

Policy No. P600-15-1	Type of Policy: Service
Policy Title: No-Net-Demand Service	
Policy Description: Defines conditions and terms under which the District would provide non-traditional methods of providing wastewater disposal and/or potable water service.	
Approval Date: 8/16/1994	Last Review Date: 2015
Approval Resolution No.: 34-94	Next Review Date: 2019
Rescinded Resolution No.: N/A	Rescinded Resolution Date: N/A

It is the policy of the Board of Directors of Dublin San Ramon Services District:

1. “No-net-demand service” is a non-traditional method of providing wastewater disposal and/or potable water service by which such services are provided without increasing the demand upon the District's sewerage treatment and/or disposal capacity or the demand upon the District's potable water resources. No-net-demand facilities are subject to the policy on Infrastructure Responsibilities and Funding. Detailed planning and engineering studies must be undertaken in accordance with the District's policy on Infrastructure Responsibilities and Funding to provide no-net-demand services.
2. The provision of no-net-demand service to a given area shall be at the sole discretion of DSRSD and may be accomplished by such alternative means as the District shall select.
3. When a no-net-demand system is to be implemented, the property owners, developers, and land use planning agencies (as applicable) so effected shall:
 - (a) Enter into a written agreement with the District acknowledging that the District has analyzed its ability to provide traditional service on a regional basis and concluded that in order to provide service, the district must do so in a non-traditional no-net-demand fashion which will require different terms and conditions of service as compared to non-no-net-demand service areas as well as when compared to other no-net-demand service areas;
 - (b) Agree that the terms and conditions of the no-net-demand service shall be recorded in the official records of the County in which the property so affected is located and agree to disclose such terms and conditions to all parties having an interest in the property;
 - (c) Agree to defend, indemnify, and hold harmless the District from claims, suits, and actions arising out of the no-net-demand policy and implementation thereof;
 - (d) Agree that the no-net-demand policy and implementation thereof shall be binding on all successors in interest to the property affected thereby; and
 - (e) Agree to such other terms and conditions as shall be just and equitable in furtherance of the no-net-demand policy.

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4. A no-net-demand system for wastewater disposal shall:
 - (a) Provide for complete reuse and storage, as necessary, of all wastewater generated by the project subject to the no-net-demand policy on a monthly basis within the project development or, alternatively, and at the sole discretion of the District, participate in the funding of recycled water infrastructure in other areas within the service area of the District which will allow this goal to be met;
 - (b) Provide storage (above ground or below ground) or, alternatively, use of, recycled water generated by such project during those months when wastewater generation exceeds recycling ability in order to address the requirement of no-net-demand service that storage of wastewater during the wet weather season shall be provided; and
 - (c) Maximize the amount of recycled water stored and/or used on such project site before consideration will be given to off-site uses.

5. A no-net-demand system for potable water service shall:
 - (a) Include the acquisition of long-term water rights, contractual entitlements or similar acquisition of water sufficient to meet the ultimate needs of the proposed development with equal or greater reliability than the existing water supply; and
 - (b) Be conditioned upon agreements and approvals necessary for the conveyance, treatment, and storage of water from its point of origin to the District's turnouts, including provision of pumping, storage, and treatment facilities.

6. No-net-demand service shall be provided on a permanent basis for any development to which it initially is subjected.

7. Acknowledging the difficulties in implementing a no-net-demand service, the District reserves the right to pursue such projects on a regional basis involving areas larger than any particular development, so long as the region is subject to land use regulations and plans consistent with no-net-demand service.

8. The No-Net-Demand policy established hereby is subject to the District's policy regarding Annexation and Utility Extension.

9. All other provisions and requirements pertaining to implementation of the No-Net-Demand policy hereby established shall be subject to the District's sound discretion.

Policy is current and no changes need to be adopted by the Board of Directors. <u>Status Quo Chronology:</u>	
Date Adopted:	
August 16, 1994	
Reviewed by Committee or Board:	Date:
Wastewater	July 13, 2006
Wastewater	May 3, 2010
Board	March 17, 2015