

APPENDIX A
Urban Water Management Plan Act

CALIFORNIA WATER CODE DIVISION 6

PART 2.6. URBAN WATER MANAGEMENT PLANNING

All California Codes have been updated to include the 2010 Statutes.

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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.

WATER CODE

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.

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, at least 60 days prior to 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) 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).

WATER CODE

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 that 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) (1) 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:

- (A) An average water year.
- (B) A single dry water year.
- (C) Multiple dry water years.

(2) 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) For purposes of this part, urban water suppliers that are members of the California Urban Water Conservation Council shall be deemed in compliance with the requirements of subdivisions (f) and (g) by complying with all the provisions of the "Memorandum of Understanding Regarding Urban Water Conservation in California,"

dated December 10, 2008, as it may be amended, and by submitting the annual reports required by Section 6.2 of that memorandum.

(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).

10631.1. (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.

10631.5. (a) (1) Beginning January 1, 2009, the terms of, and eligibility for, a water management grant or loan made to an urban water supplier and awarded or administered by the department, state board, or California Bay-Delta Authority or its successor agency shall be conditioned on the implementation of the water demand management measures described in Section 10631, as determined by the department pursuant to subdivision (b).

(2) For the purposes of this section, water management grants and loans include funding for programs and projects for surface water or groundwater storage, recycling, desalination, water conservation, water supply reliability, and water supply augmentation. This section does not apply to water management projects funded by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

(3) Notwithstanding paragraph (1), the department shall determine that an urban water supplier is eligible for a water management grant or loan even though the supplier is not implementing all of the water demand management measures described in Section 10631, if the urban water supplier has submitted to the department for approval a schedule, financing plan, and budget, to be included in the grant or loan agreement, for implementation of the water demand management measures. The supplier may request grant or loan funds to implement the water demand management measures to the extent the request is consistent with the eligibility requirements applicable to the water management funds.

(4) (A) Notwithstanding paragraph (1), the department shall

determine that an urban water supplier is eligible for a water management grant or loan even though the supplier is not implementing all of the water demand management measures described in Section 10631, if an urban water supplier submits to the department for approval documentation demonstrating that a water demand management measure is not locally cost effective. If the department determines that the documentation submitted by the urban water supplier fails to demonstrate that a water demand management measure is not locally cost effective, the department shall notify the urban water supplier and the agency administering the grant or loan program within 120 days that the documentation does not satisfy the requirements for an exemption, and include in that notification a detailed statement to support the determination.

(B) For purposes of this paragraph, "not locally cost effective" means that the present value of the local benefits of implementing a water demand management measure is less than the present value of the local costs of implementing that measure.

(b) (1) The department, in consultation with the state board and the California Bay-Delta Authority or its successor agency, and after soliciting public comment regarding eligibility requirements, shall develop eligibility requirements to implement the requirement of paragraph (1) of subdivision (a). In establishing these eligibility requirements, the department shall do both of the following:

(A) Consider the conservation measures described in the Memorandum of Understanding Regarding Urban Water Conservation in California, and alternative conservation approaches that provide equal or greater water savings.

(B) Recognize the different legal, technical, fiscal, and practical roles and responsibilities of wholesale water suppliers and retail water suppliers.

(2) (A) For the purposes of this section, the department shall determine whether an urban water supplier is implementing all of the water demand management measures described in Section 10631 based on either, or a combination, of the following:

(i) Compliance on an individual basis.

(ii) Compliance on a regional basis. Regional compliance shall require participation in a regional conservation program consisting of two or more urban water suppliers that achieves the level of conservation or water efficiency savings equivalent to the amount of conservation or savings achieved if each of the participating urban water suppliers implemented the water demand management measures. The urban water supplier administering the regional program shall provide participating urban water suppliers and the department with data to demonstrate that the regional program is consistent with this clause. The department shall review the data to determine whether the urban water suppliers in the regional program are meeting the eligibility requirements.

(B) The department may require additional information for any determination pursuant to this section.

(3) The department shall not deny eligibility to an urban water supplier in compliance with the requirements of this section that is participating in a multiagency water project, or an integrated regional water management plan, developed pursuant to Section 75026 of the Public Resources Code, solely on the basis that one or more of

the agencies participating in the project or plan is not implementing all of the water demand management measures described in Section 10631.

(c) In establishing guidelines pursuant to the specific funding authorization for any water management grant or loan program subject to this section, the agency administering the grant or loan program shall include in the guidelines the eligibility requirements developed by the department pursuant to subdivision (b).

(d) Upon receipt of a water management grant or loan application by an agency administering a grant and loan program subject to this section, the agency shall request an eligibility determination from the department with respect to the requirements of this section. The department shall respond to the request within 60 days of the request.

(e) 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. In addition, for urban water suppliers that are signatories to the Memorandum of Understanding Regarding Urban Water Conservation in California and submit biennial reports to the California Urban Water Conservation Council in accordance with the memorandum, the department may use these reports to assist in tracking the implementation of water demand management measures.

(f) This section shall remain in effect only until July 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2016, deletes or extends that date.

10631.7. The department, in consultation with the California Urban Water Conservation Council, shall convene an independent technical panel to provide information and recommendations to the department and the Legislature on new demand management measures, technologies, and approaches. The panel shall consist of no more than seven members, who shall be selected by the department to reflect a balanced representation of experts. The panel shall have at least one, but no more than two, representatives from each of the following: retail water suppliers, environmental organizations, the business community, wholesale water suppliers, and academia. The panel shall be convened by January 1, 2009, and shall report to the Legislature no later than January 1, 2010, and every five years thereafter. The department shall review the panel report and include in the final report to the Legislature the department's recommendations and comments regarding the panel process and the panel's recommendations.

10632. (a) The plan shall provide an urban water shortage contingency analysis that includes each of the following elements that are within the authority of the urban water supplier:

(1) 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 that are applicable to each stage.

(2) 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.

(3) 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.

(4) 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.

(5) 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.

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

(7) An analysis of the impacts of each of the actions and conditions described in paragraphs (1) to (6), 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.

(8) A draft water shortage contingency resolution or ordinance.

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

(b) Commencing with the urban water management plan update due December 31, 2015, for purposes of developing the water shortage contingency analysis pursuant to subdivision (a), the 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.

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.

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.

WATER CODE

SECTION 10635

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 total projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and multiple dry 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) 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.

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

(d) 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.

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 exemplary 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.

(c) (1) For the purpose of identifying the exemplary elements of the individual plans, the department shall identify in the report those water demand management measures adopted and implemented by specific urban water suppliers, and identified pursuant to Section

10631, that achieve water savings significantly above the levels established by the department to meet the requirements of Section 10631.5.

(2) The department shall distribute to the panel convened pursuant to Section 10631.7 the results achieved by the implementation of those water demand management measures described in paragraph (1).

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

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.

WATER CODE

SECTION 10650-10656

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.

APPENDIX B
Agency Coordination Letters

April 19, 2011

Dr. Steven M. Ladd, Ed.D
Superintendent, Elk Grove Unified School District
9510 Elk Grove-Florin Road
Elk Grove, California 95624

Dear Dr. Ladd;

The Elk Grove Water District (District) wishes to notify you that we are in the process of updating our 2010 Urban Water Management Plan (Plan). We are sending this notification to you because we serve water within the boundaries of the City of Elk Grove.

The updated Plan is required to be adopted by the Elk Grove Water District Board by July 1, 2011, and must be submitted to the State of California's Department of Water Resources by August 1, 2011.

We will hold a public hearing on the updated Plan prior to its adoption and will send a notice of this hearing to you as the time approaches

If you would like to participate in the upcoming planning process, or if there is another individual within your office who should be our primary point of contact, please contact my office. We would welcome your agency's participation in this effort.

Sincerely,

Mark Madison
General Manager
Elk Grove Water District
916-685-3556
mmadison@egwd.org

April 19, 2011

Mr. Richard Shepard, P.E.
Department of Public Works
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, California 95758

Dear Mr. Shepard;

The Elk Grove Water District (District) wishes to notify you that we are in the process of updating our 2010 Urban Water Management Plan (Plan). We are sending this notification to you because we serve water within the boundaries of the City of Elk Grove.

The updated Plan is required to be adopted by the Elk Grove Water District Board by July 1, 2011, and must be submitted to the State of California's Department of Water Resources by August 1, 2011.

We will hold a public hearing on the updated Plan prior to its adoption and will send a notice of this hearing to you as the time approaches

If you would like to participate in the upcoming planning process, or if there is another individual within your office who should be our primary point of contact, please contact my office. We would welcome your agency's participation in this effort.

Sincerely,

Mark Madison
General Manager
Elk Grove Water District
916-685-3556
mmadison@egwd.org

April 19, 2011

Mr. Don Hazen
Director, Planning Department
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, California 95758

Dear Mr. Hazen;

The Elk Grove Water District (District) wishes to notify you that we are in the process of updating our 2010 Urban Water Management Plan (Plan). We are sending this notification to you because we serve water within the boundaries of the City of Elk Grove.

The updated Plan is required to be adopted by the Elk Grove Water District Board by July 1, 2011, and must be submitted to the State of California's Department of Water Resources by August 1, 2011.

We will hold a public hearing on the updated Plan prior to its adoption and will send a notice of this hearing to you as the time approaches

If you would like to participate in the upcoming planning process, or if there is another individual within your office who should be our primary point of contact, please contact my office. We would welcome your agency's participation in this effort.

Sincerely,

Mark Madison
General Manager
Elk Grove Water District
916-685-3556
mmadison@egwd.org

April 19, 2011

Mr. Herb Niederberger
Department of Water Resources
County of Sacramento
827 - 7th Street, #301
Sacramento, California 95814

Dear Mr. Niederberger;

The Elk Grove Water District (District) wishes to notify you that we are in the process of updating our 2010 Urban Water Management Plan (Plan). We are sending this notification to you because we serve water within the boundaries of Sacramento County.

The updated Plan is required to be adopted by the Elk Grove Water District Board by July 1, 2011, and must be submitted to the State of California's Department of Water Resources by August 1, 2011.

We will hold a public hearing on the updated Plan prior to its adoption and will send a notice of this hearing to you as the time approaches

If you would like to participate in the upcoming planning process, or if there is another individual within your office who should be our primary point of contact, please contact my office. We would welcome your agency's participation in this effort.

Sincerely,

Mark Madison
General Manager
Elk Grove Water District
916-685-3556
mmadison@egwd.org

April 19, 2011

Mr. Jeff Ramos
Cosumnes Community Services District
8820 Elk Grove Boulevard
Elk Grove, California 95624

Dear Mr. Ramos;

The Elk Grove Water District (District) wishes to notify you that we are in the process of updating our 2010 Urban Water Management Plan (Plan). We are sending this notification to you because we serve water within the boundaries of the City of Elk Grove.

The updated Plan is required to be adopted by the Elk Grove Water District Board by July 1, 2011, and must be submitted to the State of California's Department of Water Resources by August 1, 2011.

We will hold a public hearing on the updated Plan prior to its adoption and will send a notice of this hearing to you as the time approaches

If you would like to participate in the upcoming planning process, or if there is another individual within your office who should be our primary point of contact, please contact my office. We would welcome your agency's participation in this effort.

Sincerely,

Mark Madison
General Manager
Elk Grove Water District
916-685-3556
mmadison@egwd.org

APPENDIX C

Notice of Public Hearing for

2010 Urban Water Management Plan

In the Superior Court of the State of California

IN AND FOR THE
COUNTY OF
Sacramento

Certificate of Publication of PUBLIC NOTICE

State of California
SS.

County of SACRAMENTO

I, DAVID R. HERBURGER, certify on penalty of perjury:

PUBLIC NOTICE

Elk Grove Water District

Notice of Hearing for 2010 Urban Water Management Plan
Elk Grove Water District's Draft 2010 Urban Water Management Plan is available for public review and comment and that the Board of Directors of the Florin Resource Conservation District/Elk Grove Water District has set a public hearing to receive comments on the Draft Plan. The Public Hearing will be held on June 22, 2011 at 6:30 p.m. at the Cosumnes Community Services District Board Room, located at 8820 Elk Grove Blvd, Elk Grove, CA.

The purpose of this Public Hearing is to present the report to the Florin Resource Conservation District/Elk Grove Water District Board of Directors and accept and respond to any public questions or comments regarding the Urban Water Management Plan. The Plan provides information on water supply and usage, determines water conservation goals in compliance with California Water Code § 10608.20, and establishes guidelines for long-term water management for the Elk Grove Water District. Comments on the Urban Water Management Plan must be presented at the hearing or received by Elk Grove Water District by June 29, 2011. Questions and comments may be directed to Management Analyst Ellen Carlson at 916-685-3556 or by mail to the address below.

Copies of the DRAFT Urban Water Management Plan may be reviewed at 9257 Elk Grove Blvd, Elk Grove, CA 95624, or on the EGVWD's Web site, www.egvwd.org.
June 8, 15, 2011

EGW

8753

That affiant is and at all times hereinafter mentioned was a citizen of the United States, over the age of eighteen years and was at and during all said times the printer and publisher of THE ELK GROVE CITIZEN, a newspaper published in Elk Grove, County of Sacramento, State of California; that said newspaper is and was at all times herein mentioned, a newspaper of general circulation as that term is defined by Sections 6000 and 6001 of the Government Code of the State of California, and as provided by said sections is and was at all times herein mentioned published for the dissemination of local and telegraphic news and intelligence of a general character, having a bona fide subscription list of paying subscribers, and is not and was not during all said times devoted to the interests or published for the entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or for the entertainment and instruction of any number of such classes, professions, trades, callings, races or denominations; that at all said times said newspaper has been established, printed and published in said Sacramento County and State, at regular intervals for more than one year preceding the first publication of the NOTICE herein mentioned; that said NOTICE was set in type not smaller than nonpareil and was preceded with words printed in black face type not smaller than nonpareil describing and expressing in general terms the purport and character of the notice intended to be given; that the NOTICE in the above copy, was published in said newspaper on the following dates, to wit:

JUNE 8, 2011

JUNE 15, 2011

that the date of the first publication of said

PUBLIC NOTICE

in said newspaper is JUNE 8, 2011


DAVID R. HERBURGER

THE ELK GROVE CITIZEN

Dated: JUNE 15, 2011

APPENDIX D
Resolution Adopting 2010
Urban Water Management Plan

RESOLUTION NO. 06.22.11.01
RESOLUTION OF THE BOARD OF DIRECTORS OF
THE FLORIN RESOURCE CONSERVATION DISTRICT
ADOPTING THE 2010 UPDATE TO
THE URBAN WATER MANAGEMENT PLAN

WHEREAS, the Urban Water Management Planning Act requires that each water supplier update its plan at least once every five years on or before December 31, in years ending in five and zero;

WHEREAS, due to the implementation of the Water Conservation Bill of 2009, the 2010 deadline has been extended to July, 2011;

WHEREAS, all water suppliers are required to complete and update an Urban Water Management Plan in order to be eligible for financial assistance pursuant to Proposition 50, Chapter 8 grant funds, as well as drought assistance:

WHEREAS, the Florin Resource Conservation District (the "District") has prepared a thorough and complete Urban Water Management Plan to serve the District as a long-range planning document for water supply;

WHEREAS, the District's Urban Water Management Plan provides a source of information for Water Supply Assessments, Water Code Section 10613 et seq., and Written Verifications of Water Supply, Water Code Section 66473.7, where both statutes require detailed information regarding water availability to be provided to the City of Elk Grove or County of Sacramento decision makers prior to approval of specified large development projects; and

WHEREAS, the District has updated its Urban Water Management Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Florin Resource Conservation District as follows:

1. The Urban Water Management Plan, 2010 Update is hereby adopted and ordered filed with the Secretary; and
2. The District's Manager is hereby authorized and directed to file the Urban Water Management Plan Update with the State of California, Department of Water Resources by July 31, 2011, in accordance with the Urban Water Management Planning Act; and
3. The District's Manager is hereby authorized and directed to implement the Urban Water Management Plan, 2010 Update, including recommendations to the Board of Directors regarding necessary procedures, rules, and regulations to carry out effective and equitable water conservation programs.

PASSED AND ADOPTED by the Florin Resource Conservation District on this 22nd day of June, 2011
by the following vote:

AYES: *Lightfoot, Dawson, and Nelson*
NOES:
ABSTAIN: *Mulberg, Perce*
ABSENT:

Barnes C. Lightfoot

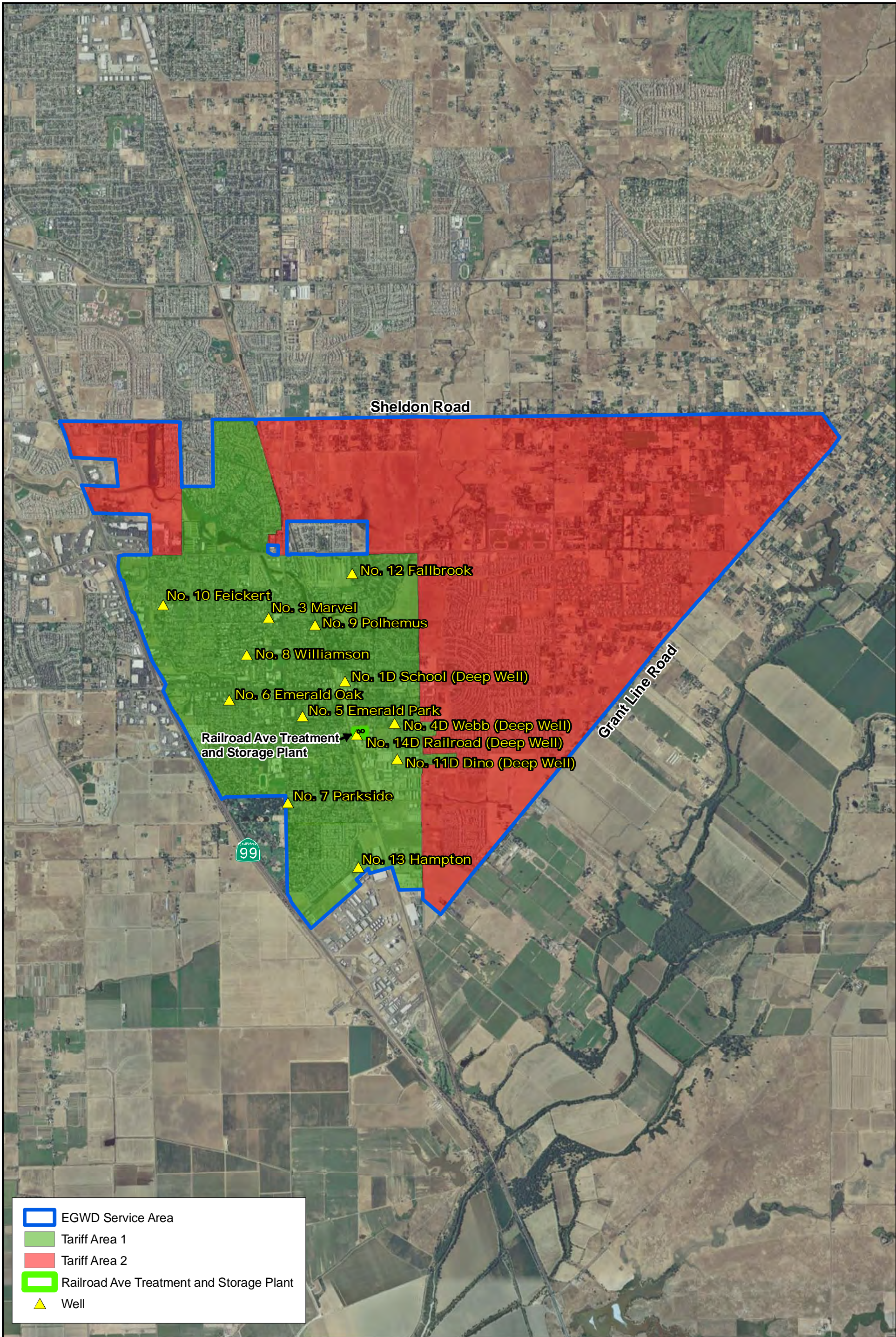
Chair, Florin Resource Conservation District

ATTEST

By: *Stephen Phillips*

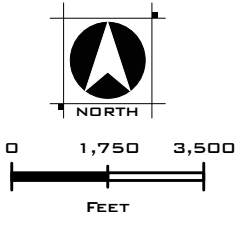
Secretary, Florin Resource Conservation District

APPENDIX E
Elk Grove Water District
Service Area Map



EGWD Service Area
 Tariff Area 1
 Tariff Area 2
 Railroad Ave Treatment and Storage Plant
▲ Well

APPENDIX E
 ELK GROVE WATER DISTRICT
 SERVICE AREA MAP
 ELK GROVE, CA
 JUNE 15, 2011



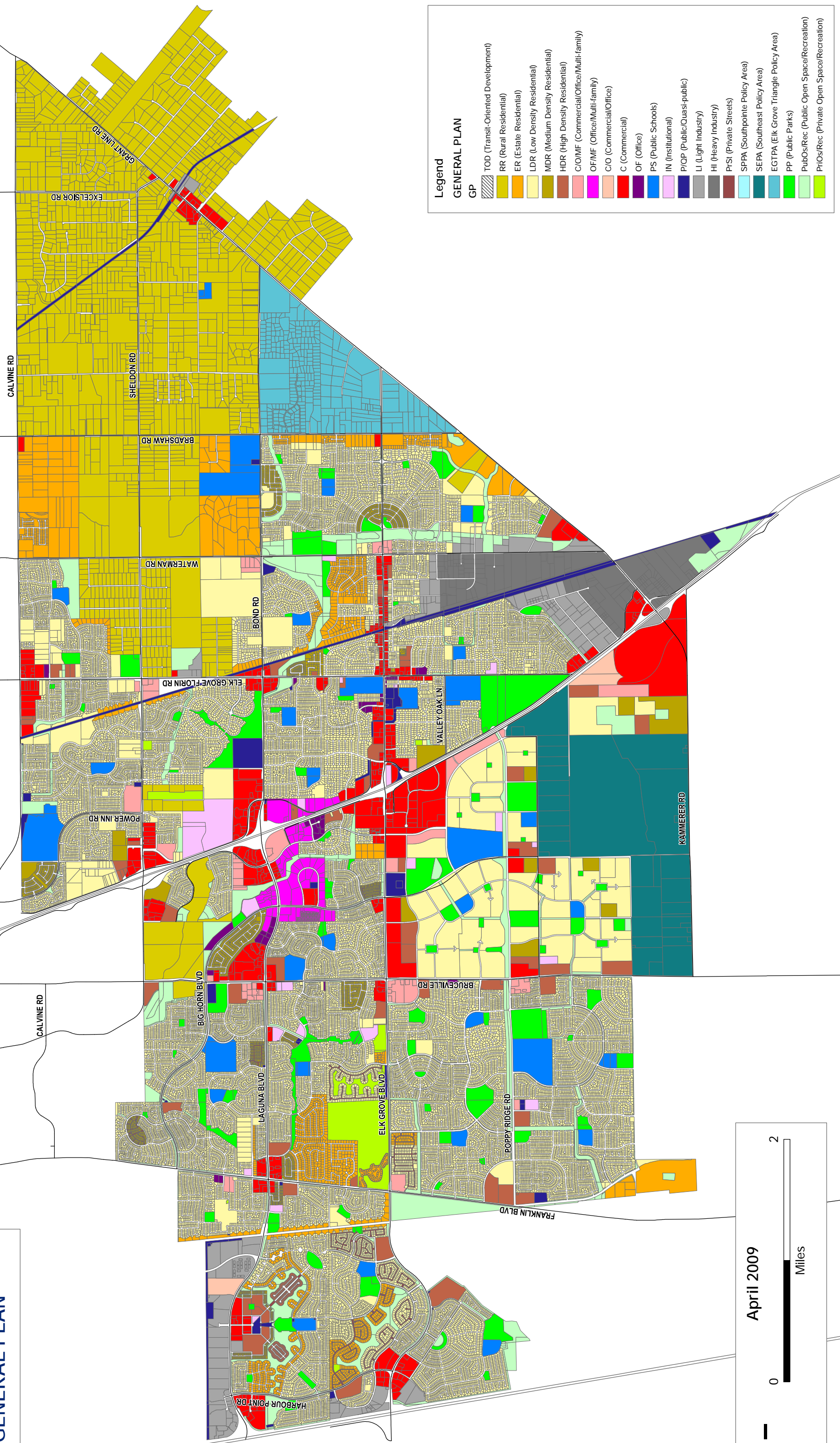
PRELIMINARY

WOOD RODGERS
 DEVELOPING INNOVATIVE DESIGN SOLUTIONS
 3301 C Street, Bldg. 100-B Tel: 916.341.7760
 Sacramento, CA 95816 Fax: 916.341.7767

APPENDIX F

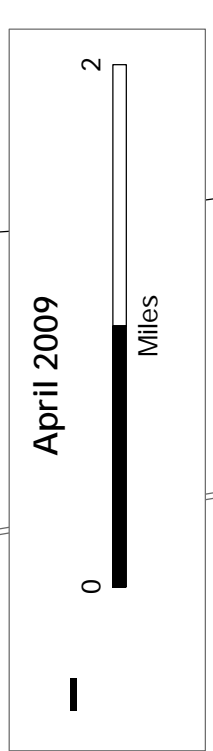
City of Elk Grove General Plan Land Use Exhibit

CITY OF ELK GROVE GENERAL PLAN



Legend
GENERAL PLAN

GP	Description
[Hatched Box]	TOD (Transit-Oriented Development)
[Yellow Box]	RR (Rural Residential)
[Orange Box]	ER (Estate Residential)
[Light Yellow Box]	LDR (Low Density Residential)
[Light Green Box]	MDR (Medium Density Residential)
[Light Blue Box]	HDR (High Density Residential)
[Light Purple Box]	C/O/MF (Commercial/Office/Multi-family)
[Light Pink Box]	OF/MF (Office/Multi-family)
[Light Orange Box]	C/O (Commercial/Office)
[Light Red Box]	C (Commercial)
[Light Purple Box]	OF (Office)
[Light Blue Box]	PS (Public Schools)
[Light Green Box]	IN (Institutional)
[Light Blue Box]	P/QP (Public/Quasi-public)
[Light Green Box]	LI (Light Industry)
[Light Blue Box]	HI (Heavy Industry)
[Light Purple Box]	P/Sl (Private Streets)
[Light Blue Box]	SPPA (Southpointe Policy Area)
[Light Green Box]	SEPA (Southeast Policy Area)
[Light Blue Box]	EGTPA (Elk Grove Triangle Policy Area)
[Light Green Box]	PP (Public Parks)
[Light Blue Box]	PubOs/Rec (Public Open Space/Recreation)
[Light Purple Box]	PrOs/Rec (Private Open Space/Recreation)



APPENDIX G
DWR Bulletin 118 – Update 2003

Sacramento Valley Groundwater Basin South American Subbasin

- Groundwater Basin Number: 5-21.65
- County: Sacramento
- Surface Area: 248,000 acres (388 square miles)

Basin Boundaries and Hydrology

The subbasin is bounded on the east Sierra Nevada, on the west by the Sacramento River, on the north by the American River, on the south by the Cosumnes and Mokelumne Rivers. These perennial rivers generally create a groundwater divide in the shallow subsurface. It is clear that there is interaction between groundwater of adjacent subbasins at greater depths. Average annual precipitation ranges from about 14" along the western boundary to greater than 20" along the eastern boundary.

Hydrogeologic Information

Water Bearing Formations

The South American subbasin aquifer system is comprised of continental deposits of Late Tertiary to Quaternary age. These deposits include younger alluvium (consisting of flood basin deposits, dredge tailings and Holocene stream channel deposits), older alluvium, and Miocene/Pliocene volcanics. The cumulative thickness of these deposits increases from a few hundred feet near the Sierra Nevada foothills on the east to over 2,500 feet along the western margin of the subbasin. The maximum combined thickness of all the younger alluvial units is about 100 feet. Calculated specific yield values range from about 5.4% in the flood basin deposits to 10% in the stream channel deposits (Olmstead and Davis 1961).

Flood basin deposits. These deposits occur along the western margin of the subbasin adjacent to the Sacramento River. They consist primarily of silts and clays, but along the western margin of the subbasin may be locally interbedded with stream channel deposits of the Sacramento River. Because of their fine-grained nature, the flood basin deposits have low permeability and generally yield low quantities of water to wells.

Dredger tailings. Tailings are exposed primarily along the American River in the northeastern corner of the subbasin. They consist of windows of gravel, cobbles, boulders, sand, and silt resulting from the activities of gold dredging operations. The tailings are highly permeable, but well construction is complicated by the presence of cobbles and boulders.

Stream Channel Deposits. The stream channel deposits include sediments deposited in the channels of active streams as well as overbank deposits of those streams, terraces, and local dredger tailings. They occur along the Sacramento, American, and Cosumnes Rivers and their major tributaries and consist primarily of unconsolidated silt, fine- to medium-grained sand, and gravel. Sand and gravel zones in the younger alluvium are highly permeable and yield significant quantities of water to wells.

Older alluvium. These deposits consist of loosely to moderately compacted sand, silt and gravel deposited in alluvial fans during the Pliocene and Pleistocene. A number of formational names have been assigned to the older alluvium, including the Modesto and Riverbank Formations (Helley and Harwood, 1985), Victor Formation and Laguna Formation (Olmstead and Davis 1961), and Victor Formation, Laguna Formation, Arroyo Seco Gravels, South Fork Gravels, and Fair Oaks Formation (DWR 1974). The older alluvial units are widely exposed between the Sierra Nevada foothills and overlying younger alluvial units near the axis of the Sacramento Valley. Thickness of the older alluvium is about 100 to 650 feet. It is moderately permeable. The calculated specific yield of these deposits is about 7% (Olmstead and Davis 1961).

Miocene/Pliocene Volcanics. These consist of the Mehrten Formation, a sequence of fragmental volcanic rocks, which crops out in a discontinuous band along the eastern margin of the basin. It is composed of intervals of "black sands," stream gravels, silt, and clay interbedded with intervals of dense tuff breccia. The sand and gravel intervals are highly permeable and wells completed in them can have high yields. The tuff breccia intervals act as confining layers. Thickness of the unit is between 200 and 1,200 feet.

Groundwater Level Trends

A review of 18 long-term hydrographs dating back into the 1960s shows a consistent pattern of water level trends through much of the basin. Groundwater elevations generally declined consistently from the mid-1960s to about 1980 on the order of 20 feet. From 1980 through 1983 water levels recovered by about 10 feet and remained stable until the beginning of the 1987 through 1992 drought. From 1987 until 1995, water levels declined by about 15 feet. From 1995 to 2000 most water levels recovered by up to 20 feet leaving them generally higher than levels prior to the 1987 through 1992 drought. Exceptions to this trend include: 1) wells in the vicinity of the city of Sacramento, which fluctuated generally less than 10 feet overall since the mid-1970s; and 2) wells in the vicinity of Rancho Cordova, which appear to have recovered less than the other wells in the subbasin since 1995 (generally less than 10 feet).

Groundwater Storage

No published calculations for subbasin storage capacity are available. However, based on available information from Olmstead and Davis (1961), DWR calculated groundwater storage capacity in the subbasin at 4,816,000 af. This was calculated by superimposing the hydrogeologic units described in Olmstead and Davis over a map of the subbasin. A planimeter was used to determine the percent coverage of each of these units in the subbasin. The specific yield values provided by Olmstead and Davis for each unit were then used to calculate an average specific yield of 6.8 percent for a depth range of 20 feet below ground surface to 310 feet bgs. The surface area used in that calculation was 243,200 acres.

Groundwater Budget (Type A)

A groundwater model was developed for Sacramento County by Montgomery Watson (see Montgomery Watson 1993). Based on this model

and subsequent data updates, Bookman-Edmonston/Navigant Consulting provided estimates of several groundwater budget components for an area generally corresponding to the South American Subbasin. The data represent an average budget for the period from 1970 to 1995. Basin inflows include natural and applied water recharge, which total 257,168 af. Subsurface inflow and outflow are not known specifically, but the model indicates that there is a net subsurface outflow of 29,676 af annually. Other groundwater outflows include annual urban extraction of 68,058 af and agricultural extraction of 162,954 af.

Groundwater Quality

Characterization. Groundwater is typically a calcium magnesium bicarbonate or magnesium calcium bicarbonate. Other minor groundwater types include a sodium calcium bicarbonate or calcium sodium bicarbonate in the vicinity of Elk Grove and a magnesium sodium bicarbonate or sodium magnesium bicarbonate near the confluence of the Sacramento and American rivers (Bertoldi and others 1991). TDS ranges from 24 – 581 mg/l and averages 221 mg/l based on 462 records (Montgomery Watson 1993).

Impairments. Montgomery Watson (1997) listed seven sites within the subbasin with significant groundwater contamination. Included in the list are three USEPA Superfund sites – Aerojet, Mather Field, and the Sacramento Army Depot. Other sites are the Kiefer Boulevard Landfill, an abandoned PG&E site on Jiboom Street near Old Sacramento, the Southern Pacific and Union Pacific Rail Yards in downtown Sacramento.

Water Quality in Public Supply Wells

Constituent Group ¹	Number of wells sampled ²	Number of wells with a concentration above an MCL ³
Inorganics – Primary	144	2
Radiological	147	1
Nitrates	170	1
Pesticides	148	0
VOCs and SVOCs	144	8
Inorganics – Secondary	144	46

¹ A description of each member in the constituent groups and a generalized discussion of the relevance of these groups are included in *California's Groundwater – Bulletin 118* by DWR (2003).

² Represents distinct number of wells sampled as required under DHS Title 22 program from 1994 through 2000.

³ Each well reported with a concentration above an MCL was confirmed with a second detection above an MCL. This information is intended as an indicator of the types of activities that cause contamination in a given basin. It represents the water quality at the sample location. It does not indicate the water quality delivered to the consumer. More detailed drinking water quality information can be obtained from the local water purveyor and its annual Consumer Confidence Report.

Well Characteristics

Well yields (gal/min)		
Municipal:	Range: N/A	Average: 908 (Montgomery Watson 1997)
Irrigation:	Range: N/A	Average: 971 (Montgomery Watson 1997)
Total depths (ft)		
Domestic	Range: 87 – 575	Average: 247 (422 Well Completion Reports)
Municipal/Irrigation	Range: 41 – 1,000	Average: 372 (78 Well Completion Reports)

Active Monitoring Data

Agency	Parameter	Number of wells /measurement frequency
DWR	Groundwater levels	34 wells semi-annually 3 wells monthly
Sacramento County		30 wells semi-annually
SMUD		9 wells semi-annually
USBR		29 wells semi-annually
DWR (incl. Cooperators)	Mineral, nutrient, & minor element.	9 wells every two years
Department of Health Services and local cooperators	Coliform, nitrates, mineral, organic chemicals, and radiological.	247 wells as required in Title 22, Calif. Code of Regulations

Basin Management

Groundwater management: No AB3030 plan - Sacramento North Area Groundwater Management Authority (SNAGMA), is a joint powers authority responsible for the protection of the regional groundwater basin.

No AB3030 plans – Initial phase 3/94 - Sacramento Metropolitan Water Authority (SMWA) is a joint powers authority and non-profit benefit association formed by 16 water supply agencies and utilities.

Water agencies

Public	Arden Cordova Water Service, City of Folsom, City of Sacramento, County of Sacramento, Elk Grove Water Works, Florin County WD Fruitridge Vista, Mather Air Force Base, North Delta Water Agency Omochumne-Hartnell WD, Rancho Murieta CSD, Tokay Park Sacramento County WMD, Sacramento County WMD- Zone 40
Private	Citizens Utilities Company.

References Cited

- Bertoldi, G.L., R.H. Johnston, and K.D. Evenson. 1991. *Ground Water in the Central Valley, California – A Summary Report*. U.S. Geological Survey Professional Paper 1401-A. 44 p.
- California Department of Water Resources (DWR). 1974. *Evaluation of Ground Water Resources: Sacramento County*. Bulletin 118-3.
- Montgomery Watson. 1993. *Sacramento County Water Agency – County Groundwater Model: Model Development and Basin Groundwater Yield*.
- Montgomery Watson. 1997. *Sacramento County Water Agency - Baseline Conditions for Groundwater Yield Analysis Final Report*.
- Olmstead, F.H., and G.H. Davis. 1961. *Geologic Features and Ground-Water Storage Capacity of the Sacramento Valley, California*. U.S. Geological Survey Water-Supply Paper 1497.

Additional References

- Berkstresser, C.F. Jr. 1973. Base of Fresh Ground-Water -- Approximately 3,000 micromhos - in the Sacramento Valley and Sacramento-San Joaquin Delta, California. U.S. Geological Survey Water-Resource Inv. 40-73.
- Bertoldi, G.L. 1974. Estimated Permeabilities for Soils in the Sacramento Valley, California. U.S. Geological Survey Water-Resources Investigations Report 51-73.
- Bryan, Kirk. 1923. *Geology and Ground-Water Resources of the Sacramento Valley, California*. U.S. Geological Survey Water-Supply Paper 495.
- California Department of Water Resources (DWR). 1978. *Evaluation of Ground Water Resources: Sacramento Valley*. Bulletin 118-6. 136 p.
- _____. 1990. *Historical Ground Water Levels in Sacramento County*.
- Fogelman, R.P. and G.L. Rockwell. 1977. *Descriptions and Chemical Analyses for selected wells in the Eastern Sacramento Valley, California*. U.S. Geological Survey Open-File Report 77-486.
- Fogelman, R.P. 1979. *Chemical Quality of Ground Water in the Eastern Sacramento Valley, California*. U.S. Geological Survey Water-Resource Investigations Report 78-124.
- Helley, E.J., and D.S. Harwood. 1985. *Geologic Map of the Late Cenozoic Deposits of the Sacramento Valley and Northern Sierran Foothills, California*. U.S. Geological Survey Miscellaneous Field Studies Map MF-1790.
- Harwood, D.S., and E.J. Helley. 1987. *Late Cenozoic Tectonism of the Sacramento Valley, California*. U.S. Geological Survey Professional Paper 1359.
- Page, R.W. 1974. *Base and Thickness of the Post-Eocene Continental Deposits in the Sacramento Valley, California*. U.S. Geological Survey Water-Resource Investigations Report 45-73.
- _____. 1986. *Geology of the Fresh Ground-Water Basin of the Central Valley, California, with Texture Maps and Sections*. U.S. Geological Survey Professional Paper 1401-C.

Errata

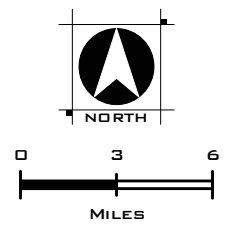
Changes made to the basin description will be noted here.

APPENDIX H
Central Sacramento County Groundwater
Management Plan
(CD)

APPENDIX I

Central Groundwater Basin Historic Groundwater Elevations Exhibit

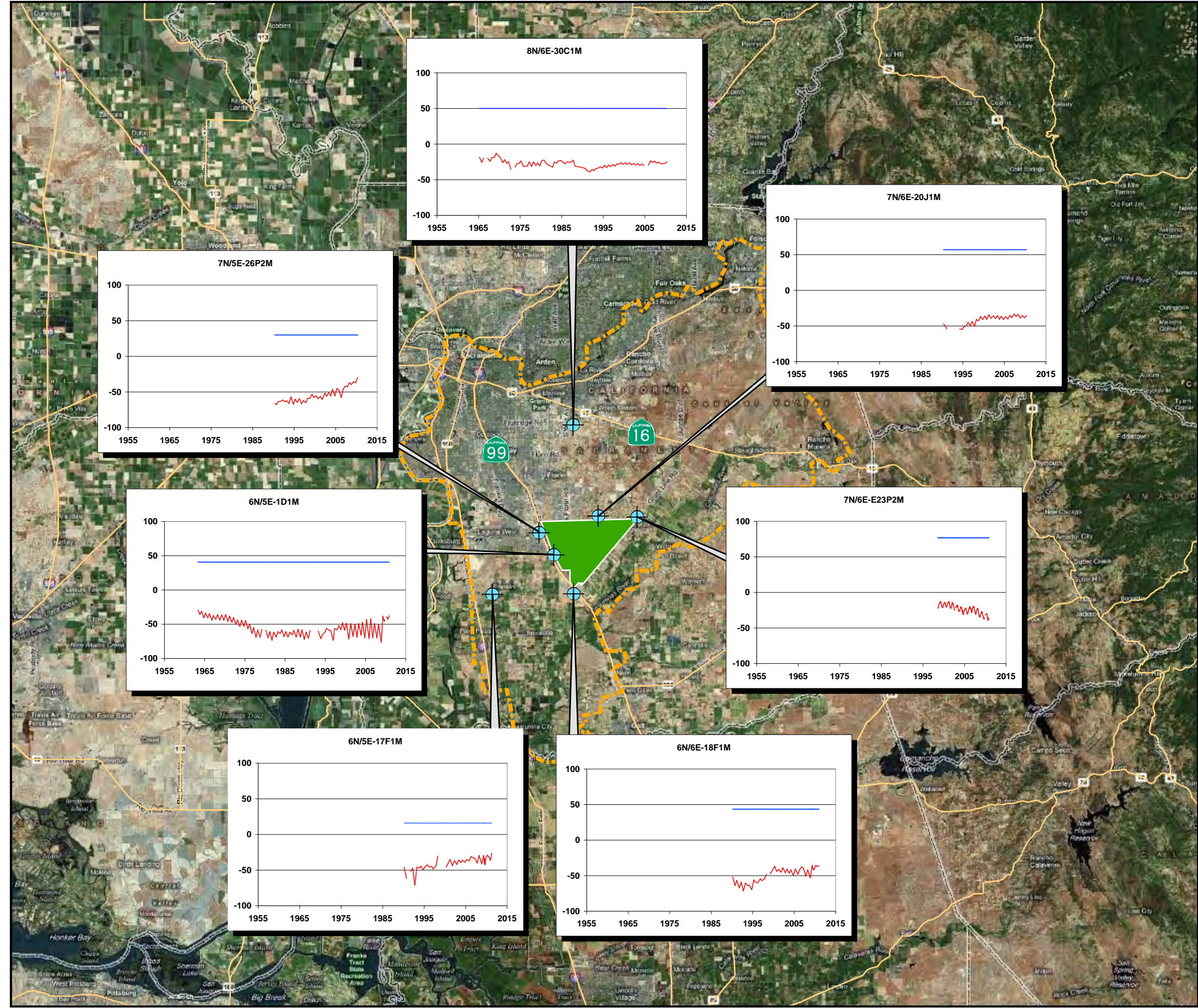
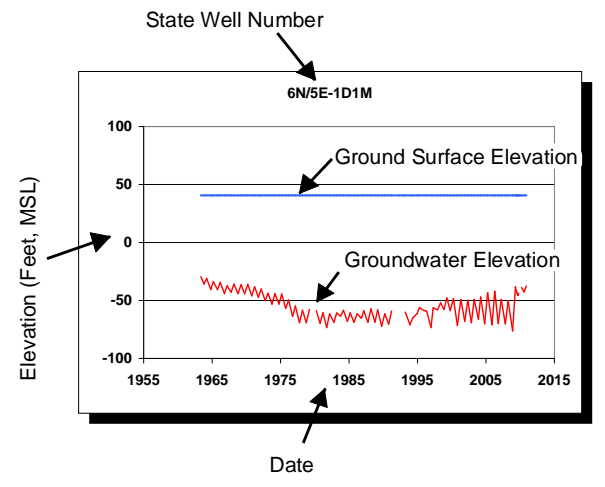
APPENDIX I -
 CENTRAL GROUNDWATER BASIN
 HISTORIC GROUNDWATER ELEVATIONS
 2010 EGWD URBAN WATER
 MANAGEMENT PLAN
 ELK GROVE, CALIFORNIA
 2011



- ELK GROVE WATER DISTRICT
- Central Basin
- DWR Monitored Well
- County Boundary
- Highway

SOURCES: Groundwater elevation data from the Department of Water Resources (DWR) Water Data Library
 Aerial Imagery: Microsoft Bing

Groundwater Elevation
 Hydrograph Explanation



APPENDIX J
Ordinance 04-28-10-01
Water Shortage Contingency Plan

FLORIN RESOURCE CONSERVATION DISTRICT

ORDINANCE NO. 04-28-10-01

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE FLORIN RESOURCE CONSERVATION DISTRICT
REVISING THE WATER SHORTAGE CONTINGENCY PLAN**

WHEREAS, California Public Resources Code sections 9001 *et seq.*, and specifically section 9151, authorize the Florin Resource Conservation District (the "District") to establish, administer, and impose water and resource conservation plans; and

WHEREAS, the District Board of Directors ("Board of Directors") desires to adopt a Water Shortage Contingency Plan to prepare for a catastrophic event such as a flood, fire, earthquake, or other emergency situation; and

WHEREAS, the Board of Directors adopted an ordinance implementing a Water Shortage Contingency Plan on June 21, 2006 in order to comply with the requirements of the 2005 Update to the Urban Water Management Plan; and

WHEREAS, members of the regional water agencies have worked together to develop a water shortage/drought contingency plan that is consistent between neighboring agencies and unites them under common definition of terms.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE FLORIN RESOURCE CONSERVATION DISTRICT HEREBY DETERMINES AND ORDAINS AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated herein.

Section 2. Water Shortage Contingency Plan.

(a) As of the effective date of this ordinance, the Board of Directors shall have the authority to activate the Water Shortage Contingency Plan, attached hereto as Attachment A.

(b) In the event that it is necessary to implement the Water Shortage Contingency Plan, or to increase the level of water conservation to a higher stage, the District shall notify all property owners, residents, and business owners within the affected service area by mail, using the District's form attached hereto as Attachment B.

(c) If the Board of Directors concludes that there is no longer a need for water conservation in accordance with the Water Shortage Contingency Plan, or that it may reduce the level of water conservation to a lower stage, it must notify all property owners, residents, and business owners within the affected service area by mail, using the District's form attached hereto as Attachment C.

(d) The District Board of Directors authorizes the General Manager to amend the Water Shortage Contingency Plan and all related notices from time to time as needed, provided that if ten percent (10%) or more of District customers currently receiving water service object to such amendment in writing, or if the Board of Directors objects to such amendment, the Board of Directors may void or amend such amendment after due consideration.

Section 3. Penalties for Noncompliance. After proper notification to all property owners, residents, and business owners of the initiation of the Water Shortage Contingency Plan, or of any subsequent increase by stage level, civil penalties may be assessed against said person(s) for noncompliance.

(a) Normal Water Supply: No water shortage exists and customers should observe normal water efficiency measures. Customers may be notified in writing for such abuses as overwatering or broken sprinklers.

(b) Stage One Violations: For customers in violation of the Water Shortage Contingency Plan during the implementation period of Stage One, penalties shall be assessed as follows:

- (i) First violation – Customer is notified of violation.
- (ii) Second violation – Written warning sent to customer.
- (iii) Subsequent violations - \$100 fine per violation.

(c) Stage Two through Stage Five Violations: For customers in violation of the Water Shortage Contingency Plan during the implementation periods of Stages Two through Five, penalties shall be assessed as follows:

- (i) First violation – Customer is notified of violation.
- (ii) Second violation – Written warning is sent to customer.
- (iii) Third violation – \$200 fine and customer is scheduled for a mandatory water audit.
- (iv) Fourth violation – \$500 fine and a flow restriction device is installed.
- (v) Fifth violation – \$500 fine and water service is shut off. Connection fee assessed to re-activate water service.

Section 4. California Environmental Quality Act Compliance.

(a) Pursuant to California Public Resources Code section 21080(b)(8), the District's adoption of the Water Shortage Contingency Plan is not subject to the requirements of

the California Environmental Quality Act. In accordance with Section 21080(b)(8), the District finds and determines that its adoption of the Water Shortage Contingency Plan by this Ordinance constitutes the establishment of procedures by which the District shall conserve potable water until such time as the District deems necessary.

(b) District staff is hereby directed to file a Notice of Exemption with the Sacramento County Clerk within three (3) business days after adoption of this Ordinance.

Section 5. Ordinance Effective Date. This ordinance shall take effect upon its adoption.

ADOPTED, SIGNED, and APPROVED by the Board of Directors of the Florin Resource Conservation District on this _____ day of _____, 2010.

AYES:
NOES:
ABSTAIN:
ABSENT:

Barric Lightfoot, Chair

Attest:

Stefani Phillips, Secretary/Treasurer

WATER SHORTAGE ADVISORY

Elk Grove Water Service

Date

WARNING: **Failure to follow this advisory could lead to the assessment of civil penalties.**

Due to the recent event (e.g., flood, fire, earthquake or other emergency situation), the water delivery capabilities of the water system serving your home has been significantly impaired. In order to maximize public health and fire protection, the Elk Grove Water Service must temporarily impose the following WATER USE RESTRICTIONS in the (SERVICE AREA) until further notice:

1. Water delivered by the public water system MAY be used only for drinking, cooking, ice making, toilet flushing, showering, bathing, tooth brushing, and other sanitary purposes;
2. Water delivered by the public water system MAY NOT be used for outside landscape irrigation;
3. Water delivered by the public water system MAY NOT be used for filling or refilling swimming pools or hot tubs;
4. Water delivered by the public water system MAY NOT be used for washing cars, sidewalks, driveways or gutters except to abate an immediate sanitary hazard.

OPTIONAL:

Potable water is available at the following locations:

Please bring clean water containers (5 gallons maximum capacity).

For more information call:

Elk Grove Water Service at (916) 685-3556 or www.EGWS.org

California Department of Health Services at (916) 449-5600

Sacramento County Environmental Management Department at (916) 875-8400

CANCELLATION OF WATER SHORTAGE ADVISORY

Elk Grove Water Service

Date

On (DATE), you were informed of temporary water restrictions that were imposed in Elk Grove Water Service's (SERVICE AREA) to abate an emergency water shortage problem due to (EMERGENCY).

This notice is being distributed to inform the water users in (SERVICE AREA) that the water shortage problem has been abated and that THE TEMPORARY WATER USE RESTRICTIONS HAVE BEEN LIFTED. Please remember, however, that is always a good idea to conserve water no matter what the water supply conditions may be.

The water agency wishes to acknowledge and thank all of the water users in (SERVICE AREA) for their patience and cooperation throughout this ordeal.

For more information call:

Elk Grove Water Service at (916) 685-3556 or www.EGWS.org

California Department of Health Services at (916) 449-5600

Sacramento County Environmental Management Department at (916) 875-8400

ELK GROVE WATER SERVICE

(Service Area)

Water Shortage Contingency Plan - Stages of Action

STAGE I - Normal Supply

Stage 1 of the water shortage contingency plan is the normal operations stage of action. No new water conservation regulations are in effect. Existing water conservation measures are listed below. Customers are notified of the potential water supply shortage and the necessity for conservation. The penalties for water wasting are explained as well as other water shortage stages. Contact Elk Grove Water Service at (916) 685-3556 for anonymous reporting of violators. Water conservation patrols will be in effect to encourage responsible water use.

- **Odd/Even Irrigation for Residential & Commercial.**
 - Addresses ending in an odd number (1,3,5,7,9)
 - Irrigate on Tuesday, Thursday, and Saturday
 - Addresses ending in an even number (0,2,4,6,8)
 - Irrigate on Wednesday, Friday, and Sunday
 - NO IRRIGATION ON MONDAYS

- **Irrigation Hours.** No landscape irrigation shall be permitted between the hours of noon and 6.00 p.m. in the evening.
- **Runoff.** Irrigation shall not be allowed to run off to adjoining property or to the roadside ditch or gutter.
- **Hoses.** Open hoses are not permitted. Automatic shutoff nozzles are required.
- **Washing Driveways and Other Paved Areas.** Use of water to clean sidewalks, driveways, or patios is not permitted. Washing of streets and commercial parking lots with a hose is not permitted, except to alleviate immediate fire or sanitation hazards.
- **Water Leaks.** Leaking pipes, fixtures, or sprinklers shall be repaired promptly.
- **Serving of Water.** Restaurants shall serve water to customers only upon special request.
- **Pools, Ponds, and Fountains.** All swimming pools, ponds, and fountains shall be equipped with re-circulating pumps.

PENALTIES FOR WATER WASTING

- First violation - Customer is notified of violation.
- Second violation - Written warning sent to customer.
- Subsequent violations - \$100 fine.

ELK GROVE WATER SERVICE

(Service Area)

Water Shortage Contingency Plan - Stages of Action

STAGE 2 – Water Alert

Stage 2 becomes effective in the event that there is a probability that the District's supply or distribution system will not be able to meet all the water demands of its customers under Stage 1. In addition to the measures implemented in Stage 1, irrigation is restricted to 3 days a week in 2-hour time slots, as described below. Penalties for water wasting are strengthened. Customers are notified of the stage 2 water shortage and more severe penalties, and customers are asked to voluntarily reduce water usage 20%.

- **Irrigation Zones.** Irrigation zones are established by geographic area as shown on the attached map. Irrigation shall be permitted by zone in accordance with the schedule:

Zone	Watering Days	Time of Day	
		6-8pm	8-10pm
1	Sun, Wed, Fri		
2	Sun, Wed, Fri		
3	Tue, Thu, Sat		
4	Tue, Thu, Sat		

- **Construction Water.** No potable water from the District's system shall be used for dust control, compaction, or trench jetting.

PENALTIES FOR WATER WASTING

- First violation - Customer is notified of violation.
- Second violation - Written warning sent to customer.
- Third violation - \$200 fine and customer is scheduled for a mandatory water audit.
- Fourth violation - \$500 fine and a flow restriction device is installed.
- Fifth violation - \$500 fine and the water service is shut off. Connection fee assessed to re-activate water service.

ELK GROVE WATER SERVICE

(Service Area)

Water Shortage Contingency Plan - Stages of Action

STAGE 3 – Water Warning

Stage 3 is triggered in the event that the District's supply or distribution system will not be able to meet all the water demands of its customers under Stage 2. In addition to the measures implemented in Stages 1 and 2, water use is further restricted and irrigation is restricted to 2 days a week in 2-hour time slots, as described below. Customers are notified of the stage 3 water shortage and asked to voluntarily reduce water usage 30%.

- **Irrigation Zones.** Landscape Irrigation shall be permitted by zone in accordance with the schedule:

Zone	Watering Days	Time of Day	
		6-8pm	8-10pm
1	Tue, Thu	■	
2	Tue, Thu		■
3	Wed, Fri	■	
4	Wed, Fri		■

- **Pools, Ponds, and Fountains.** Water use for ornamental ponds and fountains is prohibited. No potable water from the District's system shall be used to fill or refill new swimming pools, artificial lakes, ponds, or streams until the WATER WARNING has been declared over.
- **Main Flushing.** Main flushing allowed only for emergency purposes.

ELK GROVE WATER SERVICE

(Service Area)

Water Shortage Contingency Plan - Stages of Action

STAGE 4 – Water Crisis

Stage 4 is triggered in the event that the District's supply or distribution system will not be able to meet all the water demands of its customers under Stage 3. In addition to the measures implemented in Stages 1, 2, and 3, new connections are prohibited and irrigation is restricted to 2 days a week in 1-hour time slots, as described below. Customers are notified of the stage 4 water shortage and asked to voluntarily reduce water usage 40%.

- **Irrigation Zones.** Landscape Irrigation shall be permitted by zone in accordance with the schedule:

Zone	Watering Days	Time of Day	
		8-9pm	9-10pm
1	Tue, Thu	Shaded	
2	Tue, Thu		Shaded
3	Wed, Fri	Shaded	
4	Wed, Fri		Shaded

- **New connections.** No new connections will be added to the system until the WATER CRISIS has been declared over,
- **System pressures.** Maximum system operating pressure will be reduced to 40 psi.
- **Water allotments.** Customer water allotments are determined. Water usage above water allotment billed at 150% of normal water rate.

ELK GROVE WATER SERVICE

(Service Area)

Water Shortage Contingency Plan - Stages of Action

STAGE 5 – Water Emergency

Stage 5 is triggered in the event that the district's supply or distribution system will not be able to meet all the water demands of its customers under Stage 4. In addition to the measures implemented in Stages 1, 2, 3, and 4, irrigation is restricted to one day a week in a 1-hour time slot, as described below. Customers are notified of the stage 5 water shortage and asked to voluntarily reduce water usage 50%.

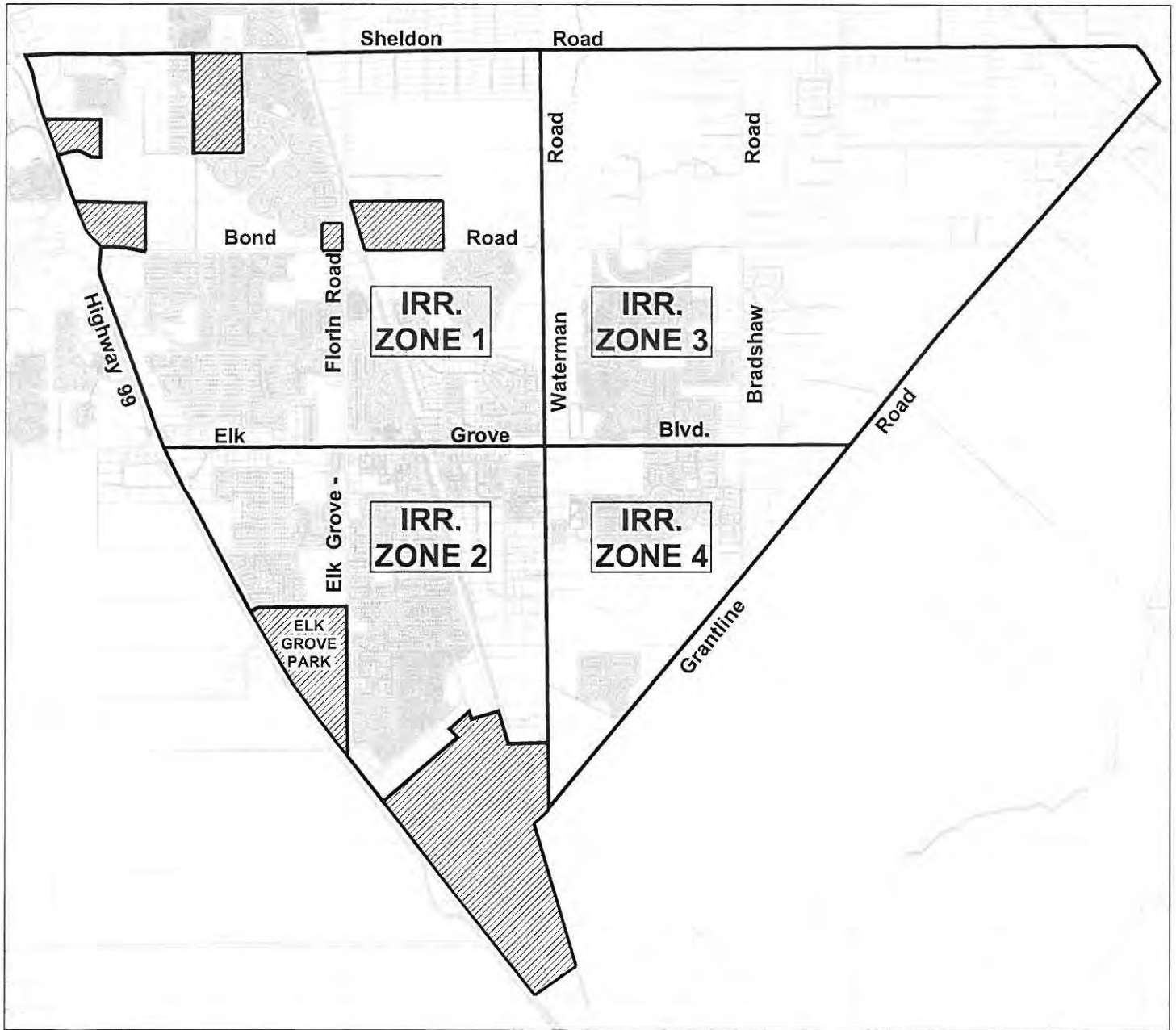
- **Irrigation Zones.** Landscape Irrigation shall be permitted by zone in accordance with the schedule:


		Time of Day
Zone	Watering Days	9-10pm
1	Tue	
2	Wed	
3	Thu	
4	Fri	

Elk Grove Water Service



IRRIGATION ZONES for Water Shortage Contingency Plan



 Areas Not Served by EGWS

APPENDIX K
Ordinance 06-22-11-01
Prescribing Rates for Water Service

FLORIN RESOURCE CONSERVATION DISTRICT

ORDINANCE 06.22.11.01

AN ORDINANCE PRESCRIBING RATES FOR WATER SERVICE;
CONSOLIDATING ORDINANCE NO. 04-23-08-01, PASSED AND ADOPTED ON APRIL 23, 2008,
AND ORDINANCES 12.10.08.01, 06.24.09.01, 08.26.09.01, 12.08.10.01, 01.26.11.01, AND
01.26.11.02, WHICH AMEND ORDINANCE 04-23-08-01 AND MAKING CERTAIN FINDINGS
AND DETERMINATIONS IN CONNECTION THEREWITH

WHEREAS, the Florin Resource Conservation District (“District”) is a District duly organized and existing under and pursuant to Division 9 of the Public Resources Code of California; and

WHEREAS, the District is authorized and empowered to own, operate, maintain, acquire, construct, finance, improve and extend a public water system; and

WHEREAS, the District has taken proceedings to acquire, own, operate and maintain a water system; and

WHEREAS, the District is authorized to impose, adopt, revise, amend, rescind, increase, and decrease a system of rates and charges for its system; and

WHEREAS, the Board of Directors of the District (“Board”) has adopted a system of rates and charges for water service from the water system; and

WHEREAS, in order to recover the cost of providing service to its customers, it is necessary that such rates and charges be established and collected by the District in the time and manner set forth herein.

NOW THEREFORE, be it hereby ordained by the Board of Directors of Florin Resource Conservation District as follows:

ARTICLE 1. SHORT TITLE, DEFINITIONS AND GENERAL PROVISIONS.

Section 1.1 Short Title. This ordinance may be cited as the Florin Resource Conservation District/Elk Grove Water District Water Rate Ordinance (“Ordinance”).

Section 1.2 Severability. If a section, subsection, sentence, clause or phrase of this Ordinance is held to be unconstitutional, or contrary to the general or special laws of the United States of the State of California, the invalidity of such section, subsection, sentence, clause or phrase shall not affect the remaining portions of this Ordinance.

Section 1.3 Applicability. This ordinance shall apply to all facilities constructed by the District or otherwise made a part of its Water System, whether within or without the boundaries of the District and to all persons who use or perform work upon said system.

Section 1.4 Definitions. Unless the context specifically indicates otherwise, the following terms shall for purposes of this Ordinance have the meanings indicated as follows:

Applicant	The individual, partnership, corporation, joint venture, or other legal entity who has requested water service by the DISTRICT and has executed an Agreement to have the proposed water system improvements constructed by a qualified Contractor according to the EGWD Standard Specifications and all associated costs paid by the Applicant.
CDPH	California Department of Public Health, Division of Drinking Water and Environmental Management (DDWEM)
Contractor	The individual, partnership, corporation, joint-venture, or other legal entity with which the APPLICANT has executed an Agreement to perform the proposed water system improvements. In accordance with the provisions of California Public Contract Code Section 3300, the District requires the Contractor possess a valid Class “A” General Engineering Contractor’s license at the time the contract is awarded.
Customer	A person who receives or takes water service from the District.
Demand	The rate of delivery of water for a specified period of time.
District	The Florin Resource Conservation District, Sacramento County, California, and/or its authorized representatives.
District Office	The business office of the Florin Resource Conservation District/Elk Grove Water District.
Fire Chief	The chief officer of the fire protection agency with jurisdiction over the District.
Local Water Distribution Facilities	Pipelines of 12 inch and smaller diameter, hydrants, water service connections and appurtenances required to service the Premises adjacent to these facilities.
Manager	Manager of the Water System or his or her designated subordinate.
Major Water Distribution Facilities	Pumping, storage and control works and appurtenances and water pipelines larger than 12-inch diameter whose functions affect water service to a major portion of a pressure zone, or to an area of at least several square blocks.
Commercial Water Service	Water service to Customers other than homes, multi-unit residential structures, and mobile home parks.
On-site Water System	The System constructed within a subdivision by the developer of such subdivision.

Permit	Any written authorization required pursuant to this Ordinance or any other regulation of the District for the installation of any water service works, fire hydrant, or other facility described herein for which a permit is required.
Person	Any human being, individual, firm, company, partnership, association, private or municipal corporation, district, political subdivision or governmental agency.
Premises	A separate identifiable and transferable lot or parcel of real property, including the improvements thereon, except that portions having well-defined boundaries such as walls, fences, or hedges which prevent the common use of the property by all occupants for the purpose of this Ordinance shall be determined separate premises.
Residential Water Service	Water service to homes, multi-unit residential structures, and mobile home parks.
Shall/May	“Shall” is mandatory; “may” is permissive.
Single Family Unit	The place of residence for a single family. Property improved for multi-family purposes shall be described in terms of the number of units that the facilities thereon provide for single-family usage.
Street	Any public highway, road, street, avenue, alleyway, public place, public easement or right of way.
Surface Water	Water diverted from a river or navigable stream.
Surface Water Rate Component	That portion of water served by the District which is surface water.
Termination Notice	The written notice from the District by which Water Service to Premises is discontinued as a result of the failure of the owner or occupant thereof to pay fees and charges for such service.
Tiered Water Rate	Term not in use.
Tiered Water Rate Component	Term not in use.
Water Main	A transmission or distribution pipeline of the Water System.
Water Service	The delivery or receipt or both of water.
Water Service Installation	The service connection including service pipes, meters and appurtenances through which regular water delivery is made.

Water Supply Facilities	Source of supply, pumping, transmission, treatment and other water supply works whose functions affect water supply to a major portion of the total Water District area.
Water System	The physical plant of the water system, including but not limited to real property, wells, reservoirs, treatment plants, pumping stations, transmission and distribution facilities and appurtenances thereto.
Water System Extension	The extension of the District's existing Water System facilities to serve an area to which service is not available from existing distribution facilities, but the term does not include an On-site Water System.
Water Treatment Rate Component	That portion of a water rate or charge attributable to the cost of treating untreated water.

Section 1.5 Additional Definitions. For the purpose of this Ordinance, additional terms shall have the meaning indicated in Chapter I of the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials, Current Edition.

Section 1.6 Violation of Ordinance Any person found to be violating any provision of this Ordinance shall be served by the Manager with written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The said time limit shall not be less than one nor more than ten working days. The offenders shall within the period of time stated cease all violations and correct the conditions causing violation of this Ordinance. Violation of this Ordinance will be penalized according to Government Code Section 53069.4. Fines of \$100 for a first violation; \$200 for a second violation of the same ordinance within one year; and \$500 for each additional violation of the same ordinance within one year will be assigned to the account if satisfactory correction is not made within the time stated. Each and every connection or occupancy in violation of this Ordinance shall be deemed a separate violation. Each and every day or part of a day a violation of this Ordinance continues will be deemed a separate offense hereunder, and shall be punishable as such. Repeated offense can result in the termination of water service.

Section 1.7 Damage to District Water System. Any person damaging any Water System property or violating any of the provisions of this Ordinance shall become liable to the District for any expense, loss or damage occasioned by reason of such damage or such violation.

Section 1.8 Administration of Ordinance. It shall be the responsibility of the Manager to conduct the operation of the Water System in accordance with provisions of this Ordinance and to enforce all its provisions. The Manager shall take all actions necessary to carry out the specific requirements and intent of this Ordinance. Failure on the part of the Board of Directors, Manager or any other District personnel to enforce this Ordinance or any provision thereof shall create no liability on the part of the District, or any personnel of the District, to any third persons.

ARTICLE 2. DESCRIPTION OF GENERAL WATER SERVICE.

Section 2.1 Ownership of Water Facilities. All Water System and service installation facilities including meters and meter boxes on Customer services constructed with monies advanced or contributed by applicants for service and for Water System Extensions shall, upon completion and acceptance by the District, be the property of the District. Lines and facilities connecting the Water District Installation to the Customer's Meter shall be installed by, and be the property of the Customer, and all costs of maintenance of such lines and facilities shall be the responsibility of the Customer.

Section 2.2 Water Supply. The water served will be water from various sources including wells, surface water and water purchased from Sacramento County Water Agency. Mineral quality of the water will vary from time to time and place to place depending upon the sources being used. Information on the average mineral quality will be available at the District Office.

Section 2.3 Pressure. In general, water will be delivered from the distribution system at gauge pressure ranging from 20 to 120 pounds per square inch. However, the District does not guarantee to maintain any specific pressure or range of pressure. The District will not be responsible for any inconvenience, loss or damage resulting from variations of pressure. Service to areas where normal pressure is less than 20 pounds per square inch will be considered special service and each such service shall be covered by a service agreement between the District and each Customer of such service.

Section 2.4 Continuity of Service. The District will exercise reasonable diligence and care to deliver a continuous supply of water. However, the District will not be liable for interruptions, shortage or insufficiencies of supply or for any loss, inconvenience or damage occasioned thereby.

Section 2.5 Types of Service. Water Service from the Water System shall be general water service or special water service described in Article 5.

Section 2.6 Resale of Water. Water purchased from the District shall not, without specific authorization, be resold or remetered for purposes of sale or proration.

Section 2.7 Refusal and Limitation of Service. The Manager may refuse to furnish water or may discontinue Water Service to any Premises for the following reasons:

- To protect the District or the Water System or both from fraud and abuse.
- The requested Water Service Demand may be detrimental or injurious to the Water Service of other Customers.
- The distribution facilities are inadequate to supply the requested Water Service Demand.
- The Premises uses a private well and does not pay for fire service offered through basic water charges.

The Manager may limit the total quantity of water furnished to Premises or may establish the times and the Demand rates at which water may be taken or will be furnished to Premises, even though a limit or maximum use may or may not appear on the application or Permit for the Water Service.

Section 2.8 Water Used Without Application. A person who takes possession of Premises and uses water without applying for Water Service is liable for all the costs of the water delivered from the date of

the last recorded meter reading. If proper application for service is not made within five calendar days after notification to do so by the Manager or if accumulated bills for Water Service are not paid upon presentation, Water Service shall be discontinued without further notice.

Section 2.9 Application for Service. An applicant for Water Service shall apply for it at the District Office. The District is not obligated to provide Water Service until the applicant has satisfied the requirements of Sections 2.10 of this Ordinance and the application has been approved by the Manager. The Application shall be on a form provided by the District. The District may accept applications made via telephone, fax, email or other electronic medium.

Section 2.10 Account Set-Up Fee. Each account, which requires that a monthly bill be sent, will be considered as a new account and will be charged the "Account Set-Up Fee" as set forth in Exhibit A.

Section 2.11 Access to Property. In addition to a Customer's responsibilities pursuant to Section 6.1, by applying for or receiving water service from the District, each Customer irrevocably licenses the District and its authorized employees and representatives to enter upon the Customer's property at reasonable times for the purpose of reading, inspecting, testing, checking, repairing, maintaining, or replacing the District's meters and other facilities. The District may terminate Water Service to any Customer who refuses to permit the District and its authorized employees and representatives to enter upon the Customer's property in violation of this Section. Such termination proceedings shall be conducted in the same manner as service termination for violating Article 8 as set forth in Section 8.5.

ARTICLE 3. BILLS FOR WATER SERVICE

Section 3.1 Monthly Base Rate. Billing for water service includes a monthly base rate charge that funds maintenance, operations and other expenses to Elk Grove Water District necessary to the treatment and distribution of water. It also covers the delivery of water to the public fire hydrants. These charges are due regardless of whether any water is actually used.

Section 3.2 Billing Periods. Bills for general Water Service will be rendered monthly at the option of the District. Bills for special Water Service may be rendered monthly or at any lesser frequency, which the District may choose. Meters will be read at approximately equal intervals, with meter reading frequency the same as billing frequency. Special meter readings will be made for opening or closing billing purposes.

Section 3.3 Billing of Non-Owner Occupied Residences. California Government Code section 54347 authorizes public agencies to collect charges from property owners for services to tenants on those properties. Therefore, with the property owner's permission, the District will bill tenants directly for Water Service, but the final responsibility for those charges lies with the property owner. Should the tenant fail to pay, the property owner will be held liable.

Section 3.4 Billing of Separate Meters. Each meter on a Customer's Premises shall be billed separately and the readings of two or more meters will not be combined unless the District shall, for operating convenience or necessity, install two or more meters in place of one.

Section 3.5 Back Billing: Refunds. If a Customer uses water for which no bills have been issued, the District shall install a meter and determine an average bill for a period of 12 months last past or for as

much of the past 12 months as the Customer has been occupying or in possession of the Premises without paying bills. If a Customer is erroneously overcharged for services, the District may refund charges paid by the Customer in excess of the amount that should have been paid for a period of four years last past or for as much of the past four years as the Customer was overcharged.

Section 3.6 Opening and Closing Bills. If the total period of service is less than 30 days and the quantity of water consumed is less than that of the periodic minimum set forth in Article 9, then the charge for such period of actual use shall be applied to the account.

Section 3.7 Payment. Payment shall be made by delivery or receipt of payments mailed to the District Office or such other places as are designated by the District.

Section 3.8 Delinquent Accounts. All unpaid water bills become delinquent 20 days after the billing date. A late charge as set forth in Exhibit A will be added to the bill at that time. If, the bill is still delinquent when the next bill is sent out, the District shall follow the procedures set forth in Section 4.5 hereof.

Section 3.9 Delinquency Shut Off. When Water Service is discontinued because of delinquency in payment of a bill, the service shall not be restored until the Customer has paid the amounts set forth in Exhibit A.

Section 3.10 Unauthorized Turn On. If, after a service is discontinued for delinquency in payment, service is resumed without authorization, the meter may be removed, and a charge equal in amount to twice the restoration charge is made for restoring service. This charge is in addition to all other charges and deposits.

Section 3.11 Disputed Bills. In case of dispute as to payment of a bill previously delivered, the Customer shall present the receipted bill, canceled check or other satisfactory evidence of payment before the District may make an adjustment or correction.

When a Customer disputes the amount of a bill for any reason, the customer should contact the District Office. If the bill is disputed, to avoid discontinuance of service, the Customer must deposit at the District Office, before the disconnect date, the full amount of the disputed bill with a letter setting forth the basis for the dispute and requesting a review by the Manager. The Manager's findings and decisions will be final and binding. If the Customer's complaint deals with the meter he may request that his meter be tested pursuant to the provisions of Section 6.6. If the meter is found to be over-reading (reading greater than the actual quantity of water consumed), the meter testing fee required under Section 6.6 will be returned and an adjustment to the disputed bill will be made based on the percent of error found.

Section 3.12 Inspections at the Request of Customer. The District may make an inspection of a Customer's Premises upon the request of the Customer, or for other reasons, but not more frequently than two times per year.

ARTICLE 4. DISCONTINUANCE AND RESTORATION OF SERVICE.

Section 4.1 Discontinuance of Residential Water Service for Failure to Pay Bills: Restoration of Service. Bills for Residential Water Service are due upon presentation. Bills become delinquent if not paid on or before the 19th day of the month. When a bill becomes delinquent a late charge in the amount set forth in Exhibit A will be added, and a past due notice is sent out. If the account remains delinquent

after the due date of the past due notice, the District shall follow the procedures set forth in Section 4.5 hereof.

When Residential Water Service is discontinued because of delinquency in payment of a bill, the service shall not be restored until the charges set forth in Exhibit A are paid.

Section 4.2 Termination of Service to Multifamily Residential Structures or Mobile Home Parks as to Residential Units on a Master Meter. Residential Water Service provided through a master meter, through individually metered services in a multifamily residential structure or mobile home park when the owner or manager is listed by the District as the Customer, shall not be discontinued until such time as the District has followed the procedure set forth below.

1. The District shall make a good faith effort to inform the actual users of the service that the account is in arrears, and that service will be terminated in 10 days. The means by which the District informs such users shall be by notice delivered to or posted at the place of residence of the users in a public place, prominently displayed. The notice shall also inform such users that they have the right to become Customers of the District without being required to pay the amount due on the delinquent account.
2. The District is not required to make service available to the actual users unless each actual user agrees to the terms and conditions of service as set forth in this Ordinance, and meets the requirements hereof. However, if one or more actual users are willing and able to assume responsibility for the entire account to the satisfaction of the District, or if there is a physical means, legally available to the District, of selectively terminating service to those actual users who have not met the requirements of this Ordinance, the District shall make service available to the actual users who have met those requirements.
3. In order to establish credit with the District, an actual user may offer evidence of prompt payment of rent at his place of residence for the time required for the establishment of credit for other District Customers.

Section 4.3 Conditions and Restrictions on Termination of Residential Water Service. The District shall not terminate Residential Water Service for nonpayment of a delinquent account unless it first gives notice of delinquency and pending termination in the manner provided for in Section 4.5. The District will not terminate Residential Water Service for nonpayment of bills for Water Service in any of the following situations:

- During the pendency of an investigation by the District of a Customer dispute or complaint; or
- When a Customer has been granted an extension of the period for payment of a bill; or
- On the certification of a licensed physician and surgeon that termination of Water Service will be life-threatening to the Customer or to a person living in the residence of the Customer on a permanent basis and the Customer is financially unable to pay for service within the normal payment period and is willing to enter into an amortization agreement with the District by the terms of which the Customer will be permitted to amortize, over a period of not to exceed 12 months, the unpaid balance of any bill asserted to be beyond the means of the Customer to pay within the normal period for payment.

Section 4.4 Customer Complaints. Any residential Customer who has initiated a complaint or requested an investigation within 5 days of receiving the disputed bill, or who has, within 13 days of the mailing of the notice described in Section 4.5 hereof, made a request for extension of the payment period of a bill asserted to be beyond the means of the Customer to pay in full during the normal period of payment, shall be given an opportunity for review of the complaint, investigation or request by the Manager. The review shall include consideration of whether the Customer shall be permitted to amortize the unpaid balance of the account over a reasonable period of time, not to exceed 12 months. No termination of Residential Water Service shall be effected for any Customer complying with an amortization agreement, if the Customer also keeps the account current as charges accrue in each subsequent billing period. Any Customer whose complaint or request for an investigation has resulted in an adverse determination by the Manager may appeal such determination by written appeal to the Board.

Section 4.5 Form of Notice of Termination: Time and Method of Giving Notice; Form of Termination Order; Failure to Comply with Amortization Agreement; Effect of Wrongful Termination.

1. In the event of nonpayment of a delinquent account, the District shall first give notice to the Customer of the delinquency and impending termination, at least 10 days prior to the date of the proposed termination, by means of a notice mailed, postage prepaid, to the Customer to whom the service is billed, such notice to comply with the requirements of subsection (c) hereof. The 10-day notice period shall not commence until 5 days after the actual mailing of the notice. If the Customer is a tenant, a copy of the notice shall be mailed to the owner of the Premises at the same time the notice is mailed to the Customer.
2. If the account remains delinquent after the due date of the 10 day past due notice, the District shall hang a 48 hour shut off notice at the premises.
3. The notice of termination of Water Service pursuant to subparagraph (1.) shall include the following:
 - a. Name and address of the delinquent Customer,
 - b. The amount of delinquency,
 - c. The date by which payment or arrangements for payment is required to avoid termination,
 - d. The procedure by which the Customer may request amortization of unpaid charges,
 - e. The telephone number of a representative of the District who can provide additional information or institute arrangements for payment.

The notice of termination of Water Service pursuant to subparagraph (2.) shall include the items of information in paragraphs (a.), (b.), (c.), and (d.).

4. If a residential Customer fails to comply with an amortization agreement, the District shall not terminate Water Service without giving notice at least 48 hours prior to termination of the conditions the Customer is required to meet to avoid termination, but the notice does not entitle the Customer to further investigation by the District.
5. No termination of Water Service may be effected without compliance with this Section 4.5, and

any service wrongfully terminated shall be restored without charge for the restoration of service.

6. The District shall not, by reason of delinquency in payment for Water Service, cause cessation of service on any Saturday, Sunday, legal holiday, or any time when the District's business office is not open to the public.
7. Cessation of service shall not commence prior to 7:00 a.m.
8. Restoration of service is only available during work hours from 8:00 a.m. to 5:00 p.m. Monday through Friday. Operations staff is not authorized to accept payment at any time, or to restore service until satisfactory arrangements have been made with the billing department of the EGWD.
9. When a Customer's water bill becomes delinquent and/or when the District terminates water service as provided in subsections 1-6 above, or when the District has determined that the recovery of the amount due may be uncertain due to abandonment of a parcel and/or water service connection, then the District shall cause to be filed with the Sacramento County Recorder a Notice of Lien, setting forth the legal description of the property, the amount of the obligation owed, specifying that the same is owed to the District, and that all delinquent service charges, together with late fees, penalties and interest, are a lien against the parcel to which the service was provided.

Section 4.6 Discontinuance of Water Service of Any Type as a Result of Tampering, Misuse of Water Supply Facilities, or Obtaining Service Through Fraudulent Means: Restoration of Service. Water Service of any type may be discontinued without notice to any premises where evidence of tampering or misuse of Water Supply Facilities is found and where apparatus, appliances, or conditions are, in the opinion of the Manager or public health agencies, found to be dangerous or injurious to the Customer or others. Such Water Service that has been discontinued may be restored upon correction, to the satisfaction of the Manager, of the condition causing discontinuance of service, and upon payment of all applicable costs including the charges set forth in Exhibit A.

Water Service of any type may be discontinued to any Customer without notice when service has been obtained by fraudulent means or water has been used through an unauthorized connection including the installation of a private well. Such Water Service may not be restored until the requirements of the District are met and the charges set forth in Exhibit A are paid.

Section 4.7 Discontinuance of Water Service of any Type at the Request of the Customer: Restoration of Service. Water Service of any type may be discontinued at the request of the Customer, the effective date to be not less than two days after receipt by the District of the Customer's request for discontinuance. Restoration of such Water Service shall be treated as a request for a new service, and shall require all such deposits and payments as are required under Exhibit A.

ARTICLE 5. SPECIAL WATER SERVICE.

Section 5.1 Conditions. General applicants for special water service, as hereinafter described, shall be subject to all requirements of applicants for general Water Service and to all special requirements set forth herein.

Section 5.2 Public Fire Hydrants. Fire hydrants of specified size and type and at locations designated by fire protection agencies or other public authorities with the approval of the Manager shall be installed.

Hydrants shall be installed in public rights of way or in easements obtained by or on behalf of the District. Such hydrants shall be considered a part of local distribution facilities, and their construction shall be governed by all requirements applicable thereto. Use of fire hydrants shall be limited to fire fighting purposes, including fire protection agency practice drills and testing, authorized use by public agencies and for temporary service as provided in Section 5.5.

Public fire hydrants shall be opened or used only by persons authorized to do so. Hydrants shall be operated only with an approved spanner wrench or special tool. Hydrant outlets shall be capped when not in use.

A person who desires the removal or relocation of a fire hydrant must obtain the consent of both the Manager and the Fire Chief for such removal or relocation by submitting a written request to the Manager and Fire Chief. Such request shall set forth all the relevant facts and circumstances regarding the requested removal or relocation of the fire hydrant. If the Manager and Fire Chief consent to the proposed removal or relocation, then the District will perform the removal or relocation at the expense of the person requesting such change.

Section 5.3 Private Use of Public Fire Hydrants. Private use of public fire hydrants may be permitted for temporary service within the provisions of Section 5.5.

A Permit for such service shall be obtained from the District Office. The Permit shall be exhibited upon the work site while water is taken. The Permit shall state the period during which water may be taken, and the location of hydrants that may be used.

Water taken from hydrants shall be metered, unless otherwise permitted by the Manager. Water used from hydrants shall be billed and paid for at the same rates as for regular Water Service. If unmetered hydrant use is permitted, monthly minimum charges shall be the same as those applicable to a 3-inch meter.

Section 5.4 Automatic Fire Sprinkler Systems. An applicant for service to automatic fire sprinkler systems shall make application on the form provided for this purpose and shall advance to the District the estimated cost of the service. Upon completion of the work, the advance will be adjusted to actual cost.

Sprinkler connections shall be of at least 2-inch diameter. Each sprinkler connection shall have an approved double detector check valve and bypass meter.

Water furnished through a fire sprinkler connection shall be used only for fire fighting purposes and for authorized testing of fire protection facilities. Fire system testing shall be conducted during normal business hours, and the District shall be notified at least one day prior to any such testing. No charge will be made for water through the double detector check valve and used for extinguishing accidental fires. All other water taken through a connection by-pass meter shall be charged for at double the regular metered rates applicable to a meter of the size of the bypass meter.

Monthly charges for normal use of fire sprinkler connections shall be as set forth in Exhibit A, Schedule 3.

Section 5.5 Private Fire Protection Fees. In addition to the other fees and charges set forth herein, applicants for private fire protection service shall pay the total actual cost of installation of such service from the distribution main of the District to the applicant's property line, including the costs of a suitable meter device. With the approval of the fire department,

temporary service may be provided through and existing, metered fire hydrant. When a fire hydrant is not available for temporary service, a connection may be made to an existing District main at a location acceptable to the Manager. The applicant shall deposit the estimated cost of the equipment and service being furnished, and an amount sufficient to guarantee the payment of the periodic water bills.

Section 5.6 Temporary Service. An applicant for temporary service shall make application on the form provided for this purpose. If, in the opinion of the Manager, the service will not result in any undue hardship to existing Customers, temporary service will be granted after the applicant has:

1. Advanced to the District the estimated net cost of installing the facilities necessary to furnish the service; and.
2. Deposited a sum of money equal to the estimated bill when the duration of service is to be for a period of one month or less, subject to adjustment and refund or repayment in accordance with the actual bill due upon discontinuance of service; or
3. Established credit in the same manner as is prescribed for regular service when the duration of service is to exceed one month.

Adjustment of any difference between the estimated net cost advanced and the actual cost of installing and removing the facilities necessary to furnish the temporary service, including costs for depreciation and consumption of such facilities, will be made within 10 days after the District has ascertained such actual cost. The actual cost thus advanced is not subject to refund except as hereinafter provided.

Rates, charges and conditions for temporary service will be the same as those prescribed for general service except as are herein otherwise provided.

Section 5.7 Low Pressure Service. Premised located where normal distribution system pressure, corrected to the highest elevation of regular water use, is less than 20 pounds per square inch, cannot be adequately serviced, and such services are considered low-pressure services. Low pressure service will be provided only upon agreement by the applicant:

1. To accept substandard service;
2. To make no protest of assessment district or other proceedings whose objective is improvement of the Water System; and
3. To make any reapplication or alterations of equipment necessary to utilize an alternative Water Service connection upon request by the Manager.

Section 5.8 Special Contract Service. The District may provide special Water Service under any conditions advantageous to the District. When any special service cannot appropriately be provided under the terms of one of the foregoing sections, it may be provided as a special contract service. Contracts for special contract service shall be prepared by the District, and upon approval by the Manager shall be submitted to the Board of Directors for approval.

Section 5.9 Construction Water. Construction Water may be provided under the following conditions:

1. Construction water and other temporary water uses shall be provided by the District in return for the payment of the rates and charges hereinafter set forth. Such rates and charges shall be set forth in a permit allowing water to be taken from District approved fire hydrants by approved methods, any such permit being valid up to a three-month period. This permit does not qualify the holder thereof to any permanent connection to any such hydrant or other portions of the District system.
2. The rates established for use under such permit shall be set forth on Exhibit A.
3. Special permits in excess of 90 days may be obtained by contacting the District.
4. The physical permit issued for water trucks, including other mobile units, must be carried in the vehicle. A single permit is required for each vehicle or mobile unit.
5. The physical permit issued for non-mobile use shall be stored on-site at all times.
6. The original physical permit shall be presented to District personnel immediately upon request. Failure to present permit shall be considered a violation and subject to the charges identified in Exhibit A.
7. Construction water obtained from the District shall require the installation of an approved Contractor-supplied backflow device and water meter in accordance with the EGWD Standard Specifications. The water meter(s) shall be presented to the District at the time of issuance for the permit to obtain serial number and initial meter reading.
8. To obtain a permit under this Ordinance, applicants should contact the District office at 9257 Elk Grove Boulevard, Elk Grove, California between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays. A permit shall be issued on receipt of a check or cash for the cost of the permit.

ARTICLE 6. METER INSTALLATION AND METERING.

Section 6.1 Meter Sizing, Location, and Maintenance. All meters shall be provided and installed by the District. The Manager will make a determination of the correct size and layout of metering installation. Standard size meter is 1 inch. The standard size meter will normally be used for Single Family Units. For each Premise for which application is made for Water Service, the Manager shall determine the minimum size of the service pipe and meter to be installed. This determination shall be based on the applicable sections of plumbing and building codes, and other criteria deemed applicable. At the applicant's request, the Manager may provide a larger sized meter than determined to be the minimum.

Wherever possible, meters will be located on public right-of-way adjacent to the boundary of the Premises being served. Where this is not feasible, the meter will be located within the parcel being served. The Customer shall, as a condition of service, keep the metering installation uncovered and reasonably accessible for reading and maintenance. In the event the District utilizes automated meter reading procedures, the Customer shall provide any casement required for cables or other equipment required for such procedures. The cost of replacement or repair of a meter or meter box shall be borne by the owner of

property served thereby. It is the responsibility of the Customer to keep the meter free from vandalism, damage from negligence or neglect or unauthorized use or tampering.

Section 6.2 Change of Meter Size. A Customer receiving Water Service may request change of meter size. The request will be considered by the Manager on the same basis as sizing of a meter for a new service. If the request for the meter change is granted, the change will be made at the Customer's expense and subject to installation in accordance with the EGWD Standard Specifications.

Section 6.3 Change of Meter Location. When a Customer requests relocation of an existing meter or service connection for the Customer's convenience, the relocation is at the Customer's expense and shall be subject to approval by the District. Relocation and installation of the meter shall be in accordance with the EGWD Standard Specifications.

Section 6.4 Multiple Dwelling Structures: Individual Meters Required: Exceptions. Separate multiple dwelling structures shall be served with separate meters; however, exceptions may be permitted where the following conditions exist:

1. Where one multiple dwelling structure is located immediately behind another dwelling structure on the same parcel of land so that it is necessary to run the Water Service line by one structure in order to serve the second structure.
2. Where the arrangement of the buildings in an apartment complex would result in awkward meter locations or easements in hard-to-reach locations.
3. Where "cluster" metering or master metering of an apartment complex would be advantageous to the District.

Section 6.5 Multiple Meters. Multiple meters on a single service, installed by the District for its own convenience, shall, for billing purposes, be considered a single meter of a size equivalent in capacity to the sum of the capacities of the individual meters. Multiple meters, installed at the request of the Customer to meet his needs, shall be considered as individual meters for billing purposes.

Section 6.6 Meter Testing. Meters will be tested by the District upon request of the Customer and payment of a fee, as set forth in Exhibit A. Meters will be removed for testing within 10 working days after receipt of request and payment of the fee. In the event it is determined that the meter was over-reading (reading greater than the actual quantity of water consumed), the fee shall be refunded to the Customer. No portion of the fee shall be refunded in the event it is determined that the meter was reading accurately or under-reading.

Payment of the fee will not be required in cases in which the District elects to replace the meter in lieu of testing such meter as requested.

Section 6.7 Erroneous Meter. When the District shall find a meter to be stuck or under-registering, the Customer shall be charged on the basis of minimum water used by the Customer during any equal period of time during the preceding year.

Section 6.8 Electrical Discontinuity. The District will not provide a continuous circuit through meters or service piping. Customers are advised not to rely on any Water Supply Facilities for electrical grounding. The District may hold the Customer liable for any damage to the Water System resulting from use of the system as a grounding circuit, whether intentional or otherwise.

ARTICLE 7. WATER SYSTEM CONSTRUCTION.

Section 7.1 Supervision. All construction work performed on the Water System shall be the responsibility of, and shall be under the general supervision of, the Manager.

Section 7.2 Standards and Specifications. The Manager shall cause the preparation of appropriate standards and specifications to govern construction of Water Supply Facilities. Such specifications shall include provisions governing materials, workmanship, testing and warranty of Water Supply Facilities. Any changes to such standards and specifications shall be subject to approval of the Board before being put into effect.

Section 7.3 Plan Check. Plans for the construction of Water System extensions and improvements shall be checked for compliance with such standards and specifications described in Section 7.2 hereof. Prior to the commencement of the Plan Check, the District shall be in receipt of the plan check fee as established by Exhibit A.

Section 7.4 Inspection and Approval: Payment of Inspection Fees. The Manager shall provide for the adequate inspection and control of construction work performed on the Water System. Work to be accepted by the District must meet the provisions of applicable regulations of public agencies having jurisdictional authority as well as District regulations. For other work to be accepted by the District, the Manager shall give written approval and acceptance of the work. All inspections shall be performed only after receipt of the water inspection fee; therefore, as established by Exhibit A.

ARTICLE 8. CONTROL OF BACKFLOW AND CROSS-CONNECTIONS.

Section 8.1 Purpose. As required by California Code of Regulations, Title 17, section 7584, the District seeks to adopt, operate and administer a cross-connection control program in accordance with California Code of Regulations, Title 17, sections 7584-7605. To ensure it may operate and administer its cross-connection control program, District shall employ personnel certified by the American Water Works Association (“AWWA”) as a “Cross Connection Control Specialist” as necessary and appropriate.

Section 8.2 Surveys. The District shall conduct cross-connection surveys to identify actual or potential cross-connections. The District may also test and evaluate any installed backflow prevention assemblies as it deems necessary.

Section 8.3 Backflow Prevention Device. Upon notification of any cross-connection conditions at their Premises, Customers shall install, maintain and repair at their expense backflow prevention assemblies that are commensurate with the degree of hazard, as determined by the District, and meet the standards of the University of Southern California Foundation for Cross Connection Control and Hydraulic Research. All backflow prevention assemblies shall be tested, maintained and repaired by an AWWA-certified “Backflow Tester” as required by the District, pursuant to this Article 8 and applicable state law and regulations.

Section 8.4 District Records. The District shall maintain records of locations, installations, tests and repairs of all backflow prevention assemblies within the District for a period of three (3) years. The Customer shall provide evidence of all installations, tests and repairs to the District.

Section 8.5 Termination of Water Service. Failure of any Customer to comply with the requirements of this Article 8 and applicable state law and regulations shall be grounds for Water Service termination. Prior to such termination, Customer shall be notified of the District’s intention to discontinue service,

with an explanation of the basis thereof. There will be a reasonable opportunity given to comply before any action will be taken by the District. However, no such notice to afford an opportunity to comply need to be given in those instances in which the non-compliance may cause conditions dangerous and detrimental to public health, safety and welfare, or are in violation of applicable State law or regulation.

ARTICLE 9. RATE SCHEDULES FOR WATER SERVICE.

Section 9.1 Purpose of Rates. It is the intention of the District to fix its rates and charges so as to accurately and fairly recover its cost of providing water service to its Customers. Factors taken into consideration in the establishment of such rates and charges are the following: (1) cost of purchase of water; (2) cost of providing groundwater; (3) cost of diversion of surface water; (4) cost of “wheeling” water through systems owned by others; (5) cost of water filtration and treatment; (6) system operation and maintenance costs; (7) filing and accounting costs; (8) system capital costs and replacement; and (9) costs incurred in complying with water quality standards.

Section 9.2 General Metered Rates. Rates and charges for metered Water Service for FY 2011-12 are as set forth in Exhibit A.

Section 9.3 General Flat Rates. Rates for general flat rate service for FY 2011-12 are as set forth in Exhibit A.

Section 9.4 Private Fire Protection Service Rates. Rates for private fire protection service for FY 2011-12 are as set forth in Exhibit A.

Section 9.5 Construction Water. Rates for Construction and other temporary Water Service for FY 2011-12 are as set forth in Exhibit A.

Section 9.6 Continuing Effectiveness of 5-Year Rate Schedule Adopted by Ordinance 04-23-08-01. Notwithstanding any provision herein, District expressly retains its legal authority to implement, at any time, any and all rate increases approved by adoption of Ordinance 04-23-08-01 to the extent such approved increases were previously deferred and not implemented by direction of the Board.

ARTICLE 10. CLAIMS AND LAWSUITS.

Section 10.1 Claims and Lawsuits Procedures. The following procedures apply to all claims and lawsuits filed or brought against the District.

Section 10.2 Claims Required. All claims against the District for money or damages not otherwise governed by the Government Claims Act, California Government Code Sections 900 et seq., or another state law shall be presented within the time, and in the manner, prescribed by Part 3 of Division 3.6 of Title 1 of the California Government Code (commencing with Section 900 thereof) for the claims to which the Part applies by its own terms, as those provisions now exist or shall be amended, and as further provided herein.

Section 10.3 Form of Claim. All Claims shall be made in writing and verified by the claimant or by his or her guardian, conservator, executor, or administrator. No claims may be filed on behalf of a class of persons unless verified by every member of that class as required by this Section. In addition, all claims shall contain the information required by California Government Code Section 910.

Section 10.4 Claim Prerequisite to Suit. In accordance with California Government Sections 935(a) and 945.6, all claims shall be presented as provided in this Section and acted upon by the District prior to the filing of any action on such claims and no such action may be maintained by a person who has not complied with the requirements prescribed herein.

Section 10.5 Suit. Any action brought against the District upon any claim or demand shall conform to the requirements of Sections 940-949 of the California Government Code. Any action brought against any employee of the District shall conform with the requirements of Section 950-951 of the California Government Code.

ARTICLE 11. ANNEXATION FOR WATER SERVICE.

Section 11.1 Conditions of Annexation. When, for the purpose of receiving Water Service from the District, the owner of property located adjacent to, but outside the District, desires the annexation of that property into the District, he shall submit a letter of request to initiate the annexation action. That letter shall state the reason for requesting annexation. It shall include the legal description of the property and shall be signed by the legal owner of the property. Such a letter, when received by the District, will be placed on the agenda as an action item for the Board of Directors. If the request is approved, the District will initiate a response letter to the owner setting forth step-by-step the procedures required to complete the annexation. The required steps are as follows:

1. Feasibility Study - A feasibility study made by the District Engineer at the cost of the owner of the property to be annexed is a requirement for every annexation unless the Board of Directors by special action approves a variance to the procedure. The feasibility study must be comprehensive enough to pinpoint any problems that might occur as a result of the annexation. It must specify the location, size, and length of any lines required to serve the area and it must provide the estimated cost of providing any required facilities.
2. Terms and Conditions - A set of terms and conditions will be prepared by the District using information from the feasibility study. These terms and conditions will set forth the actions required to provide adequate service in the areas being annexed and will state the amount of the acreage fee to be paid by the owner of the property when agreement has been reached on the terms and conditions for annexation. The amount of this acreage fee will be calculated following the completion of the feasibility study in accordance with Exhibit A. The fee may vary depending upon the nature of the development plan for the area being annexed and the cost of providing facilities for the area.
3. Processing Through LAFCO - When agreement on terms and conditions has been reached and the acreage fees are paid or arrangements for payment of acreage fees had been reached and included in terms and conditions, the attorney for the District prepares all other necessary documents for the submission of the annexation to LAFCO. This service is provided at the expense of the property owner.

Should a request for the annexation of a particular property be disapproved, a letter shall be sent to the property owner notifying him of the Board's action and setting forth the reason for disapproval.

ARTICLE 12. CONSERVATION OF POTABLE WATER.

Section 12.1 General. The District shall implement specific water conservation measures to reduce the use and eliminate waste of potable water. The District shall educate its Customers in the efficient use of water to help conserve water delivered by the District, and will furnish Customers such information at such time and in such manner as the Board approves.

Section 12.2 Conservation Requirements. Customers shall conserve water supplied by the District by the prevention and elimination of waste or leakage of water. For the benefit of the public, and to further the cause of water conservation in landscaping, one home in each model home display must be landscaped with water efficient (xeriscape) plant material and irrigated with appropriate water-conserving irrigation systems, in accordance with the following requirements:

1. The landscaping for the xeriscape model shall be designed to be drought-tolerant. The use of irrigation-intensive plantings shall be discouraged;
2. All turf area shall be no more than 30% of the area landscaped; and
3. The model home display shall draw attention to the specific landscape materials and irrigation techniques utilized.

ARTICLE 13. MISCELLANEOUS PROVISIONS.

Section 13.1 Further Action. The Manager and staff of the District are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance.

Section 13.2 Publication. This Ordinance shall be in effect after its publication in full, together with the names of the Directors of the District voting for or against its passage, in the Elk Grove Citizen, a newspaper of general circulation in the District by one publication.

Section 13.3 Effective date of rates and charges The rates and charges herein, shall take effect upon adoption.

ADOPTED, SIGNED AND APPROVED this 22nd day of June 2011.

FLORIN RESOURCE CONSERVATION DISTRICT

By Barrie Lightfoot
Barrie Lightfoot, Chairperson

ATTEST:

By Stefani Phillips
Stefani Phillips, Secretary

STATE OF CALIFORNIA)

) ss.

COUNTY OF SACRAMENTO)

I, Stefani Phillips, Secretary of the Board of Directors of the FLORIN RESOURCE CONSERVATION DISTRICT, DO HEREBY CERTIFY that the foregoing Ordinance was duly adopted by the Board of Directors of said District and was approved by the Chairman of said District at a Regular Meeting of said Board of Directors held on the 22nd day of June 2011, and that it was so adopted as follows:

AYES: Dawson, Nelson, Mullerg, Lightfoot, and Perez

NAYS:

ABSENT:

Stefani Phillips
Stefani Phillips, Secretary

EXHIBIT A

Florin Resource Conservation District/Elk Grove Water District

Water Ordinance

Schedule of Charges, Rates, Fees and Deposits

1. Account Set Up Fee. Any new occupant of a residence will be considered as a new account and will be charged the "Account Set Up Fee" of \$30.00.
2. Delinquency Shut Off. When Water Service is discontinued because of delinquency in payment of a bill, the service shall not be restored until the Customer has paid
 - The amount of the unpaid bill,
 - \$25.00 fee for the 48 hour "door hanger",
 - A shut off fee of \$60.00, and
 - A restoration fee of \$40.00.

During the 48-hour door hanger period, termination of service may be avoided by payment of the unpaid bill, and the \$25.00 48-hour door hanger fee. All of the foregoing fees must be paid in cash, cashier's check or money order only.

3. Change of Meter Size. Upon the granting of a request for a change of meter size, the change will be made by the District upon payment by the Customer of an amount equal to the cost of making the change. Actual cost shall include an administrative processing cost as determined by the Manager of not less than \$50.00.
4. Change of Meter Location. When a Customer requests relocation of an existing meter or service connection for the Customer's convenience, the relocation is at the Customer's expense on the basis of the actual cost of relocation. Actual cost shall include an administrative processing cost as determined by the Manager of not less than \$50.00 plus actual costs. Labor will be charged at \$75.00 per hour.
5. Meter Testing. Meters will be tested by the Water District upon request of the Customer and payment of a fee of \$100.00 per meter to be tested.
6. Back Flow Valve Testing. Back flow valves will be tested by the Water Service upon request of the Customer and payment of a fee of \$200.00 for each valve tested.

7. Plan Check Fees for Water System Extensions. Any person required by this Ordinance to have plans checked shall deposit with the Elk Grove Water Service of the District the following fee or fees for the service:

Irrigation only:	\$500
Nine or less lots, building units, or EDUs:	\$2,000
Ten or more lots, building units or EDUs:	\$5,000

This deposit will serve as credit towards fees for plan check, inspection, engineering and administrative costs of the project and actual fees will be calculated on a time and materials basis. Expenses incurred beyond the deposit will be billed monthly and the project will not be accepted by Elk Grove Water Service until all outstanding balances have been paid. Credits not used after acceptance of a project shall be refunded to the project.

8. Schedule No. 1: General Metered Service Rates. Rates and charges for Water Service are as follows:

Schedule No. 1

GENERAL METERED SERVICE

APPLICABILITY

Applicable to all metered water service.

TERRITORY

Throughout all Water Service areas, the City of Elk Grove and vicinity, Sacramento County.

RATES

**Per Meter Per Month
2011/2012**

Residential Usage:

First 3000 Cu Ft. Per 100 Cu. Ft.	\$1.46
Over 3000 Cu Ft.	\$1.80

Non-Residential Usage:

First 3000 Cu Ft. Per 100 Cu. Ft.	\$1.46
Over 3000 Cu. Ft.	\$1.80

<u>Meter Charge:</u>	<u>Per meter Per month</u>
	<u>2011/2012</u>
For 5/8 X 3/4-inch meter (existing)	\$56.53
For 3/4-inch meter (existing)	\$56.53
For 1-inch meter (standard)	\$56.53
For 1-1/2 inch meter	\$73.48
For 2-inch meter	\$118.71
For 3-inch meter	\$446.56
For 4-inch meter	\$565.29
For 6-inch meter	\$847.93
For 8-inch meter	\$1,170.14

9. Schedule No. 2 General Flat Rate Service. Rates and charges for Water Service are as follows:

Schedule No. 2

GENERAL FLAT RATE SERVICE

APPLICABILITY

Applicable to all flat rate water service.

TERRITORY

Throughout all Water Service Area No. 1, the City of Elk Grove and vicinity, Sacramento County. (T)

RATES

For any premises not exceeding 4,000 sq. ft. in area and served from a service connection having a diameter of:

Flat Rate**Per Service Connection Per Month****2011/2012**

For 3/4-inch service (existing)	\$62.64
For 1-inch service (standard)	\$78.30
For 1-1/4-inch service	\$93.96
For 1-1/2-inch service	\$109.83
For 2-inch service	\$164.44
For 3-inch service	\$618.58
For each additional single family residential unit	\$10.19
For each sq. ft. of premises, over 4000 sq. ft.	\$0.00244

SPECIAL CONDITIONS:

For service covered by the above classification, if the District so elects, a meter shall be installed and service provided under Schedule No. 1, General Metered Service.

10. Schedule No. 3. Private Fire Protection Service Rates. Rates for private fire protection within the District boundaries are as follows:

Schedule No. 3**PRIVATE FIRE PROTECTION SERVICE****APPLICABILITY**

6/16/2011
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Applicable to all water service furnished for privately owned fire protection service.

TERRITORY

Throughout all Water Service Areas, Elk Grove and vicinity, Sacramento County.

RATES

Fire Protection Service

Per Service Connection Per Month

2011/2012

For each 3-inch service connection	\$89.32
For each 4-inch service connection	\$113.05
For each 6-inch service connection	\$169.58
For each 8-inch service connection	\$234.02

SPECIAL CONDITIONS:

a. The fire protection service shall be installed by the Contractor in accordance with the EGWD Standard Specifications and the cost paid by the applicant. Such payment shall not be subject to refund.

b. If a distribution main of adequate size to serve a private fire protection system in addition to all other normal service does not exist in the street or alley adjacent to the premises to be served, then a service main from the nearest existing main of adequate capacity shall be installed by the Contractor in accordance with the EGWD Standard Specifications and the cost paid by the applicant. Such payment shall not be subject to refund.

c. Service hereunder is for private fire protection systems to which no connection for other than fire protection purposes are allowed and which are regularly inspected by the underwriters having jurisdiction, are installed according to specifications of the District, and are to be maintained to the satisfaction of the District. The District may install the standard detector type meter approved by the Board of Fire Underwriters for protection against theft, leakage or waste of water, and the cost paid by the applicant. Such payment shall not be subject to refund.

11. Schedule No.4 Construction and other temporary services. Rates for construction and other services are as follows:

Schedule No. 4

CONSTRUCTION AND OTHER TEMPORARY SERVICE

APPLICABILITY

Applicable to all temporary water service rendered for street paving, grading and trench flooding, and for all water delivered to tank trucks from fire hydrants or other outlets for such purposes.

TERRITORY

Throughout all Water Service Areas, the City of Elk Grove and vicinity, Sacramento County.

RATES

Service Charge. Permits will be charged a set-up and processing fee for each permit based on the duration and schedule of fees as follows:

Duration of Permit	Cost of Permit
1 - 10 days	\$27.00
11-30 days	\$67.00
31-90 days	\$201.00

Quantity Charge:

For all water used, the charge shall be the current effective metered service quantity rate for the Water Service area within which the water is delivered.

SPECIAL CONDITIONS:

a. The applicant for such temporary service must first make written application to the District, and shall be required to pay to the District in advance the cost of installing and removing facilities necessary in connection with furnishing such service.

b. The applicant for temporary shall be required to deposit with the District a sum of money equal to 1 ½ times the estimated amount of the District's bill for such service, which accrues from the furnishing of such service. Upon permit expiration, the Contractor should bring the water meter used for the permit into the District where a final meter reading will be collected. The District will determine if additional monies or a refund is due, and collect the amount or process a refund. If a refund is owed, a check will be prepared and mailed to the Contractor.

c. When a person is found to be connected to an outlet (including fire hydrants, water services, water lines, blow-offs, or other such appurtenance), without first having obtained a permit or

other written permission from the District, the person shall pay the District \$100.00 per occurrence/connection for such unauthorized usage.

12. Meter and Installation Charges. Meter, capable of remote automated meter reading (AMR), and installation charges applicable to such service installation(s) are as follows:

Meter Size	Cost of Meter and Installation
1"	\$580.00
1-1/2" (Domestic)	\$866.00
1-1/2" (Irrigation)	\$1,215.00
2" (Domestic)	\$1,102.00
2" (Irrigation)	\$1,415.00
3" (Domestic)	\$2,645.00
3" (Irrigation)	\$1,660.00
4" (Domestic)	\$4,470.00
4" (Irrigation)	\$3,188.00
6" (Domestic)	\$8,452.00
6" (Irrigation)	\$5,900.00

Meter Size larger than 6" is meter cost with AMR plus installation charges.

Beginning June 1, 2007 and continuing annually thereafter on that same month and day, the minimum Meter and Installation Charges will be automatically increased according to the most recent index values published in Engineering News-Record Magazine's Construction Cost Index.

13. Returned Check Service Charge. Any person who submits to the District a check for which there are insufficient funds shall be subject to a \$25.00 service charge, in addition to the amount of the check, for the first occurrence and a \$35.00 service charge for each subsequent occurrence.