplies may not be sufficient to meet the needs of future customers within the present Serene Lakes subdivision and elsewhere within the District's Service Area.
4. The District is responsible for managing its existing and future water supplies, and therefore will not issue authorize service to new customers before a determination has been made that sufficient long term water supplies are available to serve the projected needs of both active and new customers.

**SECTION TWO. Priorities for New Water Service Connections.**

Section 12.01 of Division 12 of Chapter 2 is hereby amended as follows:

Provided that sufficient water is available to serve active customers within the existing Service Area and proposed new customers, the District shall provide water service connections in accordance with the following priorities:

First, to serve on a first-come-first-serve basis customers within the Serene Lakes subdivision at subdivided lots for which the Sierra Lakes County Water District General Tax and the Sierra Lakes County Water District Water Tax and bond repayment charges have been paid in accordance with District ordinances and District Code, but only if this does not unacceptably impair the District's ability to serve its active customers. For purposes of this section, these customers shall be defined as "standby customers".

Second, to serve on a first-come-first-serve basis expected new customers within its existing Service Area, but only if this does not unacceptably impair the District's ability to serve its active and standby customers.

Third, to serve on a first-come-first-serve basis expected new customers outside its existing Service Area in accordance with the Water Service Conditions of Annexation and after annexation of the territory in accordance with applicable laws and regulations, but only if this does not unacceptably impair the District's ability to serve its active, standby and potential new customers within the District's Service Area.

Once a customer receives service, the customer shall be deemed an active customer for purposes of this section. The District shall determine whether water is available to serve these uses in accordance with the Water Management Planning Policy.

**SECTION THREE. Water Management Planning.**

Section 12.02 of Division 12 of Chapter 2 is hereby amended as follows:

The District shall, by December 31, 2008, prepare a Water Management Plan in substantial conformity with the provisions of the California Water Code sections 10630-10635 of the Urban Water Management Planning Act. The District shall update the Water Management Plan at least every five years. The District may, but need not, comply with the procedural provisions of Water Code section 10610 *et seq.* in developing such plan.

In identifying the District's projected water demands and projected water supplies, the Water Management Plan shall consider the Priorities for New Water Service Connections, Section 12.01 of Division 12 of Chapter 2 of the District Code, and the Policy for Management of Serene Lakes Water Surface Elevation for Water Supply, Water Quality, Aesthetic, Ecological, and Recreational Purposes, Resolution No. 2008-787, and water right Permit No. 14248 (Application 20601).

#### **SECTION FOUR. Water Availability for New Water Service Connections.**

Section 12.03 of Division 12 of Chapter 2 is hereby amended as follows:

The District shall provide water service to standby and new customers in accordance with the Priorities for New Water Service Connections, Section 12.01 of Division 12 of Chapter 2 of the District Code, only after finding there is sufficient water available to meet the projected needs of both active and proposed new water customers.

- (a) The District shall find that sufficient water is available to serve a standby customer if the total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand for the standby customer in addition to the District's active customers.
- (b) The District shall find that sufficient water is available to serve an expected new customer within the District's existing Service Area if the total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand for the new customer in addition to the District's active and standby customers.
- (c) The District shall find that sufficient water is available to serve an expected new customer outside the District's existing Service Area if the total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand for the new customer outside the Service Area in addition to the District's active and standby customers and expected new customers within the Service Area.

**SECTION FIVE. Water Service Conditions of Annexation.**

Section 12.04 of Division 12 of Chapter 2 is hereby amended as follows:

The District shall consider annexing territory outside the District's existing Service Area for the provision of water service, when requested by owners of the property or public agencies having jurisdiction, subject to the following conditions.

- Generally, there should be an immediate need for water service on a part or all of the territory being annexed.
- The territory proposed for annexation should include any parcels required to make a logical boundary.
- The annexation should facilitate the operation of the utility and be of advantage to the community.
- The annexation should be economically sound and water service technically feasible.
- The territory must obtain or have available adequate facilities for removal of sewage as a condition of annexation.
- The District finds in the Urban Water Management Plan or Water Supply Assessment that sufficient water is available to serve the new customers within the territory.

The District will not extend water service to areas outside the existing Service Area if such extension would result in:

- A reduction in the quantity of water available to District customers to satisfy existing or projected levels of demand; or
- A reduction in the quality of water available to the District customers from the District's present water source; or
- An increase in costs of service for District customers.

**SECTION SIX. Inconsistency.**

To the extent that the terms and provisions of this Ordinance may be inconsistent or in conflict with the terms and conditions of any prior District ordinance, motion, resolution, rule or regulation governing the same subject, the terms of this Ordinance will prevail with respect to the subject matter thereof and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rule or regulations are hereby repealed.

**SECTION SEVEN. Severability.**

If any provision of this Ordinance or application thereof to any person or circumstance is held invalid, no other provision of this Ordinance will be affected thereby.

**SECTION EIGHT. Posting and Publication.**

This Ordinance will be posted in three (3) public places in the District within ten (10) days of its adoption.

**SECTION NINE. Effective Date.**

This Ordinance will take effect on April 11, 2008.

**PASSED AND ADOPTED** by the Board of Directors of the Sierra Lakes County Water District, Placer County, State of California, on the 11th day of April, 2008, by the following vote:

AYES:	Freedle, Bowles, Luscher, Bern, and Oudegeest
NOES:	None
ABSENT:	None
ABSTENTIONS:	None

SIERRA LAKES COUNTY WATER DISTRICT

---

President, Board of Directors

ATTEST:

---

Secretary, Board of Directors