



SECTION 3D

SERVICE IN THE CAMINO TASSAJARA
INTEGRATED PROJECT AREA

GENERAL

On July 9, 2002, the Board of Supervisors of Contra Costa County (“County”) approved the Camino Tassajara Integrated Project (“Project”) by certifying the Final Environmental Impact Report for the Project pursuant to the California Environmental Quality Act and approving General Plan Amendments, Vesting Tentative Maps and Preliminary and Final Development Plans for the Project; and imposing Conditions of Approval on the Intervening Properties portion of the Project and on the Alamo Creek portion of the Project. The Conditions of Approval required that the Developers of the Project (i) annex the Project site to the District’s water service area and (ii) enter into an agreement satisfactory to the District for implementation of on-site water conservation measures to mitigate the impacts of the Project on the District’s water supply, payment of “Water Demand Mitigation Fees” to fund off-site conservation to offset Project water demand at a rate of 2:1, and determination of the Project water budget, Additional Water Demand Mitigation Fee and Project Conditions, Covenants & Restrictions relative to water service.

On October 9, 2002, the Developers and the District entered into a Water Supply Mitigation Agreement to satisfy the conditions imposed on the Project by the County. The Water Supply Mitigation Agreement was filed with the Contra Costa Local Agency Formation Commission (“LAFCO”) for its consideration of the proposal to annex the Project site into the District service area. LAFCO approved the annexation subject to the condition that the affected territory is subject to the ordinances, rules and regulations, service charges, bonded indebtedness and contractual obligations of the district. Consistent with the Conditions of Approval adopted for the Project by the County, and the requirements in the Water Supply Mitigation Agreement, water service to the Project shall be subject to the following Water Conservation Requirements:

GEOGRAPHIC AREA

The project territory, to which the provisions of this Section 3D apply, consists of approximately 767 acres in the unincorporated area of Contra Costa County, east of the Town of Danville, approximately six miles north of Interstate 580 and six miles east of Interstate 680. The Project site is situated on the south side of Camino Tassajara, east of Lawrence Road and south of Blackhawk, and directly west, south and east of Wendt Ranch. The Project consists of the 474-unit intervening Properties/Remaining Intervening Properties portion of the Project and the 923-unit Alamo Creek portion of the Project, a total of 1,397 planned units. The affected territory is comprised of parcels with APN numbers 206-190-001/002/003, 206-190-005/006, 206-020-033, 206-220-001/002/003/004, 206-030-026/027, 206-030-025, 206-030-023, 206-030-028, 206-030-003 and 206-030-006.

WATER CONSERVATION REQUIREMENTS

1. On-Site Mitigation Measures



SECTION 3D

SERVICE IN THE CAMINO TASSAJARA
INTEGRATED PROJECT AREA
(continued)

The following on-site water conservation measures shall be in place at the time application for water service is made:

- (a) Water efficient irrigation systems for residential units and common areas that include efficient sprinkler heads and drip irrigation.
- (b) Ultra-low flow and dual flush toilets, as required by state law.
- (c) Installation or funding for sleeving for recycled water pipelines for all common landscaped areas, including the Alamo Creek soccer fields.
- (d) High efficiency clothes washing machines, if installed by the developer.
- (e) Submetering of multi-family and senior housing.
- (f) Evapotranspiration controllers in landscaping for residential units and common areas.
- (g) Drip irrigation systems in all landscaped areas, except for turf areas associated with playfields.
- (h) Drought-tolerant landscaping in residential units, and xeriscaped landscaping in common landscape.
- (i) Plumbing of the irrigation system for common landscaped areas separately from the potable water service.
- (j) Artificial field grass on the soccer fields within the Alamo Creek project.

2. Water Demand Mitigation Fees

Payment of a Water Use Offset Fee shall be required in addition to all other applicable fees and charges, including the System Capacity Charge. A Water Demand Mitigation Fee shall be sufficient to fund offsite conservation programs to offset Project water demand at a rate of 2:1, as determined by the District.

3. Water Budget

All water service within the Project shall be subject to a Water Budget as established by the District. An Additional Water Use Offset Fee shall be imposed on water use within the Project if usage within the Project exceeds the Water Budget.