

**MENDOCINO COUNTY RUSSIAN RIVER FLOOD CONTROL
&
WATER CONSERVATION IMPROVEMENT DISTRICT**

POLICY #06-1

**A POLICY OF THE BOARD OF TRUSTEES OF THIS DISTRICT
REGARDING REQUEST FOR WATER SUPPLIES FROM DEVELOPERS**

THE BOARD OF TRUSTEES OF THE BOARD OF TRUSTEES OF MENDOCINO COUNTY RUSSIAN RIVER FLOOD CONTROL AND WATER CONSERVATION IMPROVEMENT DISTRICT, HEREBY FINDS IT NECESSARY AND APPROPRIATE TO ADOPT THE FOLLOWING POLICY. SAID POLICY SHALL REMAIN IN EFFECT FROM DATE OF ENACTMENT UNTIL CHANGED, AMENDED OR CANCELLED.

Inasmuch as developers of housing have approached our District in an attempt to secure water resources for their proposed projects, our Board of Trustees has determined that the following policy requirements shall be complied with prior to this District offering a water supply for the referenced proposed projects.

1. A developer shall fully disclose in a complete and detailed manner the type, nature, intensity, and magnitude of the proposed ultimate project to the Board of Trustees of the Mendocino County Russian River Flood Control and Water Conservation Improvement District. This information shall include detailed and specific consumptive water demands for the project, and indications that the developer will comply with all current and future water conservation strategies and fixtures that may be required by the District as a condition of the receipt of our water supplies. Additionally, the developer shall present to the Board of Trustees verifiable evidence as to how the developer proposes to deliver District water from the Russian River to the property of the proposed development. If they are within the boundaries of an existing Water District, they shall apply through that Water District.
2. The developer shall have completed by the appropriate lead agency a full and complete environmental review and analysis prepared and executed pursuant to provisions and requirements of the California Environmental Quality Act. The District shall not provide any allocation of water without the prior adoption by the appropriate lead agency of a complete and certified environmental document prepared pursuant to CEQA.

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3. Developers shall provide comprehensive and verifiable evidence that a project has been approved by the appropriate land use agency prior to any water being committed by the District to the proposed project. This evidence shall include verifiable documentation that the proposed project complies with all applicable and appropriate General Plan policies and Zoning Ordinances.
4. Our District Board of Trustees shall, upon receipt of information referenced in Items 1, 2 & 3 above, be required to evaluate the condition and supply of available District water and shall make a finding after a public hearing and testimony that water is available that may be allocated for the developer's proposed permanent uses. If the Board of Trustees cannot make a finding of availability, either because of lack of supply or failure on the part of the developer to provide the required information and documentation, the District shall not allocate water for such a project.
5. Inasmuch as the District Board of Trustees is aware that there are ever greater demands upon its water supply to facilitate new development and existing water demands, the Board of Trustees shall not agree to reserve available water for any project meeting the requirements of this Policy for longer than 36 months from the date of satisfaction of the above referred conditions and requirements.
6. As a condition of granting water from the District's supply for any proposed new development, the developer thereof shall be obligated and required to fully and completely defend and indemnify Mendocino County Russian River Flood Control and Water Conservation Improvement District for all costs, charges, fines, penalties and expenses of any kind related to any and all challenges and litigation that may be filed against the District, its officers, employees, or agents as a result of the District's commitment of water resources to the proposed development.

Adopted this 11th day of September 2006, by the Board of Trustees of the Mendocino County Russian Rivers Flood Control & Water Conservation Improvement District.

Judy Hatch: Yes
Tom Ashurst: Absent
Mike Lucchetti: Yes
Richard Shoemaker: Yes
Bill Townsend: Yes

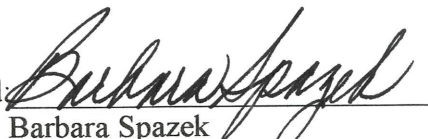
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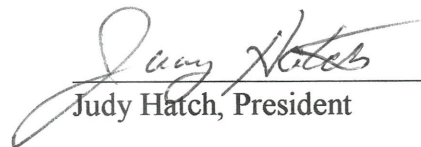
Ayes: 4

Nays: 0

Absent: 1

Attested:


Barbara Spazek
Secretary to the Board


Judy Hatch, President