

**SIERRA VALLEY GROUNDWATER MANAGEMENT DISTRICT  
Ordinances Pertaining to Development Projects**

**Ordinance No. 83-01**

**An Ordinance of the Sierra Valley Groundwater Management District RE  
Development Projects**

The Board of Directors of the Sierra Valley Groundwater Management District DOES ORDAIN as follows:

Section 1.

Any person seeking approval from a local agency having land use jurisdiction of a development project proposed to be located wholly or in part within the boundaries of the District and which proposes to extract groundwater for service of water shall, at the time of filing an application with such local agency, file with the District documents describing the proposed sources of water, the amount of water required, the amount of groundwater previously used on the property proposed to be developed, and such other information as the district may reasonably require.

Section 2.

The District shall be considered a "responsible agency", as defined in Section 65933 of the Government Code, and shall submit the finding described in Section 3 of this ordinance within the time period established by Section 65952 of the Government Code. The application for the development project shall be deemed complete for purposes of Chapter 4.5 (commencing with Section 65920) of Division 1 of Title 7 of the Government Code when the information required by Section 1 of this ordinance has been provided to the local agency with land use jurisdiction.

Section 3.

(a) The District shall determine whether sufficient groundwater is available for the proposed use by a development project based on the projected use of groundwater by the project. The District shall find that sufficient groundwater is available for use by a development project upon demonstration to the District's satisfaction by the person seeking approval of the development project that the development project will not use more water than is found to be available pursuant to subdivision (b) in determining whether sufficient groundwater is available for a development project, whether located on overlaying or district off-basin lands, the District shall take into account that groundwater is to be allocated primarily on the basis of the number of acres overlying the basin or subbasin that the development project occupies in proportion to the total number of acres overlying the basin or subbasin, but that such allocation may be adjusted up or down for any of the following actions:

ORDINANCE NO. 83 -01

AN ORDINANCE OF THE SIERRA VALLEY GROUNDWATER MANAGEMENT DISTRICT RE DEVELOPMENT PROJECTS.

The Board of Directors of the Sierra Valley Groundwater Management District DOES ORDAIN as follows:

Section 1. Any person seeking approval from a local agency having land use jurisdiction of a development project proposed to be located wholly or in part within the boundaries of the district and which proposes to extract groundwater for service of water shall, at the time of filing an application with such local agency, file with the district documents describing the proposed sources of water, the amount of water required, the amounts of groundwater previously used on the property proposed to be developed, and such other information as the district may reasonably require.

Section 2. The district shall be considered a "responsible agency," as defined in Section 65933 of the Government Code, and shall submit the finding described in Section 3 of this ordinance within the time period established by Section 65952 of the Government Code. The application for the development project shall be deemed complete for purposes of Chapter 4.5 (commencing with Section 65920) of Division 1 of Title 7 of the Government Code when the information required by Section 1 of this ordinance has been provided to the local agency with land use jurisdiction.

Section 3. (a) The district shall determine whether sufficient groundwater is available for the proposed use by a development project based on the projected use of groundwater by the project. The district shall find that sufficient groundwater is available for use by a development project upon demonstration to the district's satisfaction by the person seeking approval of the development project that the development project will not use more water than is found to be available pursuant to subdivision (b).

(b) In determining whether sufficient groundwater is available for a development project, whether located on overlying or district off-basin lands, the district shall take into account that groundwater is to be allocated primarily on the basis of the number of acres overlying the basin or subbasin that the development project occupies in proportion to the total number of acres

overlying the basin or subbasin, but that such allocation may be adjusted up or down for any of the following factors:

(1) The total number of overlying acres actually irrigated or reasonably susceptible of irrigation compared to the total number of overlying acres in the basin.

(2) The number of overlying acres being irrigated from surface water sources.

(3) Crop types.

(4) Wasteful or inefficient use.

(5) Reasonable needs of water users within the district.

(6) Any possible reduction or suspension of exports which would allow in-district groundwater use to take place.

(7) Any other factors that the district reasonably feels it should consider in determining whether sufficient water will be available to the development project.

Section 4. (a) Notwithstanding any other provision of law, no local agency having land use jurisdiction shall approve a proposed development project which proposes to use groundwater from the basin unless:

(1) The district has found that sufficient groundwater is available to the development project pursuant to Section 3 of this ordinance; or

(2) The local agency having land use jurisdiction conditions their approval on the action by the district pursuant to Section 3 of this ordinance.

(b) If, pursuant to paragraph (2) of subdivision (a), a local agency having land use jurisdiction conditionally approves a proposed development project, and if the district subsequently finds that sufficient groundwater is not available for the development project, the development project shall be deemed to be denied by the local agency as a matter of law without the local agency taking further action.

Section 5. Nothing in this ordinance shall be interpreted as limiting the district's general powers to regulate groundwater extraction and use in development projects in the same manner as other extractions and use within the district.

The foregoing ordinance was duly passed and adopted by the Board of Directors of the Sierra Valley Groundwater Management

District at a meeting of said Board held on the 2nd day of March 1983, by the following vote:

AYES: Directors: Ross, Filippini, Barnes, Torri, Roberti, Genasci, and Guidici.

NOES: Directors: None

ABSENT: Directors: None

  
Chairman, Board of Directors

ATTEST:

  
Secretary to said Board of Directors

PUBLISH: Portola Reporter

83-01