

RESOLUTION NO. 1001

ADOPTING A POLICY FOR ISSUING LETTERS REGARDING
AVAILABILITY OF WATER SUPPLY FOR PROPOSED DEVELOPMENTS

NORTH COAST COUNTY WATER DISTRICT

WHEREAS, the North Coast County Water District (“District”) is statutorily required to undertake a water supply assessment and issue a written verification of water supply for proposed developments with more than 500 dwelling units;

WHEREAS, for smaller developments, the District has no legal obligation to verify the availability of water for a proposed development;

WHEREAS, the City of Pacifica (“City”), as part of its planning process, requires developers to contact all utilities that will provide service to a proposed development to determine if service connections can be made to the proposed development and that the utilities have sufficient capacity to meet the proposed demand;

WHEREAS, because of this City requirement, the General Manager of the District recommends that the Board adopt a policy establishing the conditions and qualifications for issuing letters to potential developers regarding the availability of water for specific, proposed development;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the North Coast County Water District that the following Policy is hereby adopted and a copy of this Resolution will be provided to all developers who request “will serve” letters from the District:

I. POLICY FOR ISSUING LETTERS REGARDING AVAILABILITY OF WATER SUPPLY FOR PROPOSED DEVELOPMENTS. The District will only issue letters regarding the availability of water supply for a proposed development pursuant to this policy as set forth below.

1. Written Request From Developer. Developers requesting a letter from the District regarding the availability of water for a proposed development must submit a written request to the District with all of the following information:

A. Detailed plans and drawings describing the proposed development and the water supply requirements of the development, including, but not limited to, the number of residential and commercial units, the size of the units, the projected water demand for each unit, and the total projected water demand for the development considering domestic, irrigation, and fire suppression water demands.

B. Detailed plans and drawings describing the proposed location of the water distribution system required to serve the development, including the location of the water pipelines, the water meters, and the water service extension pipelines needed to connect the proposed system to the District's existing water distribution system.

C. Estimated schedule for obtaining all governmental approvals and permits for the development, beginning and completing construction of the development, and installing water meters and turning on water service.

2. District Review of Request. The District will review the developer's written request within 30 calendar days from the date the District receives the request.

A. If the developer submits all the information the District needs to determine whether the District has sufficient capacity to provide water service to the development and the District determines it has sufficient capacity, the District will issue a letter to the developer within 15 calendar days from the date the District makes this determination.

B. If the developer did not submit all the information the District needs to evaluate the request, the District will so notify the developer within 15 calendar days from the date the District makes this determination and the District will inform the developer what additional information is required before the District can make a determination. The District will review the developer's supplemental submission within 30 calendar days of receipt. The District will treat the supplemental submission as a new request and will respond in accordance with the time frames in this Section 2.

3. Issuance of Letter. After the District determines (1) that the developer has submitted all the requested information; (2) that the proposed water system for the development can be connected to the District's water distribution system; and (3) that the District currently has sufficient water capacity to serve the proposed development, then the District will issue a letter to the developer that, at a minimum, includes the following qualifications:

A. The District based its determination that it can connect the water system for the development to the District's water distribution system and that the District currently has the capacity to serve the proposed development on the specific plans, drawings, and information submitted by the developer with its written request. If the developer changes the plans, drawings, or other information submitted, the District's ability to provide water service to the development also may change.

B. The District's ability to provide water service to the proposed development is based on the District's water capacity at the time the letter is issued. The District's ability to provide water service to the development could change at any time, for example due to drought, earthquake, flood, and other events that cause an unanticipated water shortage.

C. The District's letter remains in effect for a period of one year from the date the letter is issued, and automatically expires after that one year period unless the developer submits a written request to extend the letter and the District issues a letter extending the expiration date.

D. The District's issuance of a letter stating the District currently has sufficient water capacity to serve the proposed development does not in any way commit the District to provide water service to the development. The ultimate decision to provide water service will be made by the District's Board of Directors through the approval of a Water Service Agreement. The District does not make any commitment to provide water service until the developer and District execute a Water Service Agreement.

The General Manager of the District may include other qualifications in the letter that are determined to be in the best interest of the District.

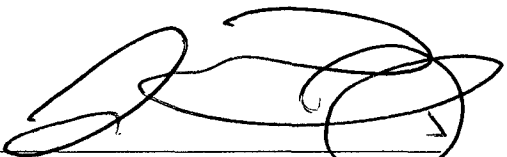
II. EFFECTIVE DATE. This resolution is effective immediately upon its adoption.

PASSED AND ADOPTED this 16th day of May, 2007 by the following vote:

AYES: Directors Piccolotti, Cosgrove, Brown, and De Jarnatt

NOES:

ABSTAIN: Director Vetter



President of the Board of Directors
North Coast County Water District

ATTEST:


Secretary of the Board