

RESOLUTION NO.

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
REDWOOD VALLEY COUNTY WATER DISTRICT  
ESTABLISHING CRITERIA FOR CONNECTIONS UNDER  
HEALTH AND SAFETY CODE SECTION 11656.

WHEREAS,

1. Under Health and Safety Code Section 11656, the Redwood Valley County Water District ("District") may award up to 135 new 3/4 inch equivalent domestic water service connections ("new connections") to relieve hardship; and

2. In order to award such a connection the District must determine that the connection will relieve hardship based on objective proof that the structure served by the connection (1) was constructed prior to December 31, 1997, and (2) without a connection only has access to a water supply that furnishes an inadequate quality or quantity of water as measured by drinking water standards adopted by the District; and

3. The District wants to make these additional connections available promptly and on a fair and equitable basis;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The District adopts the following minimum qualifications for applications for new connections:

A. Each application must seek a connection for a structure constructed and permitted in accordance with applicable local law prior to December 31, 1997. The service applied for must serve that structure only.

B. The structure must be located within existing District boundaries.

C. In order to make the maximum number of new connections permitted under Health and Safety Code Section 11656, the application must seek a 3/4 inch connection only.

D. The applicant files applications on approved District forms, pays all required fees and otherwise complies with the District's policies and regulations.

2. The District adopts the following drinking water standards for water quantity and quality:

A. Primary standards:

(1) **Water quantity:** The applicant's well produces less than 1 gallon per minute ("gpm") in a pump test performed between August 20 and October 31 ("dry period"), where the test is performed in accordance with the requirements contained in Section 26.09 of the Mendocino County Water Testing standards, dated January 1, 1982, as revised June 1, 1994. A copy of Section 26.09 is attached hereto as Exhibit A. Or the applicant demonstrates that the well produces less than 1 gpm at other times of the year other than the dry period.

(2) **Water quality:** The applicant's water source fails to comply with the primary drinking water standards as adopted by the State Department of Health Services pursuant to Health and Safety Code Section 116365<sup>1</sup> and the water cannot be satisfactorily treated with a manufactured home filtration or chlorination system costing no more than the estimated cost to connect to the District's water system. A copy of the primary drinking water standards is attached hereto as Exhibit B.

#### B. Secondary standards.

1. **Water quantity:** Same as under the primary standard or applicant can demonstrate that water quantity from his/her existing source is inadequate for his/her demonstrated need for water (demonstrated daily water demand), provided the applicant demonstrates that his/her use of water is reasonable and not wasteful.

2. **Water quality:** The applicant's water source fails to comply with the primary drinking water standards as adopted by the State Department of Health Services pursuant to Health and Safety Code Section 116365, or fails to comply with secondary drinking water standards adopted by the State Department of Health Services<sup>2</sup>, where the failure to comply with secondary drinking water standards cannot be corrected with a home filtration or chlorination system that costs no more than the estimated cost of connecting the applicant to the District's water system.

C. **Service by inadequate community water system:** Where 10 or more residences meeting the requirements of Section 1.A of this Resolution and located within the existing District boundaries are served by an inadequate community water system, the owners of the houses served by that system may apply for a connection under this resolution, provided all

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<sup>1</sup>Primary drinking water standards refers to maximum levels of contaminants that, in the judgment of the State Department of Health Services, may have an adverse effect on the health of persons. (H&S Code §116275(c).)

<sup>2</sup>Secondary drinking water standards refers to maximum contaminant levels that, in the judgment of the State Department of Health Services, are necessary to protect the public welfare and may apply to any contaminant in drinking water that may adversely affect the odor or appearance of the water. (H&S Code §116275(d).)

of the owners served by the system apply and agree to pay all of the costs to extend service to and connect those houses to the District's water system. An "inadequate community water system" means a system that as presently equipped cannot furnish an adequate quantity or quality of water to all customers served by the system (as determined under the District's Primary or Secondary Standards) without a substantial capital investment.

3. The District shall review and approve applications for new connections as provided in this Section 3.

A. The District shall furnish notice of the opportunity to apply for new connections by direct mail to existing District customers and those who have applications for service on file. It shall also publish notice in a newspaper of general circulation serving Redwood Valley. Sixty days after such notice has been given, the District will review and act upon the applications, then on file, as further provided below.

B. The Board of Directors will review applications to determine which have demonstrated an inadequate quality or quantity of water as determined under the District's Primary Standards as set forth in Section 2.A, or under Section 2.C. The Board will award up to 120 connections to applications under this subsection. If the number of applications exceed the number of available connections, the District Board will award the connections based on its determination of which applications demonstrate the greater relative need. For example, a house with no available water might be considered to have a greater need than a house with an inadequate supply. The remaining 15 connections will be reserved by the Board for future use in cases of extreme or unanticipated hardship.

C. If the Board approves less than 120 applications under subsection B, it shall award the remaining connections to applications demonstrating an inadequate water supply under the District's Secondary Standards as set forth in Section 2.B. If the number of applications satisfying the requirements of Section 2.B exceed the number of remaining new connections available, the connections will be awarded by the Board based on a drawing.

D. The burden is on the applicant to prove that he/she satisfies the minimum qualifications and has an inadequate water supply under the District's standards contained in Section 2 of this Resolution. Evidence supporting the application may include county permits, certified laboratory test reports, reports of licensed plumbers or well drillers, including pump tests, historical water use data, evidence of water hauling, or other third party evaluations or reports, such as registered geologists or hydrologists. The District has no obligation to conduct tests or investigations, but reserves the right to request additional information from the applicant. The District may reject an application if the applicant provides false or misleading information or fails or refuses to cooperate with the District in its review of his/her application.

PASSED AND ADOPTED at a duly called meeting of the Board of Directors of the Redwood

Valley County Water District with a quorum present on December 3, 1998, by the following roll call vote:

Ayes:

Noes:

Abstain:

Absent:

\_\_\_\_\_  
, Chairperson

ATTEST:

\_\_\_\_\_  
District Secretary