

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF JANUARY 11, 2022
AGENDA ITEM NO. 10.D.**



AGENDA SECTION: NEW BUSINESS

SUBJECT: INFORMATION ON INACTIVE METERS

PREPARED BY: Adam Coyan, General Manager

APPROVED BY: Adam Coyan, General Manager

BACKGROUND

Prior to 2017 there was a designation of “Inactive Meter”. If your meter was designated as inactive a lock was placed on it and in order to use water the rate payer would need to call and schedule an appointment to get that meter unlocked so it could be turned on. When a meter was “inactive” it did not get charged. After 2017 the designation of “inactive” was removed from all accounts, all locks were removed from the “inactive” meters and every customer was charged a base fee for services. The “inactive” accounts could choose to get their meters pulled and pay nothing.

The water rate study prepared by Rural Community Assistance Corporation (RCAC) treats all customers the same, and therefore all customers, active and inactive, pay the base rate. Consequently, all District water customers (active and inactive treated water, and irrigation) were notified of the Proposition 218 required public hearing regarding water rates that was held on December 12th, 2017. As rate payers they are also required to pay the supplemental fee for the Sweetwater plant, this is part of them paying for services.

DISCUSSION

The approach in RCAC’s water rate study to charge inactive customers the base rate is consistent with American Water Works Association (AWWA) guidelines and with Proposition 218 requirements. Reasons for this approach include, but are not limited to:

1. Inactive customers have a meter which could be activated at any time. All necessary connections have been made and treated water is immediately available to inactive customers upon request by the customer. Therefore, the District’s water supply system must have adequate treatment and distribution capacity to provide inactive customers with water.
2. District staff checks all meters bi-monthly, including inactive meters
3. Because inactive customers have a meter installed on their property, they are a District customer and must be treated similar to other customers with meters. This avoids active customers subsidizing the fixed costs for inactive customers. This includes the supplemental fee.
4. Fixed costs are funded through the base charge and the supplemental fee.

Charging the base rate to inactive customers is consistent with AWWA recommendations, and is a best practice that is recognized in legal decisions.

If an inactive customer does not want to pay the base rate or supplemental fee, they can request the District to terminate their service and remove the meter. Under current District ordinance and fee schedule, they would not pay for removal of the meter. If they wish to start active service again in the future, they will only pay the District meter installation fee; which is currently \$130 for smaller meters and \$200 for larger meters.

The current definition of a customer is someone that has a meter that is unlocked, and water is supplied to their meter for their use. There is no definition, tracking of or differentiation of “inactive” meters.

Analysis

Before any action can be taken on this to change the current policy, the following needs to be considered:

1. What is the definition of an “inactive” meter?
2. Should we charge them the Supplemental fee, if we don't we could be in violation of California prop 218 law?

FISCAL IMPACT

Fiscal impact is unknown until a definition for “inactive” is made, then an analysis can be done.

CEQA ASSESSMENT

This is not a CEQA Project

RECOMMENDED ACTION

Staff recommends the Board of Directors of the Georgetown Divide Public Utility District (GDPUD) to keep charging the supplemental fee and base rate to all ratepayers evenly. If someone that hasn't used water doesn't want to pay the fee then they can easily get their meter pulled at no cost.

ALTERNATIVES

The alternative is to create a policy to define what an inactive meter is and how you can go inactive. Have our legal counsel review and edit/revise.

ATTACHMENTS

1. RCAC Cost per Connection Analysis
2. 11/14/2017 Approved Minutes
3. 2017 Prop 218 Notice

GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

**WATER SYSTEM #910013
GEORGETOWN, CALIFORNIA**

**AUBURN LAKE TRAILS
TREATMENT PLANT PROJECT**

COST PER CONNECTION ANALYSIS

May 2015

Prepared by:



Mary Fleming, RDS

Funded by:

State Water Resources Control Board
State Revolving Fund

1. Background

The Georgetown Divide Public Utility District (GDPUD) is a public utility district operating under the State of California Public Utility Code and Special District Codes & Procedures. It was formed in 1946 and currently provides irrigation water and treated water to residents in the unincorporated areas of western El Dorado County, as well as wastewater services to the Auburn Lake Trails subdivision. A number of small communities, most established during the Gold Rush, are scattered throughout the GDPUD; including Georgetown, Cool, Garden Valley, Kelsey, Greenwood, and Pilot Hill. The GDPUD maintains over 137 miles of treated water pipelines, two water treatment plants - the Walton Lake Water Treatment Plant (WLWTP) and the Auburn Lake Trails Water Treatment Plant (ALTWTP), numerous water storage tanks, reservoirs, and miles of open canals. The combined water treatment plants provide water service to nearly 3,900 connections.

The ALTWTP was constructed in 1974. In February 2004, The California State Department of Public Health (drinking water is now regulated under the State Water Resources Control Board) (SWRCB) issued a Compliance Order requiring the GDPUD to modify or replace the existing treatment process. GDPUD recruited Psomas, an engineering firm, to conduct a study, including required environment impact(s), and to propose alternatives to bringing ALTWTP into compliance. After much consideration and examination of different approaches to resolve the issue, it was determined that the most economically and environmentally feasible resolution is to build a new treatment plant. The Auburn Lake Trails WTP Project is deemed necessary to ensure the provision of continuous and reliably treated safe drinking water to the community. A copy of the complete engineers' report is available upon request to the GDPUD.

DISCLAIMER

The recommendations contained in this analysis are based on financial information provided to RCAC by GDPUD. Although every effort was made to assure the reliability of this information, no warranty is expressed or implied as to the correctness, accuracy or completeness of the information contained herein.

2. Purpose and Objective

Rural Community Assistance Corporation (RCAC) received a request from the SWRCB to conduct a financial analysis and rate study on GDPUD in May, 2014. In the course of those analyses, the GDPUD requested that an additional analysis be conducted to determine what the fees to the individual rate payers within the district would be based on estimated construction costs of \$12,026,268. The utility has already expended \$352,041 on the project from grants and will provide another \$1,081,559 from an EPA grant, leaving \$10,592,668 to pay from other

sources. At the time of this writing, GPUD had \$1,613,345 in Capital Facility Reserves and \$760,190 in Replacement Reserves for a total of \$2,373,535 in available reserves. Because an adequate amount of the reserves should be held in the bank as an available resource in the event of emergencies, decreases in revenue as a result of reduced revenue from commodity charges due the community’s conservation efforts and/or low cash flow because of slow customer payments, GPUD anticipates the need to borrow \$10,000,000 from the SWRCB at an interest rate of 1.663% for 20 years. This analysis is separate and distinct from the original rate study, which will be conducted upon receipt of current financial information, and includes only the cost of the ALTWTP.

Table 1: Loan Amount Impact on Reserves

| | |
|-------------------------------|----------------------|
| Total Projected Costs | \$ 12,026,268 |
| Less: | |
| Spent to Date | \$ (352,041) |
| Remaining EPA Grant | \$ (1,081,559) |
| | |
| Balance to Fund | \$ 10,592,668 |
| 20 Year Loan | \$ (10,000,000) |
| From Reserves | \$ 592,668 |
| Reserve Funds: | |
| Beginning | |
| Capital Facility Charges | \$ 1,613,345 |
| Replacement Reserve | \$ 760,190 |
| Total Available Reserves | \$ 2,373,535 |
| Less: | |
| Applied Toward Project | \$ (592,668) |
| Ending Reserve Balance | \$ 1,780,867 |

3. Funder Required Reserves

Debt Service Reserve

Water utilities that have issued debt to pay for capital assets will often have required reserves that are specifically defined to meet the legal covenants of the debt. Normally, debt service reserve represents an amount equal to one full annual loan payment and can be accumulated to this level over a period of five to ten years. The SWRCB reserve requirement is to fund one full annual loan payment over a ten year period. In each of the calculations in this document, this requirement has been included in the per connection fee.

Table 2 below provides an overview of the financing alternatives and the impact on individual rate payer’s annual and monthly rates.

Table 2: Impact on User Rates

| Loan Amount | Annual Debt Service | Annual Debt Reserves (First 10 Years) | Total | Number of Connections | Annual Total Per Connection | Monthly Total Per Connection First 10 Years | Monthly Total Per Connection Second 10 Years |
|---------------|---------------------|---------------------------------------|---------------|-----------------------|-----------------------------|---|--|
| \$ 10,000,000 | \$ 589,807.74 | \$ 58,980.77 | \$ 648,788.51 | 3,586 | \$ 180.92 | \$ 15.08 | \$ 13.71 |

4. Conclusions and Recommendations

Key points to remember with any rate adjustment:

- Successful utilities are those that strive to be transparent. In day-to-day operations, GDPUD should strive to promote its services (highlights and the low points), and continuously educate its customers on why it is necessary to raise and adjust rates.
- The ability of the proposed ALTWTP loan rate structure to generate adequate revenue will depend on maintaining a vigorous collection and shut-off policy to keep delinquent accounts at a minimum.
- When the equipment has been put into service a Capital Improvement Reserve schedule should be developed that itemizes each piece of equipment, the purchase cost of it, the average life expectancy of each, a projected inflation rate for replacement of each piece of equipment and an annual reserve amount to be funded. RCAC can provide templates for this if requested.
- CIP reserves should be maintained in the highest interest bearing accounts available to offset inflation.
- GDPUD should establish policies for reserve accounts as recommended above and distribute existing unrestricted reserves accordingly.

Illustration 1: ALT Treatment Plant



The existing Auburn Lake Trails Water Treatment Plant provides service to the western half of the GDPUD service area which includes Pilot Hill, Cool, Cherry Acres, Meadowview Acres and portions of Greenwood. The plant is over 40 years old and is in need of modifications to make sure it continues to provide clean, reliable water to our community for another 40 years.

| Loan Information Summary | | | | | | |
|---------------------------------|-------------------|------------|-----------|--------------------|---------------|--|
| Loan Amount | 10,000,000.00 | | | | | |
| Annual Interest Rate | 1.663% | | | | | |
| Term of Loan in Years | 20 | | | | | |
| First Payment Date | 1/1/2017 | | | | | |
| Payment Frequency | Semi-Annual | | | Rate (per period) | 0.832% | |
| Compound Period | Semi-Annual | | | Number of Payments | 40 | |
| Payment Type | End of Period | | | Total Payments | 11,796,154.64 | |
| Annual Payment | 589,807.74 | | | Total Interest | 1,796,154.64 | |
| No. | Due Date | Payment | Interest | Principal | Balance | |
| | | | | | 10,000,000.00 | |
| 1 | 1/1/17 | 294,903.87 | 83,150.00 | 211,753.87 | 9,788,246.13 | |
| 2 | 7/1/17 | 294,903.87 | 81,389.27 | 213,514.60 | 9,574,731.53 | |
| 3 | 1/1/18 | 294,903.87 | 79,613.89 | 215,289.98 | 9,359,441.55 | |
| 4 | 7/1/18 | 294,903.87 | 77,823.76 | 217,080.11 | 9,142,361.44 | |
| 5 | 1/1/19 | 294,903.87 | 76,018.74 | 218,885.13 | 8,923,476.31 | |
| 6 | 7/1/19 | 294,903.87 | 74,198.71 | 220,705.16 | 8,702,771.15 | |
| 7 | 1/1/20 | 294,903.87 | 72,363.54 | 222,540.33 | 8,480,230.82 | |
| 8 | 7/1/20 | 294,903.87 | 70,513.12 | 224,390.75 | 8,255,840.07 | |
| 9 | 1/1/21 | 294,903.87 | 68,647.31 | 226,256.56 | 8,029,583.51 | |
| 10 | 7/1/21 | 294,903.87 | 66,765.99 | 228,137.88 | 7,801,445.63 | |
| 11 | 1/1/22 | 294,903.87 | 64,869.02 | 230,034.85 | 7,571,410.78 | |
| 12 | 7/1/22 | 294,903.87 | 62,956.28 | 231,947.59 | 7,339,463.19 | |
| 13 | 1/1/23 | 294,903.87 | 61,027.64 | 233,876.23 | 7,105,586.96 | |
| 14 | 7/1/23 | 294,903.87 | 59,082.96 | 235,820.91 | 6,869,766.05 | |
| 15 | 1/1/24 | 294,903.87 | 57,122.10 | 237,781.77 | 6,631,984.28 | |
| 16 | 7/1/24 | 294,903.87 | 55,144.95 | 239,758.92 | 6,392,225.36 | |
| 17 | 1/1/25 | 294,903.87 | 53,151.35 | 241,752.52 | 6,150,472.84 | |
| 18 | 7/1/25 | 294,903.87 | 51,141.18 | 243,762.69 | 5,906,710.15 | |
| 19 | 1/1/26 | 294,903.87 | 49,114.29 | 245,789.58 | 5,660,920.57 | |
| 20 | 7/1/26 | 294,903.87 | 47,070.55 | 247,833.32 | 5,413,087.25 | |
| 21 | 1/1/27 | 294,903.87 | 45,009.82 | 249,894.05 | 5,163,193.20 | |
| 22 | 7/1/27 | 294,903.87 | 42,931.95 | 251,971.92 | 4,911,221.28 | |
| 23 | 1/1/28 | 294,903.87 | 40,836.80 | 254,067.07 | 4,657,154.21 | |
| 24 | 7/1/28 | 294,903.87 | 38,724.24 | 256,179.63 | 4,400,974.58 | |
| 25 | 1/1/29 | 294,903.87 | 36,594.10 | 258,309.77 | 4,142,664.81 | |
| 26 | 7/1/29 | 294,903.87 | 34,446.26 | 260,457.61 | 3,882,207.20 | |
| 27 | 1/1/30 | 294,903.87 | 32,280.55 | 262,623.32 | 3,619,583.88 | |
| 28 | 7/1/30 | 294,903.87 | 30,096.84 | 264,807.03 | 3,354,776.85 | |
| 29 | 1/1/31 | 294,903.87 | 27,894.97 | 267,008.90 | 3,087,767.95 | |
| 30 | 7/1/31 | 294,903.87 | 25,674.79 | 269,229.08 | 2,818,538.87 | |
| 31 | 1/1/32 | 294,903.87 | 23,436.15 | 271,467.72 | 2,547,071.15 | |
| 32 | 7/1/32 | 294,903.87 | 21,178.90 | 273,724.97 | 2,273,346.18 | |
| 33 | 1/1/33 | 294,903.87 | 18,902.87 | 276,001.00 | 1,997,345.18 | |
| 34 | 7/1/33 | 294,903.87 | 16,607.93 | 278,295.94 | 1,719,049.24 | |
| 35 | 1/1/34 | 294,903.87 | 14,293.89 | 280,609.98 | 1,438,439.26 | |
| 36 | 7/1/34 | 294,903.87 | 11,960.62 | 282,943.25 | 1,155,496.01 | |
| 37 | 1/1/35 | 294,903.87 | 9,607.95 | 285,295.92 | 870,200.09 | |
| 38 | 7/1/35 | 294,903.87 | 7,235.71 | 287,668.16 | 582,531.93 | |
| 39 | 1/1/36 | 294,903.87 | 4,843.75 | 290,060.12 | 292,471.81 | |
| 40 | 7/1/36 | 294,903.71 | 2,431.90 | 292,471.81 | 0.00 | |

CONFORMED AGENDA
REGULAR MEETING
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS
6425 MAIN STREET, GEORGETOWN, CA 95634
TUESDAY, NOVEMBER 14, 2017
2:00 P.M.

MISSION STATEMENT

It is the purpose of the Georgetown Divide Public Utility District to:

- Provide reliable water supplies
 - Ensure high quality drinking water
 - Promote stewardship to protect community resources, public health, and quality of life
 - Provide excellent and responsive customer services through dedicated and valued staff
 - Ensure fiscal responsibility and accountability are observed by balancing immediate and long-term needs.
-

1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:00 PM.

ROLL CALL:

Present: Director Halpin, Director Hanschild, Director Uso, Director Wadle

Staff Present: General Manager Steven Palmer, Operations Manager Darrell Creeks, Engineering Consultant George Sanders, Board Assistant Gloria Omania; Legal Counsel: Robin Baral, Churchwell White

2. ADOPTION OF AGENDA

MOTION by Director Hanschild to adopt the agenda. Second by Director Halpin.

Public Comment:

Vote: The motion passed unanimously

- 3. PUBLIC FORUM** – Any member of the public may address the Board on any matter within the jurisdictional authority of the District. Public members desiring to provide comments, must be recognized by the Board President, and speak from the podium. Comments must be directed only to the Board. The public should address the Board members during the public meetings as President, Vice President, or Director, followed by the Board member's individual last name. The Board will hear communications on matters not on the agenda, but no action will be taken. No disruptive conduct shall be permitted at any Board meeting. Persistence in disruptive conduct shall be grounds for summary termination, by the President, of that person's privilege of address.

Cherie Carlyon stated that she requested written guidelines for the Prop 218 process. She asked that the Board reach a consensus on the process. Director Uso responded that the Board could not take such action since this matter is not on the agenda. Ms. Carlyon should continue to have that discussion with the General Manager who is working with Legal Counsel.

Ms. Carlyon also referenced her conversation with Mr. Palmer that a member of the public could serve as an observer while the ballots are counted. Ms. Carlyon volunteered to serve as the observer. Director Uso stated she should have that conversation with the General Manager.

Steve Dowd referred to the pie chart that showed percentages and asked for the dollar amounts. Director Uso directed him to Mr. Palmer for that information.

Steve Prau of Greenwood asked if there is an EIR associated with the Prop 218 for public review. Legal Counsel Robin Barar stated that Prop 218 is exempt from CEQA.

Bill Johnson of Greenwood asked if a property owner who is both an irrigation and treated customer can submit two votes. He was informed by Legal Counsel that there is only one vote per parcel regardless of the two services.

Mr. Johnson also asked about commercial accounts and was informed by Mr. Palmer that there are no commercial rates; the rate structure is based on the volume of water or the size of the meters.

Mr. Johnson then asked about a matter he said came up six months ago about meters at a mobile home park not working properly. Operations Manager Darrell Creeks responded that he did not recall this specific situation, but informed Mr. Johnson that meters that were found to be deficient in the report referenced by Mr. Johnson have been replaced.

4. CONSENT CALENDAR

A. Approval of Minutes-- Special Meeting of October 24, 2017

B. Financial Reports

1. Month End Cash Disbursements Report
2. Statement of Cash and Investment Balances

Motion by Director Hanschild to approve the Consent Calendar. Second by Director Halpin.

Public Comment: Cherie Carlyon asked that the Approval of Minutes be pulled from the Consent Calendar.

Director Hanschild amended his motion to pull Agenda Item 4A and approve the balance of the Consent Calendar. Second by Director Halpin to the amended motion.

Vote: The motion passed unanimously.

*The Board then took up **Agenda Item 4A**, Approval of Minutes of the Special Meeting of October 24, 2017.*

Cherie Carlyon stated she was requesting a correction to the minutes because her statement that the ballots be counted by the Registrar of Voters was not included in the minutes. Gloria Omania, the meeting recorder, called Ms. Carlyon's attention to the portion of the minutes of October 24, 2017, referencing these comments. Ms. Carlyon withdrew her request for a correction to the minutes.

Motion by Director Hanschild to approve the minutes of October 24, 2017, as written. Second by Director Halpin.

Vote: The motion passed unanimously.

5. INFORMATIONAL ITEMS

A. President's Report

No report.

B. Board Reports

Director Wadle reported that he attended the CSCA Conference and encouraged the other Board members to attend next year. He also thanked staff for hosting a booth at the Founder's Day event.

C. General Manager's Report

Mr. Palmer called attention to the Rate Study Public Hearing set for Tuesday, December 12, 2017, at 5:30 PM at the Georgetown Community Center. He also reported that he will be attending the meeting of the Rural Community Coalition, the Rotary, and the Chamber of Commerce in advance of the public hearing to share information and make himself available to answer questions about the rate study.

Mr. Palmer reported that GEI, the consultant for the spillway evaluation required by the State Division of Dam Safety, did not identify any issues needing immediate repair before the winter. He stated that recommendations are likely to come out once the evaluation and final report is completed.

The General Manager indicated that he was not able to include in his written report recent contacts received over the past few days from financing agencies, including Holman & Associates, I-Bank, as well as El Dorado Water Agencies, about loan programs for financing the meter replacement project. These are loans and no one has stepped up yet with grant opportunities. Mr. Palmer stated this is informational at this point, but expects to bring this back to the Board later.

D. Operation Manager's Report

Operations Manager Darrell Creeks summarized his written report commenting that things are going well in the system. The lake is up to 17,000 acre feet, 85% of capacity, and another storm is expected in the next few days.

Mr. Creeks reported that the telemetry station has been installed at Stumpy so the installation of the system that will allow the State to monitor the lake level hourly has begun. He indicated that part of the system has been installed and the rest will be installed sometime in December. The station is installed on the face of the dam on the lake side and looks like a PGE box that will have a solar collector on top.

Director Uso pointed out this is another state unfunded mandate.

E. ALT Treatment Plant Update

In addition to a written report, Engineering Consultant George Sanders provided a Power Point presentation (copy attached) to describe the work activities at the ALT Treatment Plan by the Contractor and various consulting firms.

Mr. Sanders reported that there was an additional change order that had no financial components, but added 17 work days to the project schedule.

Director Uso commended Mr. Sanders for making sure the project is on time and on budget.

6. NEW BUSINESS

A. Review and Provide Direction on Process to Appoint a New Director to Fill One (1) Vacancy on the Board of Directors

Possible Board Action: Provide direction to post notice of vacancy or prepare for a special election.

General Manager provided a summary of the Staff Report and described the options available to the Board.

Motion by Director Hanschild to adopt staff's recommendation to fill the vacant position on the Board by appointment. Second by Director Wadle.

Public Comment:

Steve Prau stated that the public needs to have their voices heard so the Board should put this off until the public can have input and vote.

Cherie Carlyon asked if somebody from Garden Valley could be appointed. Director Uso responded that this was certainly possible, adding he has personally reached out to community leaders for recommendations. Directors Hanschild and Wadle stated they have also reached out to potential applicants.

Director Uso stated the District will go through the process and will post notices about the vacancy. In response to Ms. Carlyon's inquiry, Mr. Creeks indicated notices are posted at the post offices in the District; except the Garden Valley Post Office, whose Postmaster has recently prohibited the posting of public notices. Ms. Carlyon suggested posting notices at the Super Stop Gas Station.

A member of the public who did not identify herself commented that decisions by the Board are made without considering the strata of economic levels of its customers. Director Uso stated that there isn't a Board member who doesn't understand this; unfortunately, Prop 218 does not provide for setting rates based on the economic status of its customers. He indicated he could not comment any further since the matter is not on the agenda.

With reference to emails sent by the District, Steve Prau suggested that the District make sure that GDPUD is clearly identified as the sender so these emails are not overlooked by customers. Director Uso acknowledged Mr. Prau's suggestion with assurance that Staff has also heard and will implement this.

To meet the deadline for filling the vacancy on the Board, the General Manager stated a special meeting is necessary and will poll the Board members to set the date and time.

In response to an inquiry about establishing a committee to do more vetting of applicants, Mr. Baran, Legal Counsel, stated the creation of an ad hoc committee with this limited purpose was allowable.

Director Uso amended his motion to include the formation of an ad hoc committee. Director Wadle agreed to the amendment.

Vote: The motion passed unanimously.

Director Uso and Director Wadle volunteered to serve and were appointed to the committee.

Public Comments:

Cherie Carlyon asked if a member of the public could serve on the ad hoc committee. Director Uso indicated he would have no problem if members of the public wanted to attend the meeting of the committee.

Bill Johnson commented that the public should provide questions for the ad hoc committee to ask applicants.

Steve Prau asked the record to reflect his objection to creating an ad hoc committee.

Janet Delay of Greenwood commented that an analysis of how rates are established needs to be made public. Director Uso stated there has been a lengthy rate study process that included a series of public workshops and Board meetings. He added that information is posted on the District website.

B. First Quarter Budget Comparison

Possible Board Action:

Mr. Palmer provided an overview of his report comparing the approved operating budget to actual revenues and expenditures for the first quarter. He reported that the first quarter operating revenues and expenditures are within the expected ranges.

Director Uso commented on the need to review waste water rates to determine if the rates are too high or too low. Given the amount of reserves that have accumulated, rates may be higher than they need to be. The General Manager indicated he would bring this matter back to the Board.

Director Wadle commended the General Manager for the report.

Public Comment:

Cherie Carlyon asked if the District leased vehicles and Mr. Creeks responded the District only leases one vehicle.

Ms. DeLay commented again on the rate study process. Mr. Palmer offered to meet with her to go over this in greater detail with her.

C. Policy for Responding to Proposed Legislation

Possible Board Action: Review and provide direction on a policy on Legislative Action

As requested by the Board at a previous meeting, the General Manager reported on the District's current process for responding to proposed legislation and explained the four models developed by the California Special Districts Association for the Board's consideration.

Director Halpin stated that he preferred Model Four that would provide the General Manager with a framework for adopting bill positions based on policy guidelines set by the Board.

Director Hanschild disagreed stating he preferred Model One that would authorize the General Manager to contact the Board President for a timely response to requests for the District's bill position.

Director Wadle stated that he agreed with Director Halpin relative to Model Four--the Board should develop some policy principals for the General Manager to follow in taking a position on legislation.

Director Uso stated that the Board should set a time to develop these policy principals and provide the General Manager with some flexibility so he's able to react on behalf of the District in a timely fashion.

Based on a combination of Models Two and Four, the Board directed the General Manager to set policy principals for the Board's review and authorized the General Manager and a designated Board member to act on legislation and other policy proposals on behalf of the Board based on those principals to allow for timely response.

D. Authorize Fiscal 2017-2018 Budget Amendment Increasing Budget for Wastewater Operations by \$2,300 for leach field investigation, and \$29,300 for force main and pump station repairs and maintenance

Possible Board Action: Adopt a Resolution Authorizing Fiscal 2017-2018 Budget Amendment Increasing Budget for Wastewater Operations

After the General Manager provided an overview on this item, the following motion was made:

Motion by Director Hanschild to adopt Resolution 2017-28, authorizing a budget amendment to increase the budget for wastewater operations and for repairs and maintenance. Second by Director Wadle.

Public Comment:

Cherie Carlyon asked how the District selects contractors. Mr. Creeks responded that the District doesn't normally need contractors, since most of the work is done in-house.

Mr. Prau commented that since the main line goes through the seasonal wetland area, the District should have been required to report the effluent leak to EPA and other regulatory agencies.

Mr. Creeks responded that it was immediately reported to the Regional Water Quality Control Board and the Department of Fish and Game who conducted site inspections. The District followed clean-up guidelines specified by these regulatory agencies. Representatives of Fish and Game commended the District for immediately reporting the incident and meeting clean-up requirements.

Director Uso called for the vote, and the motion passed unanimously.

E. Review and Provide Direction Regarding Inactive Meters and Proposed Water Rates

Possible Board Action: Provide direction on proposed water rates for inactive meters

The General Manager summarized his staff report and clarified that customers with inactive meters will be billed if the rate increase is approved.

The Rate Study Consultant followed industry standards, which is different from what was previously done, stated Director Uso. He asked that staff issue a notice to inactive customers beyond what has already been sent to make sure they are aware of this.

Discussion ensued about sending out a letter, after the December 12 public hearing and if the increase is approved, to inactive meter customers to give them an opportunity to pull their meters if they don't want to be billed.

Director Wadle commented on the need to set a policy that Directors bring questions from the public to staff for answers. There was discussion about adding Frequently Asked Questions to the District website.

Motion by Director Halpin that, if the Prop 218 passes, letters must be sent to all current inactive customers to notify them that they will pay the base rate unless they have their meter removed. Second by Director Hanschild.

Public Comment:

Bill Johnson expressed his concern that inactive people will not vote.

Carolyn O'Connor stated that she would like to know right now and not after it passes.

Steve Prau asked where he could find the specific portion of 218 that describes the process requirements. Legal Counsel responded that this can be found in Article 13D, Section 6, of California Government Code.

Director Uso called for the vote and the motion passed unanimously.

7. **BOARD MEMBER COMMENTS, REQUESTS FOR ADDITIONS TO FUTURE MEETING AGENDAS AND REQUESTS FOR INFORMATION OR RESEARCH TO BE COMPLETED BY STAFF** –Opportunity for Board members to discuss matters of interest to them and provide input for future meetings as well as report on their District-related meeting attendance.

None.

8. **ADJOURN TO CLOSED SESSION**

The Board adjourned to closed session at 4:31 PM.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Pursuant to Government Code section 54957(b)(1))

Title: General Manager

B. CONFERENCE WITH LEGAL COUNSEL--LABOR NEGOTIATION

(Pursuant to Government Code Section 54954.5(f) and Government Code 54957.6)

District Representatives: General Manager Steven Palmer; District General Counsel

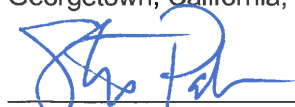
Employee Organization: International Union of Operating Engineers Stationary Engineers, Local No. 39

The Board returned to open session at 6:30 PM and reported that no action was taken in closed session.

9. **NEXT MEETING DATE AND ADJOURNMENT** – Next regular meeting is December 12, 2017, at 5:30 PM, at the Georgetown Community Center, 6329 Lower Main Street, Georgetown, CA 95634.

The meeting was adjourned at 6:33 PM.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact Steve Palmer by telephone at 530-333-4356 or by fax at 530-333-9442. Requests must be made as early as possible and at least one-full business day before the start of the meeting. In accordance with Government Code Section 54954.2(a), this agenda was posted on the District's bulletin board at the Georgetown Divide Public Utility District office, at 6425 Main Street, Georgetown, California, on November 9, 2017



Steven Palmer, PE, General Manager

1/10/18

Date

A Presentation for the
GDPUD Board of Directors
November 14, 2017

Summary of Work Activities at ALT Plant October 2017

ALT Water Treatment Plant Project



Construction



Engineering
Support



Materials Testing



Construction
Management

**MYERS & SONS
Construction Activities**



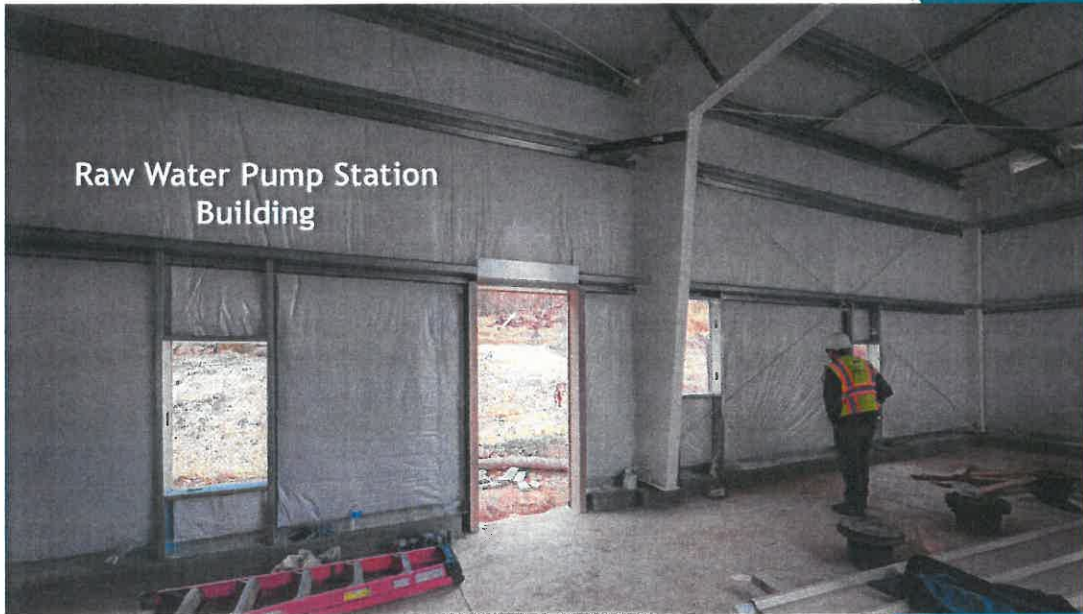
Concrete Pour in the Filter Building



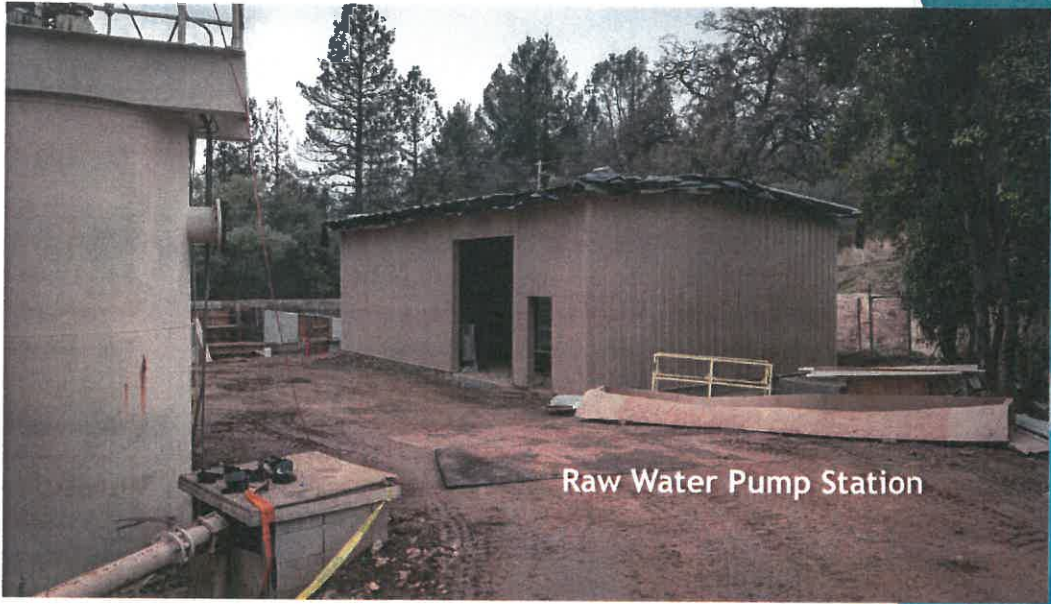
Filter Building Office



Preparing for Storm Events



Raw Water Pump Station Building



Raw Water Pump Station



Sludge Drying Beds



Sludge Drying Beds - more pours

BUDGET

Projected expenditures are within the approved project budget.

| Phase | Expended to Date | Budget |
|--|--------------------|---------------------|
| Construction | \$3,702,473 | \$11,249,000 |
| Construction Engineering, Construction Management, and Environmental | \$ 302,827 | \$ 1,076,226 |
| Total | \$4,005,300 | \$12,325,226 |

STATE SRF PAYMENTS

| CLAIM NO. | CONSTRUCTION | CONSTRUCTION MGMT ADMINISTRATION | AMOUNT |
|-----------|--------------|-------------------------------------|-------------|
| 1 | 1,101,614 | \$55,527 | \$1,157,141 |
| 2 | \$439,850 | \$0 | \$439,850 |
| 3 | 0 | \$69,594 | \$68,457 |
| 4 | \$540,675 | 0 | \$540,675 |
| 5 | \$453,965 | \$101,200 | \$555,165 |
| TOTALS | \$2,536,104 | \$226,321 | \$2,761,288 |

Claim #6 in the amount of \$550,309.63 has been submitted.

Proposition 218 Notification
NOTICE TO PROPERTY OWNERS OF PUBLIC
HEARING ON PROPOSED INCREASE TO WATER RATES

Hearing Date: December 12, 2017
Time: 5:30 PM
Location: Georgetown Community Center
6329 Lower Main Street, Georgetown CA 95634

Why are you receiving this notice? This notice is being furnished to you by the Georgetown Divide Public Utility District (District) pursuant to the California Constitution Article XIID (also known as "Proposition 218"). Under Proposition 218, the District is required to notify property owners of proposed changes to property-related fees such as water and sewer service. This letter serves as notice that the District will hold a public hearing on December 12, 2017, to consider changes to its current treated water and irrigation water rates.

What do water rates fund? The District provides treated water service to approximately 3,774 treated water customers (residential and commercial) and 408 irrigation water customers. The water system must be financially self-sufficient. Monthly rates paid by users of the system are the primary source of revenue. All revenue generated from your water bill is used to maintain and operate the water system. These revenues must meet costs such as system maintenance, licensing, electricity, chemicals, reserve funds for emergency repairs and replacement of aging pipes and other equipment, administrative costs, and salaries and benefits for staff. Revenue generated from these rates is also used to pay off debt incurred to rebuild aging components of the system.

Why is the rate change required? District's rates were last reviewed in 2008, and no adjustments to the rates have occurred since 2011. The water system requires extensive investment, primarily in the replacement and repair of aging pipes and other equipment, in order to maintain a safe and reliable system. The District has insufficient reserve funds to pay for needed replacements and preventative maintenance; and rates are too low to qualify for loans and grants.

Additionally, the District was recently the subject of a Grand Jury Investigation which concluded that the District needed to initiate a rate increase.

Lastly, the District is proposing a standardized system to eliminate tiered rates, based on American Water Works Association standards, to ensure that rates are proportional to the level of service provided to each customer.

How are rates calculated for treated water? The proposed rate structure for treated water service fees has two components: (1) a fixed monthly base charge; and (2) a variable (water consumption-based) usage rate. The first component is a fixed amount calculated to recover the District's fixed costs of operating and maintaining the water system and is based on the potential volume of water a customer could potential draw, as determined by the size of their water meter.

The variable component of the rate structure is based on water consumption (usage).

How are rates calculated for irrigation water? Since irrigation water users are charged for a fixed volume of water, the proposed rate structure for irrigation water service fees consists only of a monthly

base charge. The monthly base charge is based on the size of the service connection, in miner's inches.

Current and proposed treated water rates

Treated water rates will increase over a five-year period, in order to meet anticipated operational, administrative and reserve needs identified in the recently prepared rate study.

| Meter Size | Monthly Base Charge | | | | | |
|--------------|---------------------|-------------|-------------|-------------|-------------|-------------|
| | Current | Jan 1, 2018 | Jan 1, 2019 | Jan 1, 2020 | Jan 1, 2021 | Jan 1, 2022 |
| 5/8, 3/4, 1" | \$ 23.57 | \$ 29.41 | \$ 30.88 | \$ 32.42 | \$ 34.04 | \$ 35.74 |
| 1.5" | \$ 23.57 | \$ 98.02 | \$ 102.92 | \$ 108.07 | \$ 113.47 | \$ 119.15 |
| 2" | \$ 23.57 | \$ 156.83 | \$ 164.67 | \$ 172.91 | \$ 181.55 | \$ 190.63 |
| 3" | \$ 23.57 | \$ 313.66 | \$ 329.34 | \$ 345.81 | \$ 363.10 | \$ 381.25 |
| 4" | \$ 25.16 | \$ 490.09 | \$ 514.60 | \$ 540.33 | \$ 567.34 | \$ 595.71 |

An ALT treatment plant supplemental charge of \$15.08 per month is also added to the base charge for all treated water customers.

| Tier | Usage Rate (per CF) | | | | | |
|-----------|---------------------|-------------|-------------|-------------|-------------|-------------|
| | Current | Jan 1, 2018 | Jan 1, 2019 | Jan 1, 2020 | Jan 1, 2021 | Jan 1, 2022 |
| <1000 CF | -- | \$ 0.0255 | \$ 0.0268 | \$ 0.0281 | \$ 0.0295 | \$ 0.0310 |
| 1000-2000 | \$ 0.0138 | \$ 0.0255 | \$ 0.0268 | \$ 0.0281 | \$ 0.0295 | \$ 0.0310 |
| 2001-3000 | \$ 0.0165 | \$ 0.0255 | \$ 0.0268 | \$ 0.0281 | \$ 0.0295 | \$ 0.0310 |
| 3001-4000 | \$ 0.0193 | \$ 0.0255 | \$ 0.0268 | \$ 0.0281 | \$ 0.0295 | \$ 0.0310 |
| >4001 CF | \$ 0.0221 | \$ 0.0255 | \$ 0.0268 | \$ 0.0281 | \$ 0.0295 | \$ 0.0310 |

Current and proposed irrigation water rates

Irrigation water rates will increase over a five-year period to account for costs related to providing irrigation service, as identified in the recently prepared rate study.

| Meter Size | Monthly Base Charge (Irrigation Season Only) | | | | | |
|-------------|--|-------------|-------------|-------------|-------------|-------------|
| | Current | Jan 1, 2018 | Jan 1, 2019 | Jan 1, 2020 | Jan 1, 2021 | Jan 1, 2022 |
| 1/2" | \$ 47.00 | \$ 77.00 | \$ 84.80 | \$ 93.20 | \$ 102.60 | \$ 112.80 |
| Per each 1" | \$ 72.74 | \$ 154.20 | \$ 169.60 | \$ 186.60 | \$ 205.20 | \$ 225.80 |

Note: Irrigation water is delivered and monthly charges are only billed during the five (5) month irrigation season

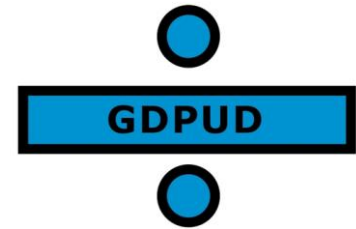
You can be heard Water rates are subject to majority protest, which means if a majority of impacted property owners or tenants of a parcel submit **written protests** against the increase, the District cannot institute the new rates. For your protest to be counted, please include the following:

1. Please write "Prop 218 Protest" on the outside of the envelope;
2. Your name;
3. The address of the impacted property (or APN number); and,
4. Your signature.

Written protests are accepted by mail or personal delivery to the *Clerk of the Board, Georgetown Divide Public Utility District, PO Box 4240, Georgetown, California 95634*; or in person at the public hearing on the date and time specified above, until the close of the public hearing. Protests submitted by fax or email will not be accepted.

Questions? Detailed information regarding the proposed changes in rates, including the rate study, are available on the District website, www.gd-pud.org. If you have any questions, please call the District at (530) 333-4356.

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF JANUARY 11, 2022
AGENDA ITEM NO. 10.E.**



AGENDA SECTION: NEW BUSINESS

SUBJECT: CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH DARRELL CREEKS, EFFECTIVE FEBRUARY 12, 2022, ON AN AS-NEEDED BASIS FOR A TOTAL AMOUNT NOT TO EXCEED \$10,000

PREPARED BY: Adam Coyan, General Manager

APPROVED BY: Adam Coyan, General Manager

BACKGROUND

Darrell Creeks began working for the Georgetown Divide Public Utility District in October of 1991 as a PT Temp, becoming full time on January 3, 1994. He has retired from the District and his last day with the District will be February 11, 2022.

The Board of Directors and the community is well aware of the valuable and dedicated service Darrell has provided over his 28 years with the District, first as a maintenance worker, and promoted as treatment plant operator, lead treatment plant operator, ALT wastewater operator, and eventually operations manager, while serving as interim general manager, when needed.

Mr. Creeks has played a prominent role in the completion of major projects and achievements by the District during his tenure. The ability to continue to work with him during the transition of a new operations manager is essential.

DISCUSSION

The attached proposed Professional Services Agreement provides for consulting services on an as-needed basis by the General Manager and the new Operations Manager when that individual is hired.

Due to the nature of the contract Mr. Creeks could be called essentially 24/7 to assist the district in our time of need. His experience and knowledge of the system is invaluable and could save current employees hours if not days of work.

FISCAL IMPACT

This proposed agreement (Attachment 1) would provide for an hourly rate of \$105, for a total agreement amount not to exceed \$10,000. Funds for this agreement would be drawn from Budget Account 5080, Outside Services.

CEQA ASSESSMENT

This action is not a CEQA Project.

RECOMMENDED ACTION

Staff recommends the Board of Directors of the Georgetown Divide Public Utility District approve the Professional Services Agreement with Darrell Creeks beginning February 12, 2022. Resolution 2020-XX is included as Attachment 2 to this report.

ALTERNATIVES

(a) Request substantive changes to the Resolution for staff to implement; (b) Reject the resolution.

ATTACHMENTS

1. Professional Services Agreement – Darrell Creeks
2. Resolution 2022-XX

**GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
PROFESSIONAL SERVICES AGREEMENT**

With

Darrell Creeks

For

DISTRICT OPERATIONS SUPPORT

THIS PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is made and entered into this 12th day of February 2022, by and between GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT ("District") and Darrell Creeks, ("Consultant"). District and Consultant may each be referred to individually as “Party” or collectively as “Parties” in this Agreement. There are no other parties to this Agreement.

RECITALS

A. District seeks to hire an independent contractor to assist the District in operations support associated with all process of raw and treated water operations, as well as provide key information regarding overall District operations.

B. Consultant represents that it consists of persons trained and experienced in conducting District operations; and

C. District desires to retain Consultant to perform the Services, subject to the terms and conditions set forth in this Agreement.

NOW THEREFORE, District and Consultant, for the consideration hereinafter set forth, agree as follows:

SECTION 1- RECITALS

The recitals set forth above (“Recitals”) are true and correct and are hereby incorporated into and made part of this Agreement by this reference. In the event of any inconsistency between the Recitals and Sections 1 through 19 of this Agreement, Sections 1 through 19 shall prevail.

SECTION 2 - SCOPE OF WORK

Consultant agrees to provide the Services, as directed by the General Manager and as necessary to (1) Assist in raw and treated water production and (2) Overall District operations when needed.

SECTION 3 - TERM

District and Consultant agree that this contract shall be in effect for a one-year period beginning February 12, 2022, and ending February 11, 2022 ("Term").

SECTION 4 - COMPENSATION

A. District agrees to pay, and Consultant agrees to accept, on a time and materials basis, an amount not to exceed \$10,000 for completion of the Services. The Services shall be compensated at a rate of \$105.00 per hour. The total amount is not to exceed \$10,000, as provided in the Services.

B. The Consultant shall submit billing invoices to the District identifying number of hours and the specific services provided.

C. The granting of any payment by District, or the receipt thereof by Consultant, or any inspection, review, approval or oral statement by any representative of District, or State certification, shall not, in any way, waive, limit, or replace any certification or approval procedures normally required or lessen the liability of Consultant to re-perform or replace unsatisfactory Service, including but not limited to cases where the unsatisfactory character of such Service may not have been apparent or detected at the time of such payment, inspection, review or approval.

D. Nothing in this Agreement shall constitute a waiver or limitation of any right or remedy, whether in equity or at law, which District may have pursuant to this Agreement or any applicable law. All rights and remedies of District, whether under this Agreement or applicable law, shall be cumulative.

SECTION 5 - TERMINATION OF CONTRACT

The District may terminate this Agreement or any part thereof at any time upon ten (10) days written notice to the Consultant. In the event of any such termination, the Consultant is to be fairly compensated for all work performed to the date of termination, and the District shall be entitled to all work performed.

If the District fails to pay the Consultant within sixty (60) days of the date provided for any payments hereunder, the District agrees that the Consultant shall have the right to consider such default a breach of this Agreement, and Consultant may terminate its duties under this Agreement upon ten (10) days written notice.

SECTION 6 - NOTICE OF DETRIMENTAL INFORMATION

The Consultant shall promptly notify the District of the discovery of any information that could be detrimental to the successful completion of the Services. The Consultant shall provide in writing to the District said detrimental information within 24 hours of the time of discovery. The District shall then promptly review such detrimental information and

notify the Consultant to proceed with or terminate the remainder of the Services to be performed.

SECTION 7 - MISCELLANEOUS PROVISIONS

A. Consulting Standard: The Consultant represents and warrants to the District that it is fully experienced and properly qualified to perform Services called for herein. Consultant further agrees that he/she will follow the current, prevailing, generally accepted practice of the consulting profession to make findings, render opinions, prepare factual presentations, and provide professional advice and recommendations regarding the Services rendered under this Agreement.

B. Consultant is Independent Contractor: The Consultant shall finance its own operations hereunder, shall operate as an independent contractor and not as the agent or employee of the District, and nothing in this Agreement shall be construed to be inconsistent with this relationship or status.

C. Consultant's Records: The Consultant shall maintain and make available for inspection by the District and its auditors accurate records of its costs, disbursements, and receipts with respect to any Services under this Agreement that is to be compensated for on the basis of the Consultant's costs. Such inspections may be made given a 10 day notice until six (6) months after the final payment under this Agreement is made to the Consultant.

D. Ownership of Data and Reports: All reports and all data compiled and used in the performance of this Agreement shall be the property of the District.

E. Responsibility for Changes in Work: If the District makes any changes in the work performed by the Consultant hereunder which affect the Consultant's Services, District shall waive any and all liability arising out of such changes as against the Consultant, and the District shall assume full responsibility for such changes, unless the District has given the Consultant prior notice and has received from the Consultant written consent for such changes.

F. Arbitration: All questions between the Parties as to their rights and obligations under this Agreement are subject to arbitration if agreed to by both Parties. In case of any dispute, either Party may request arbitration by submitting a written request for arbitration to the other Party. If the other Party agrees to arbitration, the disputed matter shall be referred to and decided by two competent persons who are experts in the subject matter of the dispute, one to be selected by the District and the other by the Consultant. In case these two experts cannot agree, they shall select a third arbitrator and the decision of any two of them shall be binding on both Parties.

G. Assignment: This contract shall be binding upon the heirs, successors, executors, administrators and assigns of the Parties; however, no assignment or

subcontract by one Party shall be valid without the prior written consent of the other Party.

H. Invalidity of Contract Provisions: Should any provision of this contract be found or deemed to be invalid, this Agreement shall be construed as not containing such provision, and all other provisions which are otherwise lawful shall remain in full force and effect, and to this end, the provisions of this contract are declared to be severable.

I. Place of Making and Performance of Contract: This contract shall be deemed to have been made in El Dorado County, California and the Services required to be performed in El Dorado County, California.

J. Financial Disclosure: The Consultant shall make all disclosures required by the District's conflict of interest code in accordance with the Consultant category designated by the District, unless the District's General Manager determines in writing that the Consultant's duties are more limited in scope than is warranted by the Consultant category and that a narrower disclosure category should apply. The Consultant also agrees to make disclosure in compliance with the District's conflict of interest code if, at any time after the execution of this Agreement, Consultant's duties under this Agreement warrant greater disclosure by the Consultant than was originally contemplated. The Consultant shall make disclosures in the time, place and manner set forth in the District's conflict of interest code and as directed by the District.

SECTION 8- CONFORMITY WITH LAW AND SAFETY

Consultant shall observe and comply with all applicable laws, ordinances, codes and regulations of governmental agencies, including federal, state, municipal and local governing bodies having jurisdiction over any or all of the scope of Services, including all provisions of the Occupational Safety and Health Act of 1979 as amended, all California Occupational Safety and Health Regulations, the California Building Code, the American with Disabilities Act, any copyright, patent or trademark law and all other applicable federal, state, municipal and local safety regulations, appropriate trade association safety standards, and appropriate equipment manufacturer instructions. All Services performed by Consultant must be in accordance with these laws, ordinances, codes and regulations. Consultant's failure to comply with any laws, ordinances, codes or regulations applicable to the performance of the Services hereunder may constitute a breach of contract. Should the District discover a violation of any of the applicable laws, ordinances, codes or regulations referred to herein, the District shall give written notice of such violation to Consultant, and Consultant shall have a reasonable time to cure such violation. In cases where standards conflict, the standard providing the highest degree of protection shall prevail.

If a death, serious personal injury or substantial property damage occurs in connection with the performance of this Agreement, Consultant shall immediately notify the District's General Manager by telephone. If any accident occurs in connection with this

Agreement, Consultant shall promptly submit a written report to District, in such form as the District may require. This report shall include the following information: (a) name and address of the injured or deceased person(s); (b) name and address of Consultant's subcontractor, if any; (c) name and address of Consultant's liability insurance carrier; and (d) a detailed description of the accident, including whether any of District's equipment, tools or materials were involved.

If a release of a hazardous material, substance, or waste occurs in connection with the performance of this Agreement, Consultant shall immediately notify District. Consultant shall not store hazardous materials or hazardous waste within the District limits without a proper permit and prior authorization by District.

SECTION 9 - INSURANCE

N/A

SECTION 10 - INDEMNIFICATION BY CONSULTANT

Consultant agrees to indemnify, hold harmless and defend the District and its elected and appointed councils, boards, commissions, officers, agents, employees, and representatives from any and all claims, costs, and liability for claims of damage, for any property damage or personal injury, including death, which may arise as a result of any negligent acts or omissions by Consultant or Consultant's contractors, subcontractors, agents, or employees in connection with the Agreement.

SECTION 11- NOTICES

Any notices required to be given pursuant to this Agreement shall be deemed to have been given by their deposit, postage prepaid, in the United States Postal Service, addressed to the parties as follows:

To District: Adam Coyan, General Manager
GDPUD
P.O. Box 4240
6425 Main Street
Georgetown, CA 95634

With courtesy copies to: Barbara A. Brenner, Esq.
Churchwell White LLP
1414 K Street, 3rd Floor
Sacramento, CA 95814

To Consultant: Darrell Creeks
16882 Highway 74
Maysville OK 73057

Nothing hereinabove shall prevent either District or Consultant from personally delivering any such notices to the other.

SECTION 12- JURISDICTION

Except as otherwise specifically provided, this Agreement shall be administered and interpreted under the laws of the State of California. Jurisdiction of litigation arising from this Agreement shall be in California. In the event of a dispute, venue in any court action shall be the County of El Dorado.

SECTION 13 - INTEGRATION

This agreement, together with its specific references, attachments and exhibits constitutes the entire Agreement of District and Consultant as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may not be modified or altered except in writing signed by both Parties.

SECTION 14- NON-DISCRIMINATION

In connection with the performance of Consultant pursuant to this Agreement, Consultant will not willfully discriminate against any employee or applicant for employment because of race, color, religion, gender, sexual orientation, sex, age, disability, genetic information, marital status, amnesty, ancestry, national origin, or status as a covered veteran in accordance with applicable federal or state statutes. Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, gender, sexual orientation, sex, age, disability, genetic information, marital status, amnesty, ancestry, national origin, or status as a covered veteran. Such action shall include, but not be limited to, the following: employment, upgrading or promotion, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training, including apprenticeship.

SECTION 15 - WAIVER

No covenant, term, or condition or the breach thereof shall be deemed waived, except by written consent of the Party against whom the waiver is claimed, and any waiver of the breach of any covenant, term, or condition shall not be deemed to be a waiver of any preceding or succeeding breach of the same or any other covenant, term, or condition.

SECTION 16 - AUTHORITY

All Parties to this Agreement warrant and represent that they have the power and authority to enter into this Agreement and the names, titles, and capacities herein stated on behalf of any entities, persons, states, or firms represented or purported to be represented by such entities, persons, states or firms and that all former requirements necessary or required by the state or federal law in order to enter into the Agreement have been fully complied with. Further, by entering into this Agreement, either Party hereto shall have breached the terms or conditions of any other contract or agreement to which such Party is obligated, which such breach would have a material effect hereon.

SECTION 17 - DRAFTING AND AMBIGUITIES

Each Party acknowledges that it has reviewed this Agreement with its own legal counsel, and based upon the advice of that counsel, freely entered into this Agreement. Each Party has participated fully in the review and revision of this Agreement. Any rule of construction that ambiguities are to be resolved against the drafting party does not apply in interpreting this Agreement.

SECTION 18- COUNTERPARTS

This Agreement may be executed simultaneously and in several counterparts, each of which shall be deemed an original, but which together shall constitute one and the same instrument.

SECTION 19- ATTORNEY’S FEES AND COSTS

If any action at law or in equity, including action for declaratory relief, is brought to enforce or interpret provisions of this Agreement, the prevailing Party shall be entitled to reasonable attorney's fees and costs, which may be set by the court in the same action or in a separate action brought for that purpose, in addition to any other relief to which such Party may be entitled.

IN WITNESS WHEREOF, the Parties hereto have executed and entered into this Agreement the day and year first above written.

District:

Consultant:

By: _____

By: _____

Adam Coyan
General Manager

Darrell Creeks
Principal

Date: _____

Date: _____

RESOLUTION NO. 2022-XX
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
APPROVING A PROFESSIONAL SERVICES AGREEMENT
WITH DARRELL CREEKS FOR AN AMOUNT NOT TO EXCEED \$10,000

WHEREAS, Darrell Creeks began working for the Georgetown Divide Public Utility District in October of 1991 as a PT Temp, becoming full time on January 3, 1994. He has retired from the District and his last day with the District will be February 11, 2022; and

WHEREAS, Mr. Creeks has provided dedicated service over his 28 years with the District, first as a maintenance worker, and up the ladder as treatment plant operator, lead treatment plant operator, ALT wastewater operator, and eventually operations manager, while serving as interim general manager when needed; and

WHEREAS, Mr. Creeks has played a prominent role in the completion of major projects and achievements by the District during his tenure. The ability to continue to work with him during the transition of a new operations manager is essential; and

WHEREAS, due to the nature of the contract Mr. Creeks could be called essentially 24/7 to assist the District in our time of need. His experience and knowledge of the system is invaluable and could save current employees hours, if not days, of work; and

WHEREAS, the Agreement for District Operations Support with Mr. Creeks provides for an hourly rate of \$105, and a total contract amount not to exceed \$10,000; and

WHEREAS, the funding for this Professional Services Agreement will be drawn from Budget Account 5080, Outside Services.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT THAT the Professional Service Agreement with Darrell Creeks for consulting services beginning February 12, 2022, for an amount not to exceed \$52,800, is approved.

PASSED AND ADOPTED by the Board of Directors of the Georgetown Divide Public Utility District at a meeting of said Board held on the 11th day of January 2022, by the following vote:

AYES:

NOES:

ABSENT/ABSTAIN:

Michael Saunders, President, Board of Directors

GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:

Adam Coyan, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of Resolution 2022-XX, duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this 11th day of January 2022.

Adam Coyan, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

RESOLUTION NO. 2022-XX
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
APPOINTING A REPRESENTATIVE AND ALTERNATE(S) TO THE
ACWA JOINT POWERS INSURANCE AUTHORITY

WHEREAS, the Georgetown Divide Public Utility District (“GDPUD”) is a member of the Association of California Water Agencies Joint Powers Insurance Authority (“ACWA JPIA”); and

WHEREAS, the ACWA JPIA is governed by a board of directors which is composed of one representative from each member agency; and

WHEREAS, as a member of the ACWA JPIA Board of Directors, the GDPUD Board of Directors must appoint one of its Directors as a representative to ACWA JPIA and must also appoint at least one alternate who must be an officer, member, or employee of the GDPUD Board; and

WHEREAS, the alternate has the authority to attend and participate in any meeting of the Board when the regular member is absent from the meeting.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT hereby appoints

1. Director _____ as a representative to ACWA JPIA; and
2. Director _____ as an alternate representative to ACWA JPIA.

PASSED AND ADOPTED by the Board of Directors of the Georgetown Divide Public Utility District at a meeting of said Board held on the 11th day of January 2022, by the following vote:

AYES:

NOES:

ABSENT/ABSTAIN:

Michael Saunders, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:

Adam Coyan, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true, and correct copy of Resolution 2022-XX duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this 11th day of January 2022.

Adam Coyan, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF JANUARY 11, 2022
AGENDA ITEM NO. 10.F.**



AGENDA SECTION: NEW BUSINESS

SUBJECT: APPOINTMENT OF REPRESENTATIVE TO THE ASSOCIATION OF CALIFORNIA WATER AGENCIES JOINT POWERS INSURANCE AGENCY

PREPARED BY: Gloria Omania, Interim Board Clerk

APPROVED BY: Adam Coyan, General Manager

BACKGROUND

The Georgetown Divide Public Utility District (GDPUD) is a member of the Association of California Water Agencies Joint Powers Insurance Authority (ACWA JPIA). The ACWA JPIA is governed by the Board of Directors which is composed of one representative from each member agency.

DISCUSSION

As a member of the ACWA JPIA Board of Directors, the GDPUD Board of Directors must appoint one of its Directors as a representative to the ACWA JPIA. In addition, it must appoint at least one alternate who must be an officer, member, or employee of the GDPUD Board. The alternate has the authority to attend and participate in any meeting of the ACWA JPIA Board when the regular member is absent from the meeting. Currently, Mitch MacDonald is the GDPUD appointee, and Michael Saunders is the alternate.

FISCAL IMPACT

This action has no fiscal impact.

CEQA ASSESSMENT

This is not a CEQA Project.

RECOMMENDED ACTION

Staff recommends the Board of Directors of the Georgetown Divide Public Utility District (GDPUD) adopt the attached Resolution appointing one representative from its own Board of Directors and one or more alternates to the ACWA JPIA Board for the 2022 calendar year.

ALTERNATIVES

(a) Request substantive changes to the Resolution for staff to implement; (b) Reject the Resolution.

ATTACHMENTS

1. ACWA JPIA Board of Directors – Member/Alternate Form
2. Resolution 2022-XX

JPIA Board of Directors - Member/Alternate



An excerpt from the JPIA Agreement:

"Article 7 - Board of Directors"

- (a) The Authority shall be governed by the Board of Directors which is hereby established and which shall be composed of one representative from each Member, who shall be a Member director selected by the governing board of that Member. Each Member, in addition to appointing its member of the Board, shall appoint at least one alternate who shall be an officer, member of the governing board, or employee of that Member. The alternate appointed by a Member shall have the authority to attend and participate in any meeting of the Board when the regular member for whom he or she is an alternate is absent from said meeting.
- (b) Each Director or alternate of the Board shall serve until a successor is appointed. Each Director or alternate shall serve at the pleasure of the Member by which he or she has been appointed.
- (c) Each Director representing a Member, or his or her alternate, shall have one vote.

Please have your agency's Board of Directors designate a JPIA Director Representative and Alternate Representative.

Member Agency: _____

JPIA Director Representative: _____

Must be a member of the agency's board of directors.

Preferred mailing address: _____

E-mail address: _____

Phone number: _____

Assuming office date: _____

JPIA Alternate Representative: _____

Preferred mailing address: _____

E-mail address: _____

Phone number: _____

Please mail form to: Attn: Bobbette Wells, ACWA/JPIA, PO Box 619082, Roseville, CA 95661-9082

or FAX to: (916) 774-7040

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF JANUARY 11, 2022
AGENDA ITEM NO. 10.G.**



AGENDA SECTION: NEW BUSINESS

SUBJECT: SCHEDULE COMMUNITY WORKSHOP ON THE AUTOMATED METER READING AND METER REPLACEMENT PROJECT

PREPARED BY: Gloria Omania, Interim Board Clerk

APPROVED BY: Adam Coyan, General Manager

BACKGROUND

The Board of Directors awarded the contract for the Automated Meter Reading and Meter Replacement Project to Ferguson on September 14, 2021. This project is funded through financial assistance from the Drinking Water State Revolving Fund (DWSRF) program of the United States Environmental Protection Agency (EPA) through the State Revolving Fund (SRF) administered by the California State Water Resources Control Board (SWRCB). The District has also been awarded a \$500,000 through the U.S. Bureau of Reclamation's 2021 WaterSMART Grant program to satisfy the remaining funding requirements.

DISCUSSION

During the review of the proposed contract, the Board discussed the need for a community workshop to inform the community about the project. Staff is requesting that the Board set a date and provide direction to Staff.

FISCAL IMPACT

The costs associated with this public outreach efforts is dependent on direction from the Board.

RECOMMENDED ACTION

Staff recommends that the Board schedule this workshop to allow for adequate public notification.

Attest:

Adam Coyan, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

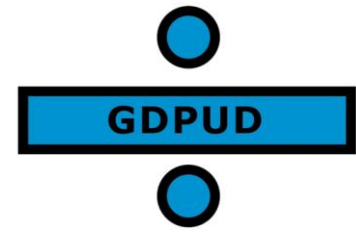
CERTIFICATION

I hereby certify that the foregoing is a full, true, and correct copy of Resolution 2022-XX duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this 11th day of January 2022.

Adam Coyan, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

DRAFT

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF JANUARY 11, 2021
AGENDA ITEM NO. 10.H.**



AGENDA SECTION: NEW BUSINESS

SUBJECT: 2021 Urban and Multibenefit Drought Relief Grant Program

PREPARED BY: Adam Brown, Water Resources Manger

APPROVED BY: Adam Coyan, General Manager

BACKGROUND

The Budget Act of 2021 (Stats. 2021, ch. 240, § 80) allocated \$300 million to Department of Water Resources (DWR) to deliver grants for interim and immediate drought relief to urban communities and for multibenefit projects. The 2021 Urban and Multibenefit Drought Relief Grant Program (UMDRGP) grant is intended to provide water to communities that face the loss or contamination of their water supplies, to address immediate impacts on human health and safety, and to protect fish and wildlife resources.

DISCUSSION

On March 18, 2021, the District applied for *WaterSMART Grants: Small-Scale Water Efficiency Projects* to fund the *2022 Upper Canal Reliability Project* (Project), however was unsuccessful. The UMDRGP funding criteria meets the scope of work outlined in the Project. It is proposed the District apply the Project to the new funding opportunity by updating the application to meet UMDRGP requirements. The 2021 application is included as Attachment 1. The UMDRGP solicitation package is included as Attachment 2.

In order to qualify for the funding opportunity a resolution of support is required to be adopted by the District's Board of Directors. The resolution of support is included as Attachment 3.

FISCAL IMPACT

The UMDRGP does not require cost sharing, however is encouraged. Total project cost is estimated at \$250,000. A zero percent cost share would result in no fiscal impact, 25 percent cost share would result in a fiscal impact of \$62,500 and 50 percent would result in a fiscal impact of \$125,000.

CEQA ASSESSMENT

This is not a CEQA Project, however would be implemented upon award.

RECOMMENDED ACTION

Staff recommends the Board of Directors adopt the resolution of support, but would like direction regarding potential cost sharing.

ATTACHMENTS

1. WaterSMART Proposal
2. DWR Funding Solicitation
3. Resolution of Support

AGENDA ITEM X.X.

Attachment 1

WaterSMART Proposal

AGENDA ITEM X.X.

Attachment 2

DWR Funding Solicitation

AGENDA ITEM X.X.

Attachment 3

Resolution of Support

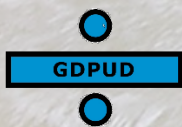
**WaterSMART Grants:
Small-Scale Water Efficiency Projects**
Notice of Funding Opportunity No. R21AS00300

PROPOSAL

**2022 Upper Canal Reliability
Project**

Applicant:

Georgetown Divide Public Utility District
6425 Main Street
Georgetown, CA 95634



March 18, 2021

Project Manager:

Jeff Nelson, Interim General Manager
Georgetown Divide Public Utility District
6425 Main Street
Georgetown, CA 95634
gm@gd-pud.org
(530) 333-4356

TABLE OF CONTENTS

| Required Section | Page No. |
|--|-----------|
| Title Page | 1 |
| Table of Contents | 2 |
| Technical Proposal and Evaluation Criteria | 3 |
| (1) Executive Summary | 3 |
| (2) Project Location | 4 |
| (3) Technical Project Description | 6 |
| (4) Evaluation Criteria | 8 |
| A – Project Benefits | 8 |
| B – Planning Efforts Supporting the Project | 9 |
| C – Project Implementation | 10 |
| D – Nexus to Reclamation | 11 |
| Project Budget | 12 |
| (1) Funding Plan and Letters of Commitment | 12 |
| (2) Budget Proposal | 12 |
| (3) Budget Narrative | 13 |
| Environmental and Cultural Resources Compliance | 15 |
| Required Permits or Approvals | 17 |
| Appendix A: Letters of Support | |
| Appendix B: Official Resolution | |
| Appendix C: Mandatory Federal Forms | |

TECHNICAL PROPOSAL AND EVALUATION CRITERIA

(1) Executive Summary

Name of Project

Date: March 18, 2021
Applicant: Georgetown Divide Public Utility District
City, County, State: Georgetown, El Dorado County, California

Applicant Type

The Georgetown Divide Public Utility District (GDPUD) is a Category A applicant with water delivery authority under the eligibility criteria set forth by Public Law 111-11, Section 9502 for this WaterSMART Small-Scale Water Efficiency Projects Grant. GDPUD is an urban water supplier formed under the authority of the California Public Utility District Act, Government Code Sections 15501, et seq. on June 4, 1946. Section 16461 of the Public Utilities Code of California authorizes GDPUD to construct, finance, maintain, and operate a water system in El Dorado County, California.

Proposal Summary

GDPUD is located in the west slope of the Sierra Nevada foothills in El Dorado County, California. GDPUD owns and operates a surface reservoir, canals, water treatment facilities and water distribution systems to provide water services to its customers. Currently, approximately 70 percent of GDPUD's 75 miles of conveyance is unlined canal which correlates to an estimated loss of around 3,600 acre-feet per year. GDPUD's annual average water loss is nearly 40 percent of the raw water system yield over the last 20 years.

The proposed 2022 Upper Canal Reliability Project (UCRP) will include concrete lining for a total of 1,500 feet of water canals near Volcanoville Road, Sierra Pacific Industries (SPI) Crossing, and Below Structure #2 located in the remote portion of GDPUD's service area. These areas were identified in GDPUD's Capital Improvement Plan (CIP) 2019/2020 to 2023/2024 as areas with significant water loss in need of lining to improve GDPUD's water supply reliability. By implementing the UCRP, GDPUD will improve water efficiency by eliminating canal scouring, seepage loss, and vegetation growth in these upper sections of the canal, thus improving overall water supply reliability for its customers.

Estimated Duration and Completion Date

The construction for the UCRP is scheduled to begin in March 2022 and continue through April 2022. Prior to March 2022, GDPUD plans to procure an engineering contractor to complete the design and environmental review prior to the construction. GDPUD intends to complete the construction prior to the irrigation season from May 1 to September 30 when the canal is under constant use. If it is not possible for any reason to perform construction in Spring 2022, the construction period will be from October 2022 through December 2022. Please refer to **Evaluation Criterion C** for a more detailed project schedule.

Reclamation Facilities Addressed by the Project

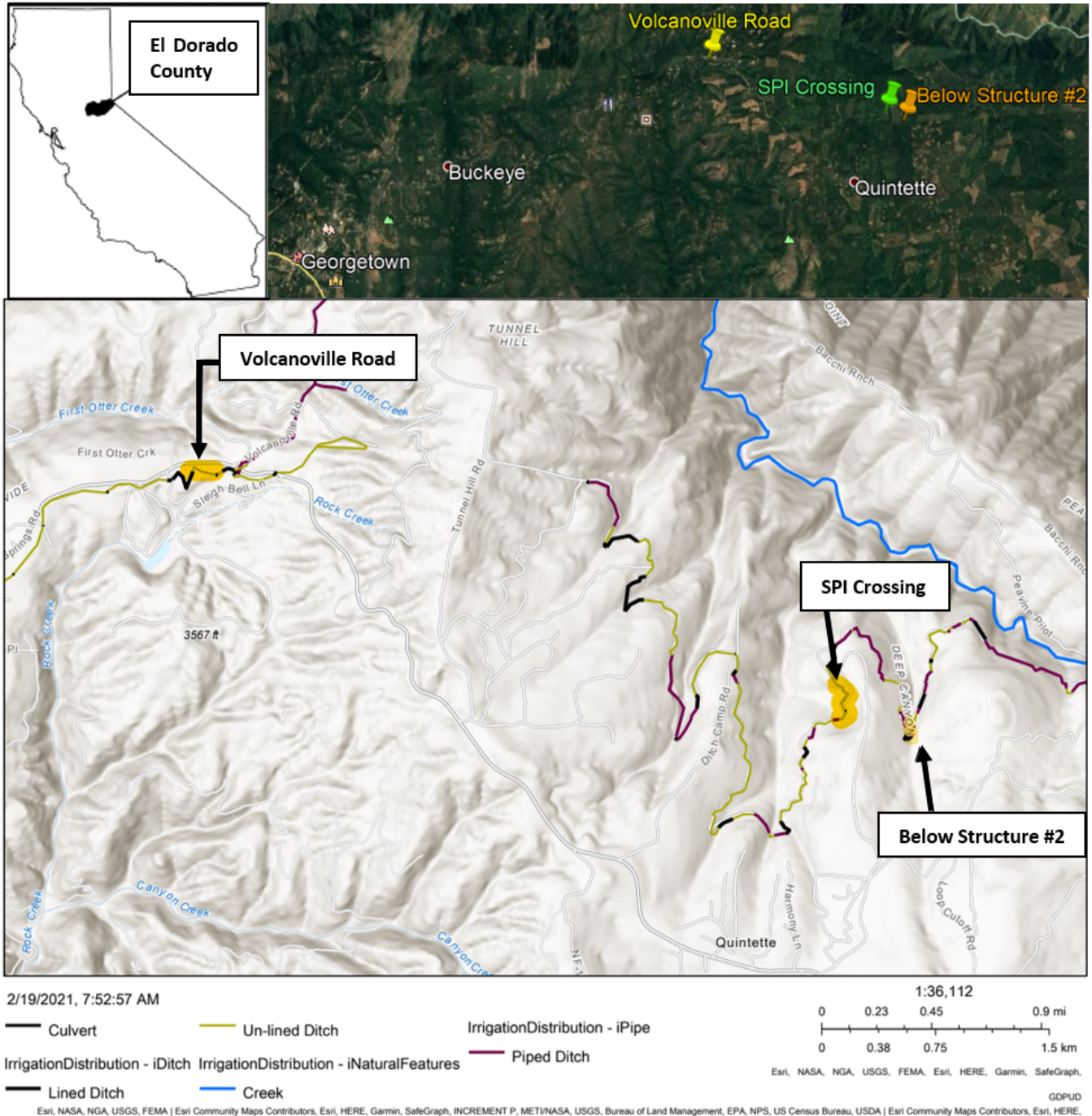
The concrete-lining of water canals is not located on a Federal facility. It will be implemented on portions of the canal owned and operated by the GDPUD near Volcanoville Road, SPI Crossing, and Below Structure #2.

(2) Project Location

The UCRP will line three segments of GDPUD's canals within the GDPUD service area in El Dorado County, California near the communities of Georgetown and Quintette. The GDPUD service area straddles a ridge which separates the drainage basin of the Middle Fork American River and the Rubicon River (tributary to the American River) on the north from that of the South Fork American River on the south. GDPUD's headquarters is located on the west slope of the Sierra Nevada foothills, approximately 45 miles northeast of Sacramento, California.

The three canal segments identified by GDPUD under the UCRP have canal cross-sections with very steep slopes. Each section has water surfacing down-slope of the canal and is showing signs of leakage. Due to the nature of the issues observed at the three segment locations identified by GDPUD, these three segments were selected and prioritized as they are chronic areas with significant leaks, and GDPUD cannot identify a specific source of leaks. As such, lining these entire unlined segments are the most viable way to address the water leakage issue thereby improving efficiency and reliability. These segments are located exclusively within maintained canal right-of-way owned and operated by GDPUD and have no adjacent property owners except for Sierra Pacific Industries (SPI). These segments are described in further detail below:

- The Volcanoville Road lining is located approximately 7 miles northeast of Georgetown, California and 3 miles northwest of Quintette, California. The proposed project area is a 700 linear feet portion of the canal that runs west between Wentworth Springs Road and Volcanoville Road, see **Figure 1**. The latitude and longitude of this lining segment are 38.943552 and 120.723892, respectively.
- The SPI Crossing lining is located approximately 1 mile northeast of Quintette, California. The proposed project area is a 600 linear feet portion of the canal that runs north alongside Georgetown Water Supply Road, see **Figure 1**. The latitude and longitude of this lining segment are 38.929590 and 120.676423, respectively.
- The Below Structure #2 lining is located approximately 1 mile north-east of Quintette, California. The proposed project area is a 100 linear feet portion of the canal that runs north alongside Georgetown Water Supply Road, see **Figure 1**. The latitude and longitude of this lining segment are 38.927528 and 120.671500, respectively.



Source: Google Earth; Georgetown Divide Public Utility District

Key: GDPUD = Georgetown Divide Public Utility District; SPI = Sierra Pacific Industries; UCRP = Upper Canal Reliability Project

Note: The yellow highlighted canal segments are the three canal segments identified by GDPUD under the UCRP.

Figure 1. Geographic Location of 2022 Upper Canal Reliability Project

(3) Technical Project Description

The UCRP will line 1,500 feet of canal over three segments of GDPUD's Main Canal. The UCRP is one of many projects under GDPUD's Annual Canal Lining Project to reduce water loss and improve long-term water supply reliability. As stated above, these areas addressed by the UCRP were identified in GDPUD's CIP 2019/2020 to 2023/2024 as areas needing lining based on an analysis of performance, conditions, and capacity.

These segments of canal near Volcanoville Road, SPI Crossing, and Below Structure #2 are characterized by very steep slopes. Along each segment water is surfacing down-slope of the canal. Previous mitigation efforts (i.e., sandbags and bentonite seal) have been unsuccessful. To stop the canal from scouring and potential catastrophic failure, and to reduce water losses, a concrete lining will be applied to the earthen canal under the proposed UCRP. Major activities include canal contouring, placement of concrete reinforcement material, concrete installation, and finishing work.

The materials and equipment needed include concrete reinforcing material, concrete, concrete mixing and pumping equipment, and other concrete equipment. The anticipated construction related features are summarized in the table below:

| Construction Feature | Description |
|--------------------------|---|
| Mobilization | GDPUD will perform project mobilization. Supplies will be brought to locations as needed. |
| Access | Proposed construction areas are generally accessible. |
| Site Preparation | It is planned that site preparation will include canal contouring. The project work will use GDPUD's equipment to clear vegetation and sediment from the existing conveyance canal in the project area identified in the Project Location . |
| Lining Installation | A concrete pumping subcontractor will be used to pump concrete at the desired locations and GDPUD staff will complete the concrete finishing work. The concrete will be placed at grade and stabilized with concrete reinforcement wire for structural support. |
| Restoration/Revegetation | Upon completion, distributed areas anti-scouring measures including hydroseeding, straw waddles and mulching will be applied to minimize scouring. |
| De-mobilization | GDPUD will restore the central staging area and remove any equipment. |

Implementation of the UCRP will also require non-construction efforts prior to and throughout the construction period. These include grant administration services, environmental documentation and processing, design/bid documentation preparation for the environmental compliance, and construction administration.

Surveying for the project will include GPS (Geographical Positioning System) locating and staking of the reaches slated for construction. GDPUD will provide typical cross-sections for each segment. GDPUD maps will be used to show limits of work, staging areas and any parcels requiring temporary construction easements. No easements and no Federal, State, or local permitting will be required for the UCRP as it is located exclusively within maintained canal right-of-way owned and operated by GDPUD. Additionally, no engineering or design work is needed because the project is a modernization of the existing infrastructure to improve efficiency and effectiveness of water

distribution. A bid is not needed for the concrete pumping subcontractor as GDPUD already has agreements with a local concrete plant and pumper that is paid a daily rate.

A Project Manager will be assigned to administer the contract documents and to provide adequate inspection services to assure adherence to the construction documents and to monitor schedule and progress payments. The Project Manager will report to GDPUD's General Manager on the progress of the project and on payment requests. A Field Superintendent will oversee the daily construction activities at the work site and be responsible for the scheduling of field staff and delivery of equipment and materials. The Field Superintendent will provide updates to the Project Manager on the progress of the project and any concerns/issues. The field staff will perform the construction activities as directed by the Field Superintendent.

(4) Evaluation Criteria

Evaluation Criterion A — Project Benefits

Much of the raw water infrastructure within GDPUD's service area originates from the gold mining era that took place during the California Gold Rush in the mid-1800s. As such, it includes many unlined canals which are known to have high water losses and uncertain reliability as they are subject to scouring and failures. The portions of the canal in the UCRP were constructed in the 1950s. The UCRP will modernize the aging infrastructure by updating the inefficient and unreliable canals in the three segments identified under **Project Location** to conserve and use water more efficiently and improve water supply reliability.

At a local level, GDPUD estimates a total loss around 3,600 acre-feet per year from its approximately 50 miles of unlined conveyance canals. GDPUD's annual average water loss is nearly 40 percent of the entire water system operations over the last 20 years. Using average water loss per mile in calculation, concrete lining these 1,500 feet (approximately 0.29 miles) of canals is anticipated to conserve about 20 acre-feet per year. However, as previously mentioned, these segments were prioritized for their significance and thus, the anticipated water savings could be more. The resulting water loss reduction will improve GDPUD's water availability and its stewardship for natural resource management.

UCRP implementation will increase GDPUD's water supply reliability by reducing unnecessary water loss in raw water facilities. An increase in water supply reliability will support GDPUD in meeting its current and future agricultural and municipal and industrial (M&I) water demands. It will also increase their level of drought protection during dry years because GDPUD will have greater access to their water supplies as a result of reducing water losses in their conveyance system. Additionally, the majority of the existing infrastructure is subject to substantial scouring and is known to be unstable and subject to canal failure. Concrete lining the canals will eliminate these threats, thus improving water supply reliability and protecting water quality.

At a regional (basin) level, implementation of the UCRP will contribute to improvement of downstream river conditions and environmental conditions throughout the American River Watershed. The American River Watershed originates at the crest of the Sierra Nevada near Lake Tahoe and extends about 30 miles westward to the American River confluence with the Sacramento River near downtown Sacramento. In about the center of the watershed is the Federal facility, Folsom Dam and Reservoir, which is owned and operated by the U.S. Department of the Interior, Bureau of Reclamation (Reclamation). The UCRP will line canal segments upstream of Folsom Dam and Reservoir. Once the anticipated project benefits are accumulated in Folsom Dam and Reservoir, it would allow for additional resource and flexibilities for Reclamation to operate Folsom Dam and Reservoir for all authorized Central Valley Project (CVP) purposes including water supply, water quality, fishery species protection, power generation, and recreation. Refer for **Evaluation Criterion D** for additional details on downstream benefits as it relates to Reclamation.

The UCRP is consistent with State legislation and countywide plans, and GDPUD will continue to actively collaborate with other public water agencies and water entities for improved water management. GDPUD is a progressive water agency determined to find ways to implement new legislation and increase water supply reliability. UCRP will support the implementation of Senate Bill (SB) 606 (Hertzberg) and Assembly Bill (AB) 1668 (Friedman), which are geared towards establishing a new foundation for long-term improvements in water conservation and drought planning to adapt to climate change and the resulting longer and more intense droughts in California. Implementation of the UCRP to conserve water supports a primary goal of *Using Water More Wisely* that focuses on reducing water losses. Additionally, GDPUD is part of the Upper American River Basin Regional Drought Contingency Plan and is committed to help with implementing drought response actions to increase drought protection at a regional level in collaboration with El Dorado Water Agency (Agency), the County of El

Dorado, and other local public water agencies (i.e., El Dorado Irrigation District (EID) and Grizzly Flats Community Services District). For example, lining of a portion of GDPUD's canals will conserve water supplies in the region thus leaving more water available to other water users in El Dorado County during drought conditions.

Evaluation Criterion B — Planning Efforts Supporting the Project

The UCRP is supported by various planning efforts throughout the region. Below describes four planning efforts, the needs identified in them, how the UCRP supports those needs, and how the UCRP was determined a priority:

- **2015 Georgetown Divide Public Utility District Urban Water Management Plan (GDPUD UWMP).** GDPUD has a UWMP that is updated every 5 years to support long-term water resource planning to ensure adequate water supplies are available to meet existing and future water needs within GDPUD's service area. To increase water supply reliability and meet existing and future water needs, the 2015 GDPUD UWMP has identified the necessity of lining segments in open canals to reduce water loss and improve water use efficiency. The UCRP is such a canal lining project. It will reduce water losses and increase infrastructure stability by lining canals at the locations specified under **Project Location**. The UCRP was identified as a priority project by GDPUD because it supports GDPUD's water conservation program to reduce water conveyance losses.
- **Capital Improvement Plan (CIP) 2019/2020 to 2023/2024.** GDPUD's five-year CIP is a multi-year planning instrument that guides the construction of new facilities/infrastructure; and for the expansion, rehabilitation, or replacement of existing GDPUD assets. The five-year CIP is developed as an investment plan for the prioritization of projects. GDPUD's current CIP includes the Annual Canal Lining Project to reduce raw water conveyance losses to meet water conservation requirements, increase system stability, and protect water quality. The three locations under the UCRP are specified as priorities in the Annual Canal Lining Project as they address the significant water losses along their raw water system and improve the overall infrastructure integrity and safety.
- **Cosumnes, American, Bear, Yuba (CABY) Integrated Regional Water Management Plan (IRWMP) 2021 Update.** The CABY IRWMP is a planning document that identifies broadly supported goals, objectives, strategies, actions, and projects within the Cosumnes, American, Bear, and Yuba regions to address long-term water supply needs, protection of water quality, and enhancement of environmental and habitat resources. The CABY IRWMP identifies conservation as an important practice in this region and states that canal lining is one of its resource management strategies to increase water use efficiency and improve water quality. Furthermore, the CABY IRWMP project list includes GDPUD canal reliability improvement projects which stabilize existing earthen, unlined canals. This is consistent with the UCRP which will line canals to increase water delivery reliability to GDPUD customers, water efficiency, and improve water quality conditions. This project was one of about 50 projects selected for funding based on CABY IRWMP's project prioritization which looks at factors such as consistency with IRWMP programmatic goals, whether it has an integrated approach, and its ability to adequately address climate change.
- **Upper American River Basin Regional Drought Contingency Plan (UARB RDCP).** The UARB RDCP, is a collaborative project under the Reclamation WaterSMART program among public water agencies and stakeholders of the Upper American River Watershed and a portion of the Cosumnes River watershed in El Dorado County. This plan is under development and addresses drought-related risks to build resiliency. GDPUD is part of the Executive Committee that is responsible for providing input on the regional opportunities and integration throughout preparation of the UARB RDCP. Canal lining, including the UCRP, is

identified as a mitigation action that will help improve drought resiliency within the planning area of the UARB RDCP. Initial prioritization of the UARB RDCP mitigation actions identifies this project as a high priority project. Prioritization considers a projects' ability to improve/promote drought resiliency, long-term durability, regional efficiency, water equity, and environmental sustainability.

Evaluation Criterion C — Project Implementation

The project will follow the tasks as detailed in the **Technical Project Description**. To ensure the successful execution of the proposed activities under the UCRP, GDPUD plans to acquire support from qualified professional consultants as later described in **Project Budget**. The proposed tasks will be completed within the required two-year timeframe as shown in **Figure 2** below.

If awarded, GDPUD has the following plan for executing the UCRP upon entering into a financial assistance agreement with Reclamation. Assuming a grant award and execution of January 2022, GDPUD will schedule the contractors and procure the material that same month. As previously mentioned, this project does not require a lengthy design and permitting process. The UCRP is located exclusively within maintained canal right-of-way owned and operated by GDPUD. Therefore, no easements and no Federal, State, or local permitting will be required for the UCRP. As the project is a modernization of the existing infrastructure by updating the inefficient and unreliable canals in the three locations specified above, engineering or design work is not needed to support the implementation of the UCRP.

During January to March 2022, GDPUD will complete the environmental and cultural resources compliance. It is anticipated that lining of the canals will be covered under a negative declaration based on similar canal lining projects and because this project supports operation and maintenance of GDPUD's conveyance system. It is not anticipated that there will be issues with the environmental and cultural resources compliance as GDPUD has recently completed environmental within three months for another similar project. From March 2022 to April 30, 2022, GDPUD will prepare, commence, and complete lining of the three identified segments.

Note that the assumed start date of January 2022 will vary pending award of the grant but will still meet the two-year timeframe requirements of this grant. GDPUD intends to complete the construction prior to the irrigation season from May 1 to September 30 when the canal is under constant use. If it is not possible for any reason to perform construction in Spring 2022, the construction period will be from October 2022 through December 2022.

No new policies or administration actions are required to implement the project. Implementing the UCRP aligns with GDPUD's 2015 Urban Water Management Plan (UWMP) goals to support long-term water resource planning to ensure adequate water supplies are available to meet existing and future water needs. GDPUD is focused on reducing conveyance system losses through lining portions of the unlined open canal sections. The UCRP will reduce seepage losses, conserve water, increase the stability of the system, and decrease outages within GDPUD's existing water conveyance system. Therefore, the UCRP is consistent with existing policy found in the GDPUD UWMP.

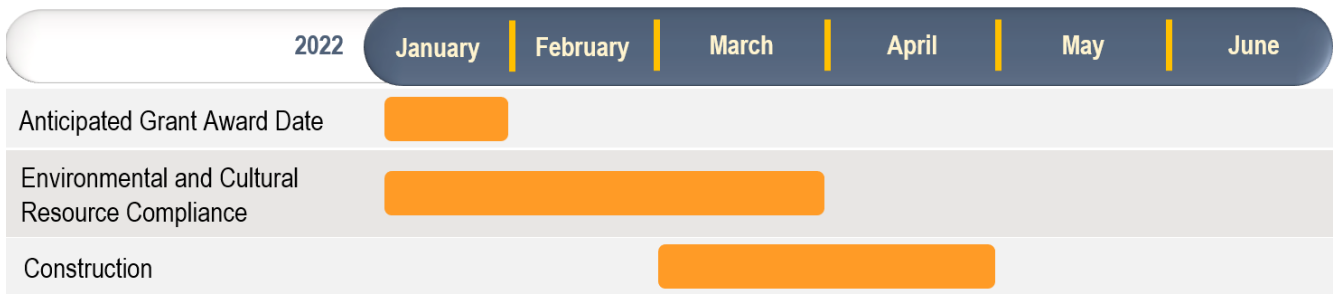


Figure 2. Proposed Implementation Schedule

Evaluation Criterion D — Nexus to Reclamation

GDPUD owns water rights from the American River for its use. It is also one of beneficiaries of the Agency’s CVP water service contract with Reclamation. The Agency, located in El Dorado County California, reached an agreement with Reclamation for 15,000 acre-feet of water in 2019, otherwise referred to as Fazio water. The 15,000 acre-feet is taken annually from Folsom Dam and Reservoir or from an exchange on the American River upstream from Folsom Dam and Reservoir. Fazio water allows for the diversion of CVP M&I water. The Agency has the master contract with Reclamation and subcontracts 7,500 acre-feet to the EID and 7,500 acre-feet to GDPUD. To execute the contract with Reclamation, water use efficiency is a condition that must be met by the subcontractors. The UCRP implementation aligns with Reclamation’s conditions for GDPUD to access Fazio water since the UCRP will reduce water losses and increase water use efficiency.

The UCRP is not on Reclamation project lands or involving Reclamation facilities. The UCRP is not anticipated to provide benefits to any tribes in El Dorado County.

As described above the UCRP is located in the American River Watershed. In this same basin, the Federal facility, Folsom Dam and Reservoir is located. Folsom Dam and Reservoir is a critical piece of the CVP’s American River Division, it is located downstream from the confluence of the North and South forks of the American River. Reclamation stores and conveys CVP contract water supplies and water right diversions to many local water agencies through the Folsom facilities. The total contract quantity for all CVP American River Division water service contracts is 180,750 acre-feet per year. As an integrated feature of the CVP, Folsom Dam and Reservoir also serves a critical role in managing water quality in the Sacramento-San Joaquin Delta (Delta) and management of Federally listed species in the Lower American River. As the nearest CVP facility to the Delta and with its superior water quality, Folsom Dam and Reservoir provides a rapid response to Delta outflow and water quality needs.

Efficient water use upstream of Folsom Dam and Reservoir, where the UCRP is located, will generate benefits to downstream Folsom Dam and Reservoir operations. Water savings from the UCRP will correlate to fewer diversions and thereby more water moving downstream to the Federal facility, Folsom Dam and Reservoir. Through the operation of Folsom Dam and Reservoir, the project benefits would expand to the remaining CVP facility downstream in the Delta and south of the Delta for all authorized purposes of the CVP.

PROJECT BUDGET

(1) Funding Plan and Letters of Commitment

GDPUD's cost sharing responsibility will be generated from the capital reserve fund between fiscal years 2021/2022. There are no funding sources outside of GDPUD. The budget proposal does not include project costs that have been or will be incurred prior to award. Refer to **Table 1** for a summary of total project costs by source.

Table 1. Total Project Cost

| SOURCE | AMOUNT |
|---|-------------------|
| Costs to be reimbursed with the requested Federal funding | \$ 75,000 |
| Costs to be paid by the applicant (GDPUD) | \$ 110,000 |
| Value of third-party contributions | \$ 0 |
| TOTAL PROJECT COST | \$ 185,000 |

(2) Budget Proposal

Table 2 details the UCRP budget proposal by category. **Tables 3 and 4** provide details on the contractual/construction cost.

Table 2. Budget Proposal

| BUDGET ITEM DESCRIPTION | COMPUTATION | | QUANTITY TYPE | TOTAL COST |
|----------------------------------|--------------|----------|---------------|----------------------|
| | \$/Unit | Quantity | | |
| Salaries and Wages | | | | \$ 30,000.00 |
| Field Staff | \$ 50.00 | Hour | 480 | \$ 24,000.00 |
| Field Superintendent | \$ 75.00 | Hour | 80 | \$ 6,000.00 |
| Project Manager | \$ 125.00 | Hour | 30 | \$ 3,750.00 |
| Fringe Benefits | | | | \$ - |
| Not applicable for this project. | | | | |
| Travel | | | | \$ - |
| Not applicable for this project. | | | | |
| Equipment | | | | \$ - |
| Not applicable for this project. | | | | |
| Supplies and Materials | | | | \$ 75,500.00 |
| Concrete | \$ 250.00 | Yard | 260 | \$ 65,000.00 |
| Wire | \$ 7.00 | Feet | 1500 | \$ 10,500.00 |
| Contractual/Construction | | | | \$ 63,500.00 |
| Concrete Pumping Contractor | \$ 25,000.00 | Lump | 1 | \$ 25,000.00 |
| Environmental Consultant | \$ 38,500.00 | Lump | 1 | \$ 38,500.00 |
| Other | | | | \$ 16,000.00 |
| Contingency | | | | \$ 16,000.00 |
| TOTAL DIRECT COSTS | | | | \$ 185,000.00 |
| Indirect Costs | | | | |
| Not applicable for this project. | | | | |
| TOTAL PROJECT COSTS | | | | \$ 185,000.00 |

Table 3. Concrete Pumping Contractor Cost Details

| Description | Quantity | Unit | Unit Price | Cost |
|---------------|----------|------|------------|------------------|
| Pump Services | 260 | yard | 96.15 | \$ 25,000 |
| Total | | | | \$ 25,000 |

Table 4. Environmental Consultant Contractor Cost Details

| Description | Quantity | Unit | Unit Price | Cost |
|--|----------|------|------------|------------------|
| Environmental Assessment and Finding of No Significant Impact (EA/FONSI) | 1 | each | 28,000 | \$ 28,000 |
| Responses to Comments and Final FONSI | 1 | each | 7,000 | \$ 7,000 |
| Project Management | 1 | each | 3,500 | \$ 3,500 |
| Total | | | | \$ 38,500 |

(3) Budget Narrative

This section describes the items included in the above budget proposal in more detail.

Salaries and Wages

The Project Manager will be Adam Brown, the Water Resources Manager at GDPUD. The Field Staff and Field Superintendent will be staffed by additional GDPUD staff personnel, including the General Manager and administrative staff. Salaries, wages, and proposed hours are calculated in **Table 2** above. The budget proposal represents the actual labor rates of the identified personnel and are consistently applied to Federal and non-Federal activities. Financial reports and interim reports will be completed annually throughout the duration of the project and one final performance report will be completed detailing the completion of the proposed project.

Fringe Benefits

Not applicable to this project.

Travel

Not applicable to this project.

Equipment

Not applicable to this project. The project work will use GDPUD's equipment to clear vegetation and sediment from the existing conveyance canal in the project area.

Materials and Supplies

The UCRP will line the canal segments using concrete. Concrete will be placed at grade and stabilized with concrete reinforcement wire for structural support.

Contractual

Implementation of the UCRP will be completed by two contractors. Both contractors will be brought on board following the procurement policies in place by GDPUD and consistent with the requirements in this Notice of Funding Opportunity. A concrete pumping subcontractor will be used to pump concrete at the desired locations and GDPUD staff will complete the concrete finishing work. A concrete pumping contractor will be selected through a competitive request for bid (RFB) document by GDPUD. A separate consultant will be similarly procured to complete environmental and cultural resources compliance. Refer to **Tables 3 and 4** for detailed contractual tasks and associated costs.

Third-Party In-Kind Contributions

There are no third-party in-kind contributions identified for this project at this time.

Environmental and Regulatory Compliance Costs

Environmental and regulatory compliance cost includes a biological resources evaluation, cultural resources evaluation, and CEQA/NEPA. Significant effort by Reclamation is not anticipated therefore costs for Reclamation review are not included.

Other Expenses

A small contingency less than 10 percent is included to cover any unexpected costs during the construction process. This contingency was included to ensure that GDPUD would have sufficient funds to contribute to fully implement the UCRP. If this expense is not realized, GDPUD will still meet the 50 percent cost-share requirements as it will contribute \$93,100 (refer to **Tables 1 and 2** for applicant share and contingency costs, respectively).

Indirect Costs

There are no assumed indirect costs for the project.

Total Costs

The total cost for the project activities proposed under UCRP is \$185,900.

ENVIRONMENTAL AND CULTURAL RESOURCES COMPLIANCE

It is anticipated that the UCRP will not affect environmental or cultural resources.

Will the proposed Project impact the surrounding environment (e.g., soil [dust], air, water [quality and quantity], animal habitat)? Please briefly describe all earth-disturbing work and any work that will affect the air, water, or animal habitat in the project area. Please also explain the impacts of such work on the surrounding environment and any steps that could be taken to minimize the impacts.

It is anticipated that the UCRP will not have a direct impact on the surrounding environment. The UCRP will be completed along the upper canal which is remote with no adjacent property owners with the exception of the Sierra Pacific Industries. To confirm that there will be no impacts to the surrounding environment, an environmental review by GDPUD will be completed before the execution of any work.

Are you aware of any species listed or proposed to be listed as a Federal threatened or endangered species, or designated critical habitat in the area? If so, would they be affected by any activities associated with the proposed Project?

Within the UCRP there are no species listed or proposed to be listed as a Federal threatened or endangered species, or designated critical habitat in the area.

Are there wetlands or other surface waters inside the Project boundaries that potentially fall under Clean Water Act (CWA) jurisdiction as “Waters of the United States?” If so, please describe and estimate any impacts the proposed project may have.

Within the UCRP, there are no wetlands or surface waters that fall under Clean Water Act (CWA) jurisdiction as “Waters of the United States.”

When was the water delivery system constructed?

Much of the infrastructure found within GDPUD’s service area originates from the gold mining era that took place during the California Gold Rush in the mid-1800s. As such, it includes many unlined canals, which are known to have high water losses and uncertain reliability as they are subject to scouring and failures. The irrigation canals, water diversions and distribution systems were gradually developed since early 1900s throughout the 20th Century for water supply. The portions of the canal in the UCRP were constructed in the 1950s.

Will the proposed project result in any modification of or effects to, individual features of an irrigation system (e.g., headgates, canals, or flumes)? If so, state when those features were constructed and describe the nature and timing of any extensive alterations or modifications to those features completed previously.

The UCRP will concrete-line a total of 1,500 feet of water canals near Volcanoville Road, SPI Crossing, and Below Structure #2 located in the remote portion of GDPUD’s service area in El Dorado County California. Lining these canals through the UCRP, will enable GDPUD to improve water efficiency by eliminating canal scouring, seepage loss, and vegetation growth, thus increasing water supply reliability of water delivery within GDPUD’s service area. It is anticipated that the UCRP will result in the modification of individual features of an irrigation system as these canals are used to deliver water supplies to meet agricultural water demands. As stated above, the water delivery system was developed as early as the mid-1800s. The segments of the canal in the UCRP have not been extensively modified/alterd since original construction in the 1950s.

Are any buildings, structures, or features in the irrigation district listed or eligible for listing on the National Register of Historic Places?

There are no known buildings, structures, or features in the UCRP listed or eligible for listing on the National Register of Historic Places.

Are there any known archeological sites in the proposed area?

There are no known archeological sites within the UCRP.

Will the proposed Project have a disproportionately high and adverse effect on low income or minority populations?

It is not anticipated that the UCRP will have a disproportionately high and adverse effect on low income or minority populations.

Will the proposed Project limit access to, and ceremonial use of, Indian sacred sites or result in other impacts on tribal lands?

It is not anticipated that the UCRP will limit access to and ceremonial use of Indian sacred sites or result in other impact on tribal lands.

Will the proposed Project contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area?

It is not anticipated that the UCRP will contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the project area.

REQUIRED PERMITS OR APPROVALS

The UCRP is located exclusively within maintained canal right-of-way owned and operated by GDPUD. Therefore, no easements and no Federal, State, or local permitting will be required for the UCRP.

APPENDIX A: LETTERS OF SUPPORT

The proposed UCRP received support from the entities listed below. The entities are presented in alphabetic order and the letters of support are provided below.

- Cosumnes, American, Bear, Yuba Regional Water Management Group (CABY RWMG)
- El Dorado Water Agency
- Placer County Water Agency (PCWA)



**WaterSMART Grants:
Small-Scale Water Efficiency Projects**
Notice of Funding Opportunity No. R21AS00300

Appendix A - Letters of Support



March 4, 2021

Mr. Jeff Nelson
Georgetown Divide Public Utility District
6425 Main Street
Georgetown, CA 95634

Subject: Georgetown Divide Public Utility District's 2022 Upper Canal Reliability Project:
Notice of Funding Opportunity No. R21AS00300

Dear Jeff:

The Cosumnes, American, Bear, Yuba Regional Water Management Group (CABY RWMG) has recently received information about Georgetown Divide Public Utility District's 2022 Upper Canal Reliability Project WaterSMART Small-Scale Water Efficiency Projects Grants application. We understand that this project will help conserve and use water more efficiently by lining existing open earth channels within the Georgetown Divide Public Utility District service area where water losses are currently high.

The CABY Integrated Regional Water Management Plan (IRWMP) identifies conservation as an important practice in this region and states that canal lining is one of its resource management strategies to increase water use efficiency and improve water quality. Furthermore, the CABY IRWMP project list includes GDPUD ditch reliability improvement projects which stabilize existing earthen, unlined ditches and canals. This is consistent with the 2022 Upper Canal Reliability Project which includes ditch lining, to increase water delivery reliability to GDPUD customers and water efficiency. This project was one of about 50 projects selected for funding based on CABY Integrated Regional Water Management Plan's project prioritization which looks at factors such as consistency with IRWMP programmatic goals, whether it has an integrated approach, and its ability to adequately address climate change.

We understand the importance of projects such as this that reduce seepage and prevent potential canal failures. With Georgetown Divide Public Utility District's location in the Sierra Nevada headwaters, this water efficiency improvement project will promote water supply reliability both in the region and downstream.

This letter is submitted on behalf of all current CABY RWMG Members.

Sincerely,

R, Kyle Ericson, El Dorado County Water Agency
Tracey Eden Bishop, El Dorado Irrigation District
Neysa King, Nevada Irrigation District
Elena DeLacy, American River Conservancy
Ashley Overhouse, South Yuba River Citizens League
Elizabeth Martin, The Sierra Fund



March 15, 2021

Mr. Jeff Nelson
Georgetown Divide Public Utility District
6425 Main Street
Georgetown, CA 95634

Subject: Support for the Georgetown Divide Public Utility District's 2022 Upper Canal Reliability Project: Notice of Funding Opportunity No. R21AS00300

Dear Jeff:

I am writing on behalf of the *El Dorado Water Agency* to express support for the Georgetown Divide Public Utility District's 2022 Upper Canal Reliability Project WaterSMART Small-Scale Water Efficiency Projects Grants application. We understand that this project will help conserve and use water more efficiently by lining existing open earth channels within the Georgetown Divide Public Utility District service area where water losses are currently high.

We advocate the importance of promoting a project that reduces seepage and prevents potential canal failures. With Georgetown Divide Public Utility District's location in the Sierra Nevada headwaters, this water efficiency improvement project will promote water supply reliability both in the region and downstream.

The Agency appreciates GDPUD's efforts to work collaboratively and support the Agency's adopted Resource Management Strategy No. 5a, to *ensure water infrastructure integrity, operations, and maintenance through agency-specific Capital Improvement Programs* and our adopted Policy WRDMP-02, ... *to improve water resources management in El Dorado County, with anticipated economic and public benefits accrued in all communities throughout El Dorado County.*

Sincerely,
EL DORADO WATER AGENCY

A handwritten signature in black ink that reads "Kenneth V. Payne".

Kenneth V. Payne, P.E.
General Manager

(530) 621-5392
4330 Golden Center Drive, Suite C, Placerville, CA 95667
edcwa@edcgov.us
EDWaterAgency.com



PLACER COUNTY WATER AGENCY
SINCE 1857

BOARD OF DIRECTORS
Gray Allen, District 1
Primo Santini, District 2
Mike Lee, District 3
Robert Dugan, District 4
Joshua Alpine, District 5
Andrew Fecko, General Manager

BUSINESS CENTER
144 Ferguson Road
MAIL
P.O. Box 6570
Auburn, CA 95604
PHONE
(530) 823-4850
(800) 464-0030
WWW.PCWA.NET

March 12, 2021

Mr. Jeff Nelson
Georgetown Divide Public Utility District
6425 Main Street
Georgetown, CA 95634

Subject: Support for the Georgetown Divide Public Utility District's 2022 Upper Canal Reliability Project: Notice of Funding Opportunity No. R21AS00300

Dear Mr. Nelson:

I am writing on behalf of the Placer County Water Agency (PCWA) to express support for the Georgetown Divide Public Utility District's 2022 Upper Canal Reliability Project WaterSMART Small-Scale Water Efficiency Projects Grants application. We understand that this project will support the conservation and efficient use of water within the district by lining existing open earth channels within the Georgetown Divide Public Utility District service area where water losses are currently high.

Similar to the district, PCWA relies on a system of canals to serve irrigation water for use on pastures, orchards, rice fields, farms, ranches, golf courses, landscaping, and to deliver the primary drinking water supply to the Agency's treatment plants throughout the County. Seepage from an unlined canal is responsible for high water losses and has the potential to undermine the canal. We support projects such as this that increase the reliability of the water conveyance system by reducing seepage and potentially preventing canal failures.

PCWA advocates for watershed wide solutions to meet the increasing local and regional demands within the American River Watershed. With Georgetown Divide Public Utility District's location in the Sierra Nevada headwaters, this water efficiency improvement project will promote water supply reliability both in the region and downstream to further ensure the viability and sustainability of this important resource for the future when water supply conditions are uncertain.

Sincerely,

PLACER COUNTY WATER AGENCY

Darin Reintjes
Director of Resource Management



**WaterSMART Grants:
Small-Scale Water Efficiency Projects**
Notice of Funding Opportunity No. R21AS00300

Appendix B - Official Resolution

APPENDIX B: OFFICIAL RESOLUTION

The official resolution adopted by GDPUD's Board of Directors is included.

RESOLUTION NO. 2021-10
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
AUTHORIZING THE GENERAL MANAGER TO COMMIT TO THE FINANCIAL
AND LEGAL OBLIGATIONS ASSOCIATED WITH RECEIPT OF THE
WATERSMART SMALL-SCALE WATER EFFICIENT PROJECTS GRANT
FINANCIAL ASSISTANCE IF AWARDED FOR FISCAL YEAR 2021:
NOTICE OF FUNDING OPPORTUNITY NO. R21AS00300

WHEREAS, the Georgetown Divide Public Utility District (GDPUD) proposes to implement the 2022 Upper Canal Reliability Project (UCRP) to eliminate canal erosion, seepage loss and vegetation growth to ultimately increase water supply and overall reliability of water delivery within GDPUD's service area; and

WHEREAS, approximately 70 percent of GDPUD's 75 miles of conveyance is unlined ditch. GDPUD estimates that operational water requirements and losses total about 3,600 acre-feet per year. Lining ditches in areas that are known to have a high degree of conveyance losses will maximize water savings; and

WHEREAS, the GDPUD has identified itself as an eligible applicant under the U. S. Bureau of Reclamation's (Reclamation's) WaterSMART: Small-Scale Water Efficiency Projects for Fiscal Year 2021;

WHEREAS, Georgetown Divide Public Utility District is pursuing grant funding assistance under Reclamation's WaterSMART: Small-Scale Water Efficiency Projects in an amount up to \$75,000 to concrete line unlined ditches to increase water supply and overall reliability of water delivery; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT THAT:

1. The Board finds that the proposed project will serve both the mission of GDPUD and satisfy the goals of the WaterSMART Program and, on that basis, supports staff's submittal of financial assistance application to Reclamation.
2. GDPUD is capable of funding \$110,000 share required to obtain grant funding under the WaterSMART: Small-Scale Water Efficiency Projects. A detailed breakdown of project costs is included with the application.
3. The Board has granted the General Manager, or his designee, the legal authority to enter into an agreement with Reclamation and hereby ratifies the action of its General Manager in applying for financial assistance from Reclamation's WaterSMART Program to promote water use efficiency, contribute to meeting state mandated water conservation and water loss goals, and increasing water supply and overall reliability of water delivery within GDPUD's service area.
4. The General Manager and staff are directed to take all other actions necessary to secure funding for the 2022 UCRP under the WaterSMART: Small-Scale Water

Efficiency Projects, including working with Reclamation to meet established deadlines for entering into a cooperative financial assistance agreement.

PASSED AND ADOPTED BY THE Board of Directors of the Georgetown Divide Public Utility District at a regular meeting of said Board, held on March 9, 2021, by the following vote of said Board:

Ayes: THORNBROUGH, MACDONALD, SEAMAN, SAUNDERS

Noes:

Absent/Abstain:



Michael Saunders, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

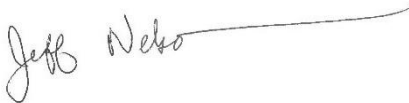
Attest:



Jeff Nelson, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of Resolution 2021-10 duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this 9th day of March 2021.



Jeff Nelson, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT



**WaterSMART Grants:
Small-Scale Water Efficiency Projects**
Notice of Funding Opportunity No. R21AS00300

***PROPOSAL C – Mandatory Federal
Forms***

Application for Federal Assistance SF-424

| | | |
|--|--|--|
| * 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application | * 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision | * If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/> |
|--|--|--|

| | |
|--|--|
| * 3. Date Received: <input type="text" value="03/17/2021"/> | 4. Applicant Identifier: <input type="text"/> |
|--|--|

| | |
|--|---|
| 5a. Federal Entity Identifier: <input type="text"/> | 5b. Federal Award Identifier: <input type="text"/> |
|--|---|

State Use Only:

| | |
|---|---|
| 6. Date Received by State: <input type="text"/> | 7. State Application Identifier: <input type="text"/> |
|---|---|

8. APPLICANT INFORMATION:

* a. Legal Name:

| | |
|--|---|
| * b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="94-6003909"/> | * c. Organizational DUNS: <input type="text" value="0049595320000"/> |
|--|---|

d. Address:

* Street1:
Street2:
* City:
County/Parish:
* State:
Province:
* Country:
* Zip / Postal Code:

e. Organizational Unit:

| | |
|--|--|
| Department Name: <input type="text" value="Water Resources"/> | Division Name: <input type="text"/> |
|--|--|

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: * First Name:
Middle Name:
* Last Name:
Suffix:
Title:

Organizational Affiliation:

| | |
|---|---|
| * Telephone Number: <input type="text" value="(530) 333-4356"/> | Fax Number: <input type="text" value="(530) 333-9442"/> |
|---|---|

* Email:

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

D: Special District Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Department of Interior - Bureau of Reclamation

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

R21AS00300

* Title:

Small-Scale Water Efficiency Projects

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Concrete line three segments of the District's upper canal water delivery system.

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

| | |
|---------------------|---|
| * a. Federal | <input type="text" value="75,000.00"/> |
| * b. Applicant | <input type="text" value="110,000.00"/> |
| * c. State | <input type="text"/> |
| * d. Local | <input type="text"/> |
| * e. Other | <input type="text"/> |
| * f. Program Income | <input type="text"/> |
| * g. TOTAL | <input type="text" value="185,000.00"/> |

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative: 

* Date Signed:

BUDGET INFORMATION - Construction Programs

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.

| COST CLASSIFICATION | a. Total Cost | b. Costs Not Allowable for Participation | c. Total Allowable Costs (Columns a-b) |
|---|--|--|--|
| 1. Administrative and legal expenses | \$ <input type="text"/> | \$ <input type="text"/> | \$ <input type="text"/> |
| 2. Land, structures, rights-of-way, appraisals, etc. | \$ <input type="text"/> | \$ <input type="text"/> | \$ <input type="text"/> |
| 3. Relocation expenses and payments | \$ <input type="text"/> | \$ <input type="text"/> | \$ <input type="text"/> |
| 4. Architectural and engineering fees | \$ <input type="text" value="38,500.00"/> | \$ <input type="text"/> | \$ <input type="text" value="38,500.00"/> |
| 5. Other architectural and engineering fees | \$ <input type="text"/> | \$ <input type="text"/> | \$ <input type="text"/> |
| 6. Project inspection fees | \$ <input type="text"/> | \$ <input type="text"/> | \$ <input type="text"/> |
| 7. Site work | \$ <input type="text" value="30,000.00"/> | \$ <input type="text"/> | \$ <input type="text" value="30,000.00"/> |
| 8. Demolition and removal | \$ <input type="text"/> | \$ <input type="text"/> | \$ <input type="text"/> |
| 9. Construction | \$ <input type="text" value="100,500.00"/> | \$ <input type="text"/> | \$ <input type="text" value="100,500.00"/> |
| 10. Equipment | \$ <input type="text"/> | \$ <input type="text"/> | \$ <input type="text"/> |
| 11. Miscellaneous | \$ <input type="text"/> | \$ <input type="text"/> | \$ <input type="text"/> |
| 12. SUBTOTAL (sum of lines 1-11) | \$ <input type="text" value="169,000.00"/> | \$ <input type="text"/> | \$ <input type="text" value="169,000.00"/> |
| 13. Contingencies | \$ <input type="text" value="16,000.00"/> | \$ <input type="text"/> | \$ <input type="text" value="16,000.00"/> |
| 14. SUBTOTAL | \$ <input type="text" value="185,000.00"/> | \$ <input type="text"/> | \$ <input type="text" value="185,000.00"/> |
| 15. Project (program) income | \$ <input type="text"/> | \$ <input type="text"/> | \$ <input type="text"/> |
| 16. TOTAL PROJECT COSTS (subtract #15 from #14) | \$ <input type="text" value="185,000.00"/> | \$ <input type="text"/> | \$ <input type="text" value="185,000.00"/> |
| FEDERAL FUNDING | | | |
| 17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter eligible costs from line 16c Multiply X <input type="text" value="40.5"/> % Enter the resulting Federal share. | | | \$ <input type="text" value="75,000.00"/> |

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.


PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

| | |
|---|-------------------------|
| SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL | TITLE |
|  | Water Resources Manager |
| APPLICANT ORGANIZATION | DATE SUBMITTED |
| Georgetown Divide Public Utility District | 03/08/2021 |

2021
Urban and
Multibenefit
Drought Relief
Grant Program

Guidelines and
Proposal
Solicitation
Package

Published: October 2021

CALIFORNIA NATURAL RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES
DIVISION OF REGIONAL ASSISTANCE



FOREWORD

This document contains the California Department of Water Resources' (DWR) Guidelines and Proposal Solicitation Package (GL/PSP) for the Urban and Multibenefit Drought Relief Grant Program. The Program is funded by the Budget Act of 2021 (Stats. 2021, ch. 240, § 80). Applicants must read the entire document and are encouraged to read linked references and templates prior to submitting their application.

Grant Program and Drought Websites

This document, as well as other pertinent information about the Urban and Multibenefit Drought Relief Grant Program, can be found at the following link:

<https://water.ca.gov/Water-Basics/Drought/urbanmultibenefitdrought>

In addition, information about other DWR and State Agency drought efforts and funding programs can be found at the following link: <https://water.ca.gov/Water-Basics/Drought>

Contact Information

For questions about this document or the Program, please send an e-mail to: Urbandrought@water.ca.gov.

Grant Agreement

All applicants that are awarded funding will be required to enter into a grant agreement with DWR. The grant agreement template can be found at the following link:

<https://water.ca.gov/Water-Basics/Drought/urbanmultibenefitdrought> .

It is HIGHLY recommended that applicants review the grant agreement template prior to submission of their application. If applicants are not able to abide by the terms and conditions contained therein, applicants should not submit an application. Note that the agreement template is subject to change prior to agreement execution.

Application Timeline

Applications will be accepted following publication of the Final GL/PSP. Updated timelines will be posted on the following website:

<https://water.ca.gov/Water-Basics/Drought/urbanmultibenefitdrought> . Applicants are encouraged to check the website frequently for updates.

Table of Contents

| | |
|--|----|
| FOREWORD | i |
| Grant Program and Drought Websites | i |
| Contact Information..... | i |
| Grant Agreement | i |
| Application Deadline..... | i |
| I. PURPOSE AND USE..... | 1 |
| II. INTRODUCTION..... | 1 |
| III. PROGRAM SCHEDULE..... | 1 |
| IV. FUNDING | 1 |
| a. Funding Source..... | 1 |
| b. Maximum and Minimum Grant Amounts | 2 |
| c. Funding Match Requirements..... | 3 |
| d. Advanced Payment | 3 |
| V. ELIGIBILITY | 3 |
| a. Eligible Applicants..... | 3 |
| b. Eligible Project Types | 3 |
| c. Eligible Costs & Reimbursement Limitations | 4 |
| d. Additional Application and Project Eligibility Requirements..... | 5 |
| VI. GENERAL PROGRAM GUIDELINES | 9 |
| a. Conflict of Interest..... | 9 |
| b. Confidentiality | 9 |
| c. Labor Law Compliance..... | 9 |
| d. CEQA Compliance | 9 |
| e. Monitoring Requirements..... | 9 |
| f. Signage or Acknowledgement of Credit..... | 10 |
| g. Tribal Status..... | 10 |
| h. Competitive Bidding and Procurement..... | 10 |
| i. Indemnify and Hold Harmless | 10 |
| VII. APPLICATION AND AWARD PROCESS..... | 10 |
| a. How to Submit | 10 |
| b. Application Review Process..... | 11 |
| c. Award Process | 12 |
| VIII. GRANT AGREEMENT | 12 |
| Appendix A- Definitions | 13 |
| Appendix B- Sample Authorizing Resolution | 16 |
| Appendix C- Grant Application | 17 |

| | |
|--|----|
| Appendix D- Self-Certification for Eligibility | 21 |
| Appendix E- Advanced Payment..... | 24 |
| Appendix F – Underrepresented Communities | 26 |
| Appendix G – Useful Links..... | 29 |

TABLES

| | |
|--|----|
| <i>Table 1 – Urban and Multibenefit Drought Relief Grant Program Schedule</i> | 1 |
| <i>Table 2 – Funding Summary</i> | 2 |
| <i>Table 3 - Additional Application and Project Eligibility Requirements</i> | 6 |
| <i>Table 4 -Technical Evaluation Criteria</i> | 11 |

ACRONYMS AND ABBREVIATIONS

| Abbreviation | Definition |
|---------------------|---|
| AB | Assembly Bill |
| AP | Advanced Payment |
| AWMP | Agricultural Water Management Plan |
| CASGEM | California Statewide Groundwater Elevation Monitoring |
| CEQA | California Environmental Quality Act |
| DAC | Disadvantaged Community |
| DIR | California Department of Industrial Relations |
| DWR | Department of Water Resources |
| EO | Executive Order |
| GB | Gigabyte |
| GL | Guidelines |
| GSA | Groundwater Sustainability Agency |
| GWMP | Groundwater Management Plan |
| LPS | Local Project Sponsor |
| NA | Not Applicable |
| NAHC | Native American Heritage Commission |
| PSP | Proposal Solicitation Package |
| SB | Senate Bill |
| SGMA | Sustainable Groundwater Management Act |
| URC | Underrepresented Community |
| UWMP | Urban Water Management Plan |
| Water Code | California Water Code |
| WSCP | Water Shortage Contingency Plan |

I. PURPOSE AND USE

This Guidelines and Proposal Solicitation Package (GL/PSP) establishes the process, procedures, and criteria that the Department of Water Resources (DWR) will use to implement the Urban and Multibenefit Drought Relief Grant Program (Program). The GL/PSP is a combined document that provides both general information about the Program and detailed information about the proposal solicitation. This document includes information on Program requirements, eligible applicant and project types, submittal and review of grant applications, and the grant award process. This Program is being conducted separately and independently from the [Small Community Drought Relief Program](#), except that applications received under either program may be referred to the other if deemed to be a better fit in terms of eligibility.

II. INTRODUCTION

The Budget Act of 2021 (Stats. 2021, ch. 240, § 80) allocated \$300 million to DWR to deliver grants for interim and immediate drought relief to urban communities and for multibenefit projects. These grants are intended to provide water to communities that face the loss or contamination of their water supplies, to address immediate impacts on human health and safety, and to protect fish and wildlife resources.

III. PROGRAM SCHEDULE

Table 1 outlines the general schedule for this Program. This schedule is subject to change. Applicants are encouraged to check the website listed in the Foreword frequently for exact dates as they become available. Applications will be accepted on a rolling basis and evaluated at set intervals. Awards will be made on set intervals throughout the solicitation.

Table 1 – Urban and Multibenefit Drought Relief Grant Program Schedule

| Activity | Schedule* |
|---|---|
| DWR releases final GL/PSP | October 2021 |
| DWR begins accepting applications on a rolling basis (see Section V.I.I. C for more detail) | Following release of final GL/PSP |
| DWR announces grant awards in phases | Starting early December 2021; award for a particular application will be dependent on application submittal date. |

*Subject to change. Program website will have updated information.

IV. FUNDING

a. Funding Source

The Budget Act of 2021 (Stats. 2021, ch. 240, § 80) for the State of California allocated \$300 million to DWR to deliver grants for interim and immediate drought relief to urban communities and for multibenefit projects. DWR is combining \$200 million of the funding into one Urban and Multibenefit Drought Relief Program and will match applications to the appropriate funding source based on eligibility (see Table 2 for the breakdown). DWR will utilize approximately 5% of the funding for administrative costs of the Program. DWR retains discretion to utilize additional funds for state operations.

Table 2 – Funding Summary

| Funding Source* | Amount | Who may receive money from this funding source? |
|---|----------------------|--|
| Urban Community Drought Relief | Approx. \$95 million | Projects benefitting areas covered by an Urban Water Management Plan |
| Multibenefit Project Funds | Approx. \$95 million | Open to all communities statewide |
| Program Administration (approx. \$5 million from each funding source above) | Approx. \$10 million | DWR administrative costs and other State Operations as appropriate |
| Total funding amount addressed by this solicitation | \$200 million | - |

**Projects may be funded by either Urban Community Drought Relief funds or Multibenefit Project funds or a mix of both. DWR will match applications to the appropriate funding source based on eligibility and the availability of funds.*

This GL/PSP makes at least \$190 million in drought relief funding available. A Set-Aside of at least \$50 million will be made available to support Underrepresented Communities and Native American Tribes (Tribes) via the existing Proposition 1 IRWM Disadvantaged Community Involvement Program (DACI) for drought relief projects. See Appendix F for more information on Underrepresented Communities; see Section V.a. for a list of Tribes eligible for the drought relief funding. The remaining funds, approximately \$140 million, will be available to all eligible applicants, including Underrepresented Communities and Tribes.

This Program strategy is intended to award all available Urban Community Drought Relief funding (approximately \$95 million) and half of the available Multibenefit Project funding (approximately \$95 million) through this solicitation. DWR may make additional funds available from the remaining Multibenefit Project funds should the demand exceed the amount made available through this solicitation.

b. Underrepresented Communities and Native American Tribes Set-Aside (\$50M)

A Set-Aside of at least \$50 million will be made available to support Underrepresented Communities and Native American Tribes (Tribe or Tribes) through the Proposition 1 IRWM Disadvantaged Community Involvement (DACI) Program. An applicant must be an existing Grantee of the DACI Program to apply for this Set-Aside¹. Grantees may be awarded up to \$5 million (no minimum) to fund eligible drought relief projects benefitting Underrepresented Communities or Tribes within a Funding Area. Grantees that receive funding through this Set-Aside will amend their existing DACI grant agreements. The Grantee/Applicant may request additional funding for existing projects within their DACI grant agreement or request funding for new drought relief projects. All IRWM regions within a Funding Area must approve submittal of an application, as well as provide proof of approval by the Funding Area prior to amending an existing agreement.

c. General Implementation Fund (\$140M)

The approximately \$140 million remaining will be granted to all eligible applicants, including Underrepresented Communities and Tribes with a minimum award amount of \$2 million per application. Smaller projects may be bundled together in a single application to meet the minimum grant award

¹ Proposition 1 (Water Code §79744) authorized \$510 million in IRWM grant funds that were allocated to the 12 hydrologic region-based Funding Areas.

requirement. For such applications, DWR requires a single primary Grantee to enter into the grant agreement with DWR and each project should have an assigned “local project sponsor” (LPS). The LPS must qualify as an eligible applicant (see V.a.). DWR may establish a maximum award size depending on the applications received and available funds.

d. Funding Match Requirements

No funding match is required for this Program; however, applicants are encouraged to use other fund sources to supplement the grant funds. Applicants are required to describe all other funding sources (actual and anticipated) necessary to complete the project.

e. Advanced Payment

To be eligible for advanced payment, projects must benefit a county and/or watershed included in the Governor’s state of emergency drought proclamations or a drought scenario determined by the State Water Board as set forth in Water Code Section 13198(a). Advanced payment up to 25% of the grant award will be available to eligible applicants that can demonstrate difficulty with cash flow (See Appendix E). Note that a project not explicitly identified in Water Code section 13198(c) (e.g., drought resilience planning, demand management) are not eligible to receive advance payment. Applicants are encouraged to review the statute and contact DWR with specific questions.

V. ELIGIBILITY

a. Eligible Applicants

The grant applicant is the entity submitting the grant application; this entity will also be the primary entity to enter into the grant agreement with DWR. Entities that are eligible to apply under this GL/PSP (or included as LPS in the application) are listed below:

- Public agencies
- Public utilities
- Special districts
- Colleges and universities
- Mutual water companies
- Non-profit organizations²
- Regional water management groups, as defined in Section 10539 of the Water Code
- Federally recognized California Native American Tribes
- Non-federally recognized Native American Tribes on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004

An applicant must be an existing Grantee of the Proposition 1 IRWM DACI Program to apply for the Underrepresented Community and Tribal Set-Aside. As stated earlier, DWR will match grant applications to the appropriate funding source based on eligibility and may use a mix of Urban Community Drought Relief and Multibenefit Project funding. The Urban Community Drought Relief funding source must be used for projects directly benefitting areas served by an Urban Water Supplier (see Appendix A for definition); however, the Multibenefit Project funding has no such restrictions.

b. Eligible Project Types

For the purposes of this GL/PSP, “project” means all planning, design, engineering, acquisition of real property interests, construction and related activities undertaken to implement a discrete action to be funded under this Program. Eligible project types include:

- Hauled water
- Installation of temporary community water tanks
- Bottled water

² “Non-profit organization” means an organization qualified to do business in California and qualified under Sections 501(c)(3) of Title 26 of the United States Code.

- Water vending machine
- Emergency water interties
- New wells or rehabilitation of existing wells
- Construction or installation of permanent connection to adjacent water systems, recycled water projects that support immediate relief to potable water supplies
- Fish and wildlife rescue, protection, and relocation
- Drought resilience planning (not applicable to Multibenefit Project Funds)
- Other projects that support immediate drought response

Projects (e.g., water demand management, groundwater recharge, and ecosystem restoration) not explicitly identified by Water Code Section 13198 (c) may still be eligible if projects satisfy the criteria and eligibility outlined in this GL/PSP and address an immediate drought response. Applicants are encouraged to review the supporting materials and contact DWR with questions on eligibility.

c. Eligible Costs & Reimbursement Limitations

Costs incurred after award date are eligible for reimbursement. Eligible costs include technical assistance, site acquisitions, and costs directly related to the provision of each project.

Grantees are encouraged to limit grant administrative costs (i.e., coordinating contractual obligations with DWR, quarterly reporting, submitting invoices, etc.). Grant administrative costs should generally not exceed 10% of the total requested grant amount for the application, but exceptions may be made with reasonable justification.

Ineligible activities and costs not reimbursable by this Program include, but are not limited to, the following items:

- Meals not directly related to travel
- Payment of stipends
- Purchase of equipment that is not an integral part of the project
- Purchase of water supplies that are not an integral part of the project
- Establishment of a reserve fund
- Replacement of existing funding sources for ongoing programs
- Support of existing punitive regulatory agency requirements and/or mandates in response to negligent behavior
- Purchase of land in excess of the minimum required acreage necessary to operate as an integral part of the project, as set forth and detailed by engineering and feasibility studies, or land purchased prior to the execution of the grant agreement
- Payment of principal or interest of existing indebtedness or any interest payments.
- Operation and maintenance costs
- Costs incurred as part of any necessary response and cleanup activities required under the Comprehensive Environmental Response, Compensation, and Liability Act; Resource Conservation and Recovery Act; Hazardous Substances Account Act; or other applicable law
- Any federal or state taxes
- Expenses incurred in preparation of the application for this solicitation or an application for another program
- Indirect costs: Indirect Costs are costs that are incurred for a common or joint purpose benefiting more than one cost objective and are not readily assignable to the funded project (i.e., costs that are not directly related to the funded project). Examples of Indirect Costs include, but are not limited to, central service costs; general administration of the Funding Recipient; non-project-specific accounting and personnel services performed within the Funding Recipient's organization; depreciation or use allowances on buildings and equipment; the costs of operating and maintaining non-project-specific facilities; tuition; conference fees, and generic overhead or

markup. It is highly recommended that the applicant review the agreement template for further guidance on how to correctly submit charges for administrative expenses.

This list applies to the Grantee and any subcontract or sub-agreement entered into for work on the funded project that will be reimbursed with grant funds from DWR.

d. Additional Application and Project Eligibility Requirements

As part of this GL/PSP, all projects (or a single project) submitted in a single application are collectively referred to as an Application. Application and project eligibility requirements for this GL/PSP are included in Table 3. All applicants are required to submit a self-certification form to certify compliance with the requirements to demonstrate and maintain eligibility to receive state funds. Appendix D provides more detailed information on the eligibility requirements.

Table 3 - Additional Application and Project Eligibility Requirements

| Criteria Type | Eligibility Criteria | Guidance | Criteria Met (Yes, No, or NA) |
|-----------------------|--|--|-------------------------------|
| Applicant Eligibility | Eligible Applicant Type | Applicant must be an eligible applicant type as described in Section V.a. Also, complete the self-certification form. | |
| Applicant Eligibility | Urban Water Management Compliance | If the applicant is an Urban Water Supplier, they must be in compliance with all requirements for Urban Water Suppliers. An exception will be for applications to update Urban Water Management Plans. See Appendix D for more information. Complete the self-certification form and include the date of plan verification and details for each LPS. | |
| Applicant Eligibility | Water Shortage Contingency Plan (WSCP) | If the applicant is an Urban Water Supplier facing water supply shortages, they must have activated a Water Shortage Contingency Plan to a stage commensurate with their current water supply conditions. If you are an Urban Water Supplier and have adequate water supply with no need to activate a WSCP, you are still eligible. See Appendix D for more information. Complete the self-certification form and include the date of plan activation and details for each LPS. | |
| Applicant Eligibility | Agricultural Water Management and Measurement Compliance | If the applicant is an Agricultural Water Supplier, they must be in compliance with all requirements for an Agricultural Water Supplier. See Appendix D for more information. Complete the self-certification form and include the date of plan verification and details for each LPS. | |
| Applicant Eligibility | Surface Water Diverter Compliance | If the applicant is a Surface Water Diverter, they must be in compliance with all reporting requirements for Surface Water Diversions. See Appendix D for more information. Complete the self-certification form for each LPS. | |
| Applicant Eligibility | Groundwater Management Compliance | If the project directly affects groundwater, the project must be in compliance with the local Groundwater Management Plan(s). See Appendix D. Complete the self-certification form and indicate if the agency self-certifies regarding Groundwater Management Plans or the project does not affect groundwater for each LPS. | |

| Criteria Type | Eligibility Criteria | Guidance | Criteria Met (Yes, No, or NA) |
|-----------------------------------|---|--|---|
| Applicant Eligibility | California Statewide Groundwater Elevation Monitoring (CASGEM) Compliance | The Applicant and Local Project Sponsor must be compliant with CASGEM. Complete the self-certification form and include the name of monitoring entities. | |
| Local Project Sponsor Eligibility | Local Project Sponsor Requirements | Each Local Project Sponsor must meet the same eligibility requirements as the applicant if applicable. | Utilize same checklist as above for each Local Project Sponsor |
| Project Eligibility | Stormwater Resource Plan Compliance | If the project is a stormwater and/or dry weather runoff capture project, it must be included in a Stormwater Resource Plan (or functionally equivalent plan). Complete self-certification form. | |
| Project Eligibility | Groundwater Sustainability Agency Support | If the project affects Groundwater in a high or medium priority basin, the project must have the support of the local Groundwater Sustainability Agency (GSA), or agency responsible for implementing an Alternative Plan. Complete self-certification form. | |
| Project Eligibility | Eligible Project Type | The project must be one of the eligible project types described in Section V.b. | |
| Project Eligibility | Project Purpose | <p>Projects must meet one of the following purposes:</p> <ul style="list-style-type: none"> (1) Address immediate impacts on human health and safety, including providing or improving availability of food, water, or shelter. (2) Address immediate impacts on fish and wildlife resources. (3) Provide water to persons or communities that lose or are threatened with the loss or contamination of water supplies. | |

| Criteria Type | Eligibility Criteria | Guidance | Criteria Met (Yes, No, or NA) |
|---------------------|--------------------------|--|----------------------------------|
| Project Eligibility | Multibenefit | Each project must produce two or more benefits with the primary benefit being related to water management. The primary benefit must be quantified unless it is a drought resilience planning project. Complete grant application Questions 8 and 9. | |
| Project Eligibility | Alignment with IRWM Plan | Projects must enhance regional drought resilience and align with the goals and objectives of the relevant approved Integrated Regional Water Management (IRWM) Plan. A project can identify the appropriate IRWM region by using the map found in Appendix E – links. Complete grant application Question 7. | |

VI. GENERAL PROGRAM GUIDELINES

a. Conflict of Interest

All participants are subject to State conflict-of-interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the application being rejected and any agreement being declared void. Other legal action may also be taken. Applicable statutes include, but are not limited to, Government Code section §1090 and Public Contract Code sections §10410 and §10411. As part of the conflict-of-interest requirements, individuals working on behalf of a Grantee may be required by the State to file a Statement of Economic Interest (Fair Political Practices Commission Form 700) if it is determined that an individual is a consultant for Political Reform Act purposes.

b. Confidentiality

Applicants should be aware that when submitting an application to the State, they will waive their rights to the confidentiality of the contents of the application. Once a decision on an application has been made by DWR, the application is subject to disclosure pursuant to the California Public Records Act (Gov. Code, § 6250 et seq.).

c. Labor Law Compliance

As part of the grant agreement, the funding recipient (Grantee or LPS) shall agree to be bound by all the provisions of the Labor Code regarding prevailing wages and shall monitor all contracts subject to reimbursement from the grant agreement to assure that the prevailing wage provisions of the Labor Code are being met. Current Department of Industrial Relations (DIR) requirements may be found at: <http://www.dir.ca.gov/lcp.asp>. Before submitting an application, applicants are urged to consult with their legal counsel regarding Labor Code compliance. DWR will not advise applicants on Labor Code compliance. For more information, please refer to DIR's Public Works Manual at: <http://www.dir.ca.gov/dlse/PWManualCombined.pdf>. The funding recipient will also affirm that it is aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance.

d. CEQA/NEPA Compliance

Activities funded under this Program, regardless of funding source, must comply with the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 et seq.). Public Resources Code section 21080.3.1 requires the CEQA lead agency to consider project effects on Tribal cultural resources and to conduct consultation with California Native American Tribes. Some projects conducted on Tribal lands or with a federal permitting requirement may also require compliance with the National Environmental Policy Act (NEPA) (42 USC § 4321 et seq.).

e. Monitoring Requirements

Water quality monitoring data shall be collected and reported to the State Water Board in a manner that is compatible and consistent with surface water monitoring data systems or groundwater monitoring data systems administered by the State Water Board (Water Code § 79704). See Appendix G for web links to the California Environmental Data Exchange Network and the Groundwater Ambient Monitoring and Assessment Program (Water Code § 79704). Projects that collect watershed monitoring data shall collect and report the data in a manner consistent with the Department of Conservation's statewide watershed monitoring program (Water Code § 79704).

Water Code section 10927 requires various entities, including local agencies that are managing all or part of a groundwater basin pursuant to Water Code section 10750, to assume responsibilities for groundwater elevation monitoring and reporting, as required by Water Code section 10920 et seq. Appendix A provides a link to the CASGEM program website which provides useful information on the CASGEM requirement.

f. Signage or Acknowledgement of Credit

To the extent practicable, a project supported by funds made available through this Program must include signage or other relevant forms of acknowledgement informing the public that the project received drought relief funds from the Budget Act of 2021.

g. Tribal Status

The Department of Water Resources acknowledges federally recognized Tribes are protected by the doctrine of sovereign immunity. Further, the Department acknowledges that there are several types of Tribal land ownership, such as the following:

1. Land that is owned by or subject to an ownership of possessory interest of the Tribe.
2. Land that is “Indian Lands” of the Tribe, as that term is defined by 25 U.S.C. section 81(a)(1);
3. Land that is owned by a tribal entity, or Tribe, within the external border of such Indian lands.

If a Tribe is awarded grant funding, DWR will consult with the Tribe on a government-to-government basis to execute a limited waiver of sovereign immunity prior to the execution of a grant agreement.

h. Competitive Bidding and Procurement

A funding recipient’s contracts with other entities for the acquisition of goods, services, and construction of public works with funds provided by the State must be in writing and shall comply with all applicable laws and regulations regarding the securing of competitive bids and undertaking competitive negotiations. If a funding recipient does not have a written policy to award contracts through a competitive bidding or sole source process, Department of General Services’ State Contracting Manual rules must be followed and are available at: <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/State-Contracting>. Applicants with questions regarding competitive bidding requirements should be directed to their counsel. DWR will not advise applicants on competitive bidding requirements.

i. Indemnify and Hold Harmless

As part of the grant agreement, funding recipients shall indemnify and hold harmless the State, its officers, agents, and employees from any and all liability from any claims and damages (including inverse condemnation) arising from the planning, design, construction, repair, replacement, rehabilitation, maintenance, and operation of the project, and any breach of the grant agreement.

VII. APPLICATION AND AWARD PROCESS

a. How to Submit

Each applicant must use the application form available on the Program website, and submit a complete application to DWR using the following e-mail address:

Urbandrought@water.ca.gov

Applications may be submitted starting on the date specified on the website listed in the Foreword and will be accepted until the funding is exhausted. Any additional materials beyond the required items will not be reviewed. In addition to the set aside funds, DACI Grantees may also apply for the General Implementation Fund, but must submit a separate application.

A complete grant application consists of the following items:

- Authorizing Resolution if available (See Appendix B)
- Application form (See Appendix C)
- Self-Certification Form (See Appendix D)

- Support letter from GSA if project affects groundwater
- Underrepresented Community Benefits, if applicable (See Appendix F)

b. Application Review Process

DWR will perform an initial eligibility and completeness review for each application upon receipt. Applications will be screened for eligibility and completeness in accordance with this GL/PSP. The information provided by applicants will be used to determine eligibility and completeness.

If an application is initially determined to be complete and eligible, the applicant will be notified via email and their application will move on to technical review. If an application is deemed to be incomplete and/or ineligible, the application will not be reviewed and DWR will notify the applicant by email. The applicant may adjust the eligibility/completeness and resubmit the application at a later date.

Applications that are complete and eligible will proceed to technical review and be reviewed for responsiveness to the solicitation. Each application will be evaluated based on the following criteria as being sufficient or not sufficient in responsiveness to the GL/PSP. DWR will complete technical review and award funding on a rolling basis as applications are received.

Table 4 - Technical Evaluation Criteria

| # | Criteria | Evaluation Guidance | Application Question No. |
|---|--|---|-----------------------------|
| 1 | The application includes a schedule that demonstrates the project will be complete by March 31, 2026 | The schedule is reasonable in demonstrating each project will be complete by March 31, 2026 based on the project type, status, and setting. Drought relief funds will expire on June 30, 2026. | Question 20 |
| 2 | The application clearly explains the water-related impacts due to the current drought | The applicant describes water-related impacts from the current drought including but not limited to, impacts on water supply, water quality, and lack of flow for in-stream wildlife. | Question 11 |
| 3 | The application clearly demonstrates how the proposed project will help alleviate the identified drought impacts | The applicant describes how each project will alleviate drought impacts based on a justified set of benefits. | Question 12 |
| 4 | The application clearly demonstrates a need for state funds to complete the project and that any additional funds necessary are/will be secured to complete the project on schedule. | The applicant must show why the project could not be completed in a timely manner without state funds. The project must have secured or have a strong plan in place to secure any additional funding necessary to complete the construction of the project. DWR may award partial funds for projects that do not clearly demonstrate a need for full funding. | Question 14 and Question 15 |

Eligible projects that reasonably satisfy all criteria (Table 4) and meet one or more of the priorities listed below will be prioritized for funding first:

- Projects that respond to critical human and/or wildlife emergencies.³ Consideration will be given to such emergency projects that benefit communities, particularly underrepresented communities (see Appendix F), facing a Human Right to Water challenge.
- Projects that can commence immediately upon receiving funding due to CEQA completion, having secured other environmental approvals, acquired necessary land or landowner permission, and completed plans and specifications.
- The applicant is an Urban Water Supplier and has activated its Water Shortage Contingency Plan commensurate with a stage appropriate for their current water supply conditions. A higher priority will be placed on Urban Water Suppliers that have activated a higher stage of their Water Shortage Contingency Plan.

If sufficient funding exists, projects that do not meet a priority above may be funded. It is anticipated that demand for funding will far exceed the funding available. DWR will make efforts to award funds equitably throughout the areas of the state eligible to receive drought funding. DWR may make partial awards to ensure equitable distribution of funding.

c. Award Process

DWR will go through the application review and award process in phases by setting “application review dates” according to the schedule posted on the website listed in the Foreword. The schedule will be updated as needed based on the number and timing of applications received. DWR will award a portion of the available funding in each phase. Eligible applications that do not receive an award (due to insufficient funds in a particular phase) will be held and prioritized against new applications in the next phase.

Awards will be posted on DWR’s website and may be announced to the public through e-mail listserv or other means. Following approval by the Director or designee, the selected grant recipient (Grantee) will receive an award letter officially notifying them of their selection, the grant amount, and associated conditions and requirements.

d. Direct Expenditures

In addition to the solicitation process, DWR reserves the right to use any or all of funds for direct expenditures that fulfill the requirements and intent of the legislation and DWR priorities. DWR may propose direct expenditure projects in response to applications submitted and/or to achieve program objectives. Direct expenditure projects must address an interest of the State and the Program. These projects may be proposed and approved at any time by DWR. Direct expenditures must meet the eligibility criteria outlined in Section V.

VIII. GRANT AGREEMENT

After the grant award is approved and the Applicant is notified, a grant agreement will be executed between DWR and the Grantee; funds will not be disbursed until there is an executed agreement. DWR has discretion to develop new agreements or amend any current agreements wherever feasible (for existing Grantees). Grantees that receive funding through the Underrepresented Communities and Tribal Set-Aside Fund may amend their existing Proposition 1 IRWM DACI grant agreement. The grant agreement template is available on the website listed in the Foreword. It is HIGHLY recommended that applicants review the grant agreement template prior to submitting their application. If applicants are not able to abide by the terms and conditions contained therein, applicants should not submit an application. As part of the grant agreement, the Grantee will be required to submit quarterly progress reports, invoices, and deliverables.

³ An emergency project is considered a current water supply shortage and/or water quality emergency of a dimension which significantly impacts water supply and, thereby, endangers the public health, safety or welfare of a specific community, region, or a species of concern or a species listed on either the California or Federal Endangered Species Acts.

Appendix A- Definitions

Acquisition – obtaining an interest in real property including, easements, leases, water, water rights, or interest in water obtained for the purposes of instream flows and development rights.

Advanced Payment – is available for certain projects meeting the criteria specified in Appendix E. Advanced payment is only available for eligible reimbursable costs (see reimbursable costs definition below).

Agricultural Water Supplier – a water supplier, either publicly or privately owned, that provides water to 10,000 or more irrigated acres, excluding the acreage that receives recycled water; also includes a supplier or contractor for water, regardless of the basis of right, that distributes or sells water for ultimate resale to customers (Water Code §10608.12(a)).

Applicant – the entity that is formally submitting a grant application. This is the same entity that would enter into an agreement with the State should the grant application be funded. The grant applicant must be a public agency, public utility, special district, college or university, mutual water company, non-profit organization, regional water management group as defined in Section 10539 of the Water Code, federally recognized California Native American Tribe, or non-federally recognized Native American Tribe on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004.

Application – the electronic submission to DWR that requests grant funding for a proposal that the applicant intends to implement.

California Native American Tribe – Federally recognized California Native American Tribes or Non-federally recognized Native American Tribes on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004.

Climate Resilience – means the ability of an entity or system, including an individual, a community, an ecosystem, or a natural system, and its component parts, to absorb, accommodate, or recover from the effects of a climate event in a timely and efficient manner, including through ensuring the preservation, restoration, or improvement of its essential basic structures and functions. In the case of natural and working lands, climate resilience includes the preservation, restoration, or enhancement of the ability to sequester greenhouse gases.

Disadvantaged Community – a community with an annual median household income that is less than 80 percent of the Statewide annual median household income.

Drought Resilience Planning – Planning efforts intended to foster long term resilience to drought to address one or more of the following: (1) building a community’s coping capacity and ability to prepare for and adapt to drought; (2) improving drought early warning, forecasting, and monitoring; (3) improving drought emergency response; and (4) improving recovery and relief from adverse effects.

Emergency Project - A water supply shortage and/or water quality emergency of a dimension which significantly impacts water supply and, thereby, endangers the public health, safety or welfare of a specific community or region or a water supply shortage to a species of concern or a species listed on either the California or Federal Endangered Species Act.

Grantee – a grant recipient that is responsible for the administration of the grant agreement.

Grant Administration – work or other activities performed by the Grantee or Local Project Sponsor including, but not limited to, activities associated with administering the grant, submitting progress reports, invoice processing, coordinating with DWR’s Financial Assistance Branch, and other like work required for the successful execution, managing, processing, and closing of a Grant Agreement.

In-Kind Services – work performed by the Grantee that furthers the scope of the grant, the cost of which is considered local cost share in-lieu of actual funds from the Grantee.

Integrated Regional Water Management (IRWM) – a collaborative effort to manage all aspects of water resources in a region. IRWM crosses jurisdictional, watershed, and political boundaries; involves multiple agencies, stakeholders, individuals, and groups; and attempts to address the issues and differing perspectives of all the entities involved through mutually beneficial solutions.

Integrated Regional Water Management Plan– a comprehensive plan for a defined geographic area, the specific development, content, and adoption of which shall satisfy requirements developed pursuant to this part. At a minimum, an Integrated Regional Water Management Plan describes the major water-related objectives and conflicts within a region, considers a broad variety of resource management strategies, identifies the appropriate mix of water demand and supply management alternatives, water quality protections, and environmental stewardship actions to provide long-term, reliable, and high-quality water supply and protect the environment, and identifies disadvantaged communities in the region and takes the water-related needs of those communities into consideration. (Water Code 10530 et seq., in particular §10534)

Local Project Sponsor – the sponsor of an individual project contained within the grant agreement.

Long-term – means for a period of not less than 20 years.

Mutual Water Company – a private corporation or association organized for the purposes of delivering water to its stockholders and members at cost, including use of works for conserving, treating, and reclaiming water (Public Utilities Code §§ 2725-2729).

Non-profit Organization – any non-profit corporation qualified to do business in California and qualified under United States Code, title 26, §501(c)(3).

Physical Benefits – measures of project accomplishments (expressed as numeric targets) such as amount of water supply, change in water quality, area, and types of properties protected by flood control features, habitat measured in acreage or flow, energy production or savings, recreation facilities, etc.

Public Agency – any state agency or department, special district, joint powers authority, city, county, city and county, or other political subdivision of the State.

Public Utility – as defined in Public Utilities Code §216.

Regional Water Management Group – or RWMG means a group in which three or more local agencies, at least two of which have a statutory authority over water supply or water management, as well as those persons who may be necessary for the development and implementation of an IRWM Plan that meets the requirements in Water Code §10540 and §10541.

Reimbursable Costs – costs that may be repaid by state grant. Reimbursable costs may include the reasonable costs of engineering, design, land and easement, legal fees, preparation of environmental documentation, environmental mitigation, and project implementation including directly related administrative costs.

Scoring Criteria – set of requirements used by DWR to evaluate an application for a given program or for funding.

Stakeholder – an individual, group, coalition, agency, or others who are involved in, affected by, or have an interest in the implementation of a specific program or project.

Tribe or Tribes – see definition for California Native American Tribe

Underrepresented Communities – Disadvantaged Communities (DACs), SDACs (Severely Disadvantaged Communities), EDAs (Economically Distressed Area), Tribes, Environmentally Disadvantaged Communities (EnvDACs), and Fringe Communities are collectively referred to as Underrepresented Communities (URCs). See Appendix F for details.

Urban Water Supplier – supplier, either publicly or privately owned, that provides water for municipal purposes, either directly or indirectly, to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually (Water Code §10617).

Appendix B- Sample Authorizing Resolution

If possible, include a resolution adopted by the applicant's governing body authorizing the application for a grant under this program that designates a representative to sign the application, and in the event of an award of grant funds, a representative to execute the funding agreement and all necessary documentation (e.g., invoices, progress reports, etc.). If the resolution has not been adopted prior to the application's submission, indicate in the self-certification form document when a signed resolution will be received by DWR. A signed, certified resolution must be received prior to the execution of a grant agreement with the State. In some cases, an applicant may have a standing (permanent) delegation, applicable ordinance, or bylaws that already delegate a representative. In such cases, please include the applicable documents with your application. Attached is a sample resolution template that may be used:

RESOLUTION NO. [xxxx]
A RESOLUTION OF THE [GOVERNING BODY] OF THE [AGENCY NAME]
AUTHORIZING THE GRANT APPLICATION, ACCEPTANCE, AND EXECUTION
FOR THE [PROJECT TITLE]

WHEREAS, [Agency Name] proposes to implement [Project Title];

WHEREAS, [Agency Name] has the legal authority and is authorized to enter into a funding agreement with the State of California; and

WHEREAS, [Agency Name] intends to apply for grant funding from the California Department of Water Resources for the [Project Title];

THEREFORE, BE IT RESOLVED by the [Governing Body] of the [Agency Name] as follows:

1. That pursuant and subject to all of the terms and provisions of Budget Act of 2021 (Stats. 2021, ch. 240, § 80), the [Agency Name] [Title of Authorized Representative], or designee is hereby authorized and directed to prepare and file an application for funding with the Department of Water Resources, and take such other actions necessary or appropriate to obtain grant funding.
2. The [Agency Name] [Title of Authorized Representative], or designee is hereby authorized and directed to execute the funding agreement with the Department of Water Resources and any amendments thereto.
3. The [Agency Name] [Title of Authorized Representative], or designee is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.

CERTIFICATION I hereby certify that the foregoing Resolution was duly and regularly adopted by the [Governing Body Name] of the [agency name] at the meeting held on [date], motion by [member name] and seconded by [member name], motion passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

[Printed Name]
[Title], [Governing Body]

Attest:

[Printed Name]
[Secretary/Clerk]

Appendix C- Grant Application

The following outlines the required questions included in the application form for reference. Applicants must complete the application form, available on the webpage linked in the Foreword, and submit via email, to be considered for this grant opportunity.

APPLICANT INFORMATION

Please complete the following summary form for the application. This form should be saved and submitted with the forms intact via email to urbandrought@water.ca.gov. Please do not print to pdf or scan this form. If the application contains more than five projects, please contact DWR for an expanded form. A Project Information Form should be complete for each project in addition to this summary form.

Applicant Name

Primary Contact Name Title E-mail

Address City Zip Code

Telephone ()

Total State Funding Requested:

Does this application include project(s) benefitting underrepresented communities/Tribes? Yes/No

Provide a summary of the budget for the application including other cost share (if applicable), for all projects included in the application. Please note that there is no required non-state cost share, but cost share is encouraged. Applicants are required to show other cost share to account for the full project budget. Funding source(s) for cost share must be described for each project in Question 15 on the Project Information Form.

APPLICATION BUDGET SUMMARY

| | PROJECTS | Grant Amount | Other Cost Share | Total Cost |
|--------------------|----------------------|--------------|------------------|------------|
| | Grant Administration | | | |
| 1 | Project Name: | | | |
| 2 | Project Name: | | | |
| 3 | Project Name: | | | |
| 4 | Project Name: | | | |
| 5 | Project Name: | | | |
| GRAND TOTAL | | | | |

PROJECT INFORMATION FORM

Please complete a unique Project Information Form for each project in the application. There are no character limits on specific questions but the Project Information Form as a whole may not exceed 10 pages.

1. Project Name
2. Local Project Sponsor (if different than Grantee):
3. Please provide the latitude and longitude of the project site. For linear projects or those covering a large area, report the coordinates for a central point. If this information is confidential, it must be clearly labeled "confidential." You can find the latitude and longitude easily using google maps. You can find instructions at the following link:
<https://support.google.com/maps/answer/18539?hl=en&co=GENIE.Platform%3DDesktop>.

Latitude:

Longitude:

4. Please briefly describe the proposed project.
5. Does this project respond to an existing emergency to humans and/or wildlife? If so, please describe the emergency and how this project is addressing it.
6. Each project must meet one of the following purposes as it relates to drought. Please select the appropriate purpose for your project.
 - a. Address immediate impacts on human health and safety, including providing or improving availability of food, water, or shelter.
 - b. Address immediate impacts on fish and wildlife resources.
 - c. Provide water to persons or communities that lose or are threatened with the loss or contamination of water supplies.
7. Each project must enhance regional drought resilience and align with the goals and objectives of the relevant approved Integrated Regional Water Management Plan. You can find the relevant IRWM Region by using the map at the following link: <https://gis.water.ca.gov/app/dacs/>. The IRWM Plans can be found at the following link: <https://water.ca.gov/Work-With-Us/Grants-And-Loans/IRWM-Grant-Programs/Plan-Review-Process>. If you have any questions about the IRWM region the contact list can be found at the following link: <https://water.ca.gov/Work-With-Us/Grants-And-Loans/IRWM-Grant-Programs>. Applicants are encouraged to contact and coordinate with the applicable RWMG for the IRWM region in which the project is located Please identify the IRWM objective your project addresses.

16. Is land acquisition or landowner permission required for this project? If so, please briefly describe the status of the acquisition or agreement with the landowner. If the acquisition is not complete or permission not secured at the time of application, please describe the plan to complete it.
17. Has planning and design for this project been completed? If not, please describe the status of planning and design.
18. Are the CEQA (and NEPA if applicable) and permitting processes for this project complete? If not, please briefly describe the permits and CEQA (or NEPA) documents to be completed and projected schedule for completion.
19. Please briefly describe the necessary construction/implementation for this project.
20. Please complete the schedule below for the project. Projects must be complete by March 31, 2026, to allow time for final invoice processing and retention payment before the State funds expire on June 30, 2026. Project administration should end at least three months after construction.

| Categories | | Start Date | End Date |
|------------|--|------------|----------|
| (a) | Project Administration | | |
| (b) | Land Purchase / Easement | | |
| (c) | Planning/ Design / Engineering / Environmental Documentation | | |
| (d) | Construction/ Implementation | | |

Appendix D- Self-Certification for Eligibility

Each applicant must complete and submit a self-certification form for the following eligibility items. The self-certification form can be found on the website listed in the Foreword.

Eligible Applicant

Eligible applicants are public agencies; public utilities; special districts; colleges and universities; mutual water companies; non-profit organizations; regional water management groups, as defined in Section 10539 of the Water Code; federally recognized California Native American Tribes; and non-federally recognized Native American Tribes on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004.

DWR encourages potential applicants to reach out to DWR regarding any eligibility questions or concerns prior to submitting an application.

Urban Water Management Compliance

Each urban water supplier must:

- Have a current Urban Water Management Plan (UWMP) verified by DWR that addresses the requirements of the California Water Code. If an urban water supplier's UWMP has not been verified by DWR, explain, and provide the anticipated date for having a UWMP that addresses the requirements of the Water Code, including interim target reporting, as applicable in the self-certification form.
- If applicable, have a complete and validated water loss audit report verified by DWR in accordance with Senate Bill No. 555 (Stats. 2015, ch. 679).
- If applicable, must be compliant with the water metering requirements contained in Water Code section 525 et seq. Each urban water supplier proposing wastewater projects, water use efficiency projects, or drinking water projects must be compliant.
- If applicable, be compliant with requirements to submit to the State Water Resources Control Board their monthly water use reports in compliance with requirements outlined in the California Code of Regulations, title 23, sections 991.
- If facing water supply shortages, must have activated a Water Shortage Contingency Plan to a stage commensurate with their current water supply conditions. The applicant must report activation of the plan to the State Water board to be considered eligible.

Agricultural Water Management and Measurement Compliance

Each agricultural water supplier that provides water to *less than 10,000 irrigated acres*, excluding recycled water must:

- Indicate on the self-certification form that the supplier provides water to less than 10,000 irrigated acres, excluding recycled water.

or:

- Indicate on the self-certification form that each supplier's Agricultural Water Management Plan (AWMP) addresses the Water Code and Executive Order (EO) B-29-15 requirements. If an agricultural water supplier's AWMP has not been verified by DWR, explain, and provide the anticipated date for having an AWMP that addresses the Water Code and EO B-29-15 requirements.

Each agricultural water supplier that provides water to *less than 25,000 irrigated acres*, excluding recycled

water must:

- Indicate on the self-certification form the supplier provides water to less than 25,000 irrigated acres, excluding recycled water, or is otherwise deemed exempt from Water Code Efficient Water Management Practices (EWMPs) and the Water Measurement Regulation.

or:

- Indicate on the self-certification form that each supplier addresses the Water Code requirements for implementing EWMPs including Water Measurement, Volumetric Water Pricing, and all technically feasible and locally cost-effective EWMPs listed in the Water Code; and
- Indicate on the self-certification form that each supplier implements the Water Measurement Regulation, including AWMP reporting requirements.

or:

- Submit to DWR for approval a schedule, financing plan, and budget, to be included in the grant or loan agreement, for implementation of the EWMPs. The supplier may request grant or loan funds to implement the efficient water management practices to the extent the request is consistent with the eligibility requirements applicable to the water funds.

To comply with the farm-gate delivery requirements, each agricultural water supplier must complete the self-certification form based on the agricultural water supplier's irrigated acres.

- For those agricultural water suppliers that supply less than 2,000 acre-feet of water or water to less than 2,000 irrigated acres, excluding recycled water, provide the suppliers supply of water or irrigated area.

or:

- For those agricultural water suppliers that supply water to areas greater than 2,000 irrigated acres, verify that the annual aggregated monthly or bi-monthly farm-gate delivery data has been provided to DWR.

and/or:

- For those suppliers that provide water to less than 25,000 irrigated acres, complete the self-certification form and indicate that the implementation of a program or practices to measure farm-gate deliveries using Best Professional Practices is not locally cost-effective.

Surface Water Diverter Compliance

List the surface water diverters that will receive funding from the proposed grant on the self-certification form. If there are none, please indicate so. For the listed surface water diverters, state whether they have submitted to the State Water Resources Control Board their annual and monthly surface water diversion reports in compliance with requirements outlined in Water Code section 5100 et seq., and California Code of Regulations, title 23, sections 907-930. If a surface water diverter has not, explain and provide the anticipated date for meeting the requirements.

Groundwater Management Compliance

Each local sponsor or applicant implementing groundwater projects or projects directly affecting groundwater levels or quality must be compliance with Water Code section 10753 regarding Groundwater Management Plans (GWMPs). Please note that projects that affect groundwater levels or quality located in a CASGEM High or Medium priority groundwater basin without an adopted GWMP in compliance of Water Code section 10753 before January 1, 2015 will not be eligible (Wat. Code, § 10750.1(a)).

For groundwater projects or other projects that directly affect groundwater levels or quality in a high or medium priority basin, documentation that the project has support from the Groundwater Sustainability

Agency of the impacted groundwater basin(s), or the agency responsible for implementing an alternative plan should be included with the application.

Note that Local Project Sponsors that receive a grant award will have to maintain compliance with Water Code section 10000 et seq. of the Water Code as part of continuing eligibility requirements. Groundwater Management compliance requirements may be revised or updated based upon the implementation of the Sustainable Groundwater Management Act of 2014 (SGMA).

CASGEM Compliance

DWR has prioritized the groundwater basins. The CASGEM Program description, along with the basin prioritization information, can be found at: [https://water.ca.gov/Programs/Groundwater-Management/Groundwater-Elevation-Monitoring-- CASGEM](https://water.ca.gov/Programs/Groundwater-Management/Groundwater-Elevation-Monitoring--CASGEM)

For the high and medium priority basins that do not have a CASGEM monitoring entity, the grant applicant and Local Project Sponsor that match the list of potential monitoring entities identified in Water Code section 10927, along with the counties whose jurisdictions include unmonitored high and medium priority basins, will not be eligible to receive Round 2 IRWM Grant funding (Wat. Code, § 10933.7(a)).

Consistent with Water Code section 10933.7(b), if the entire service area of the grant applicant or the individual Local Project Sponsor's service area is demonstrated to be a DAC, as defined in the 2021 Guidelines, Appendix E, the project will be considered eligible for grant funding notwithstanding CASGEM compliance. If the Local Project Sponsor is exempt, a map must be included with the application that shows the Project's implementing agency's service area boundary. The map should include a DAC overlay to demonstrate the project is exempt.

Water Code section 10927 identifies GSAs as entities that may assume responsibility for the monitoring and reporting of groundwater elevations as required by section 10920 et seq. Following a GSAs submittal of a GSP, compliance with this section is required to continue through the monitoring and reporting of groundwater elevations as required by the GSA per the GSP regulations (Cal. Code Regs., tit. 23, § 350 et seq.), rather than the previously defined monitoring entity and the groundwater level data must be submitted through the SGMA Portal at SGMA Groundwater Management (SGMA) Portal - Department of Water Resources (ca.gov).

Stormwater Management Plan Compliance

For all Stormwater projects and/or dry weather runoff capture projects the project must be included in a Stormwater Resource Plan (or Functionally Equivalent Stormwater Resource Plan), or the project must benefit a DAC with a population of 20,000 or less that is not a co-permittee for a municipal separate stormwater system national pollutant discharge elimination system permit issued to a municipality with a population greater than 20,000.

Appendix E- Advanced Payment

Water Code section 13198.4 authorizes advanced payment of up to 25% by DWR to eligible entities (Grantees and/or Local Project Sponsors) for eligible projects. Eligible projects listed in Water Code section 13198(c), must benefit a county and/or watershed included in Governor's state of emergency drought proclamations or a drought scenario determined by the State Water Board as set forth in Water Code section 13198(a) to be eligible for advanced payment. The following outlines the general requirements for advanced payment eligibility, application process, accountability reporting, and default provisions. **Additional details regarding the specific requirements for advanced payment will be provided in individual grant agreements.**

Process to Apply for Advanced Payment

Following award notification and within 90 calendar days of execution of a grant agreement with DWR, the Grantee shall provide DWR with the list of projects for which advanced payment is requested. Failure to provide this list within 90 calendar days of execution of the grant agreement shall result in the forfeiture of the right to request or receive advanced payment for the grant. The list of projects shall include the following:

- Description of each project requesting advanced funds, consistent with the executed grant agreement.
- The names of the entities that will receive the funding for each project.
- Description of each funding recipient's cash flow needs (an explanation of why the entity does not have enough funding to cover its liabilities for the project).
- Description of each funding recipient's financial capacity to administer the advanced funds and complete the project once the advanced funds have been expended.
- Statement acknowledging that advanced funds will be placed in a non-interest-bearing account.
- A Funding Plan (template will be provided) that includes:
 - a. Budget for each project.
 - b. Anticipated quarterly schedule for each project, showing how the advanced payment funds will be expended including associated activities and deliverables.
 - c. Any reimbursable funds expended to date.
- Any other information that DWR may deem necessary.

Within 60 days of receiving all required project information and that information being deemed adequate at the sole discretion of DWR, DWR may authorize payment of up to 25 percent of the grant award for the qualified project(s).

The Grantee will be responsible for the timely distribution of the advanced funds to the individual Local Project Sponsors, if applicable.

Accountability Report Requirements

Upon receipt of advanced payment, there are requirements and responsibilities that must be met by the Grantee. The Grantee shall, on a quarterly basis, provide an Accountability Report to DWR regarding the expenditure and use of the advanced grant funds that provides, at a minimum, the following information:

- An itemization as to how advanced payment funds have been expended, including documentation that advanced funds were spent on eligible reimbursable costs.
- An updated Funding Plan with project itemization and a quarterly schedule describing how any remaining advanced payment funds will be expended.
- Documentation that the funds were placed/remain in a non-interest-bearing account, and the dates

of withdrawals of funds from that account during the reporting period.

- Proof of distribution of advanced funds to Local Project Sponsor(s), if applicable.

Default of Advanced Payment Obligations

Any of the following actions will be considered a default on the advanced payment obligations and shall result in DWR requesting the Grantee return all or a portion of the advanced funds and may result in a breach of the grant agreement:

- Failure to expend the advanced funds within the timeframe agreed to by DWR and the Grantee when the advanced payment request was approved unless an extension has been approved by DWR.
- Failure by Grantee to submit complete and accurate quarterly Accountability Reports by the required due dates, unless otherwise approved by DWR.
- Failure to deposit funds in a non-interest-bearing account.
- Use of Advance Payment funds for ineligible expenses and/or activities not consistent with the grant agreement.
- Inappropriate use of funds, as deemed by DWR.
- Failure to comply with any other term of the executed grant agreement.

If advanced funds are not fully expended by project completion or by the grant agreement termination date, whichever is earlier, the unused grant funds shall be returned to DWR within 60 calendar days.

Appendix F – Underrepresented Communities

For the purposes of this GL/PSP, Disadvantaged Communities (DACs), SDACs (Severely Disadvantaged Communities), EDAs (Economically Distressed Area), Tribes, Environmentally Disadvantaged Communities (EnvDACs), and Fringe Communities are collectively referred to as Underrepresented Communities (URCs). DWR will use the information presented in the applications to evaluate whether the project provides benefits to an Underrepresented Community and to determine whether the project is eligible for the Underrepresented Community Funding. The Underrepresented Community Funding is available to eligible Proposition 1 Disadvantaged Community and Tribal Involvement Program Grantees.

Applicants seeking this determination must include in their grant application, supporting documentation that identifies the Project benefit area and location(s) of the Underrepresented Communities, identifies how the proposed Project provides benefits to an Underrepresented Community, and indicates the total project benefits provided.

Underrepresented Community Classifications

Disadvantaged Communities (DACs)

A disadvantaged community (DAC) is a community with an annual median household income (MHI) that is less than 80% of the Statewide annual median household income. Using the U.S. Census Bureau American Community Survey (ACS) data for the years 2012 -2016, 80% of the California Statewide MHI is \$51,026.

Applicants must provide the following information for each project claiming benefits to a DAC(s):

- Percentage of the project benefits provided to a DAC, by geographic area or population.
- Information that supports the project benefits a DAC(s), such as a map or shapefile that shows the project benefit area and the location of the DAC(s).
- Where the lack of representative census data that adequately represents the community can be documented, alternative studies (local income surveys, a subset of a block group, older (ACS) data, etc.) may be substituted in the attachment. Include justification for the use of alternate data.

The ACS data gives estimates of MHI for different census geographies, such as for states, counties, census places (incorporated cities and unincorporated towns), census tracts, and census block groups.

DWR has developed a tool which utilizes the most current ACS data to show the location and boundaries of DACs and Severely Disadvantaged Communities (SDACs)

in the State, at the census place, tract, and block group level. The tool allows users to view different geographies or combinations of geographies, using different base maps and to zoom in to various scales. The DAC tool can be found at the following link: <https://water.ca.gov/Work-With-Us/Grants-And-Loans/mapping-tools>. For individuals with Geographic Information System (GIS) capabilities, also provided at this link are GIS files representing the ACS data (and DAC status) for the three census geographies.

The applicant may use ACS data at the census place, census tract, or census block group geography levels to show whether a project serves a DAC, based on what geography is the most representative for that community. For DACs, the allowable alternative geographies are, respectively:

Severely Disadvantaged Communities (SDACs)

A severely disadvantaged community (SDAC) is a community with a median household income of less than 60% of the Statewide average.

Applicants must provide the following information for each project claiming benefits to a SDAC(s):

- Percentage of the project benefits provided to an SDAC, by geographic area or population.

- Information that supports the project benefits an SDAC(s), such as a map or shapefile that shows the project benefit area and the location of the SDAC(s).

If a project serves a DAC or SDAC and is divided among several contiguous census tracts or block groups, and some of the project area tracts or block groups do not meet the DAC or SDAC criterion, the project will be considered a DAC project for the purpose of waiving cost share requirements in proportion to the population served that meets the DAC criterion. The DAC tool described in the previous section can also be used to identify SDAC locations in California.

Economically Distressed Areas (EDAs)

An economically distressed area (EDA) is a municipality with a population of 20,000 persons or less, a rural county, or a reasonably isolated and divisible segment of a larger municipality where the segment of the population is 20,000 persons or less, with an annual median household income that is less than 85% of the Statewide median household income, and with one or more of the following conditions as determined by the DWR: (1) financial hardship, (2) Unemployment rate at least 2% higher than the Statewide average, or (3) low population density.

Applicants must provide the following information for each project claiming benefits to an EDA(s):

- Percentage of the project benefits provided to an EDA, by geographic area or population.
- Include information that supports the project benefits an EDA(s), such as a map or shapefile that shows the project benefit area and the location of the EDA(s).
- Where the lack of representative census data that adequately represents the community can be documented, alternative studies (local income surveys, a subset of a block group, etc.) may be substituted in the attachment.
- In determining the MHI for EDAs, applicants may use a single type of census geography or combinations of census geographies that best represent the EDA.

The EDA Mapping Tool is an interactive map that allows users to overlay multiple geographies as separate data layers. Go to <https://water.ca.gov/Work-With-Us/Grants-And-Loans/mapping-tools> to access the EDA mapping tool.

Tribes

For the purposes of this GL/PSP, federally recognized Indian Tribes and California State Indian Tribes listed on the Native American Heritage Commission’s California Tribal Consultation List are collectively referred to as “Tribe” or “Tribes.”

California Native American Tribe: The term “state Indian tribes” means Federally recognized California Native American Tribes or Non-federally recognized Native American Tribes on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004.

Federally Recognized Indian Tribes: A federally recognized Tribe is an American Indian or Alaska Native Tribal entity that is recognized as having a government-to-government relationship with the United States, with the responsibilities, powers, limitations, and obligations attached to that designation, and is eligible for funding and services from the Bureau of Indian Affairs.

The Tribal applicant shall provide a brief narrative that describes the Tribe, how the Tribe meets the minimum definition for eligibility, and any back-up documentation to support the Tribe’s recognition. Provide justification demonstrating the percent of project benefits provided to the Tribe.

DWR will not knowingly disclose information related to Native American cultural sites or sacred places per Government Code section 6254(r). There is no requirement to disclose any information related to Native

American cultural sites or sacred places to DWR in the application. If this information is included in the application, it must be clearly labeled “confidential.”

Environmentally Disadvantaged Communities (EnvDACs)

The California Environmental Protection Agency (CalEPA) designates the top 25% scoring census tracts as DACs. Census tracts that score the highest 5% of Pollution Burden scores, but do not have an overall CalEnviroScreen score because of unreliable socioeconomic or health data, are also designated as DACs (found to be 22 census tracts in the 2021 CalEnviroScreen version 4.0).

CalEPA (through the Office of Environmental Health Hazard Assessment (OEHHA)) developed a mapping tool that assesses environmental, health, and socioeconomic indicators to produce a score for each census tract in the State. Each tract receives a Pollution Burden score (Exposures and Environmental Effects) and a Population Characteristics score (Sensitive Populations and Socioeconomic Factors). The average Pollution Burden and Population Characteristics scores are multiplied together to produce an overall CalEnviroScreen score.

There are two tools available to verify if a census tract is considered an EnvDACs:

OPTION 1: CalEnviroScreen 4.0 Mapping Tool

The CalEnviroScreen 4.0 Mapping Tool is an interactive map that allows users to overlay Census Tracts.

Go to <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40> and scroll down to access the CalEnviroScreen 4.0 Mapping Tool.

OPTION 2: CalEnviroScreen 4.0 Results Excel Sheet

The CalEnviroScreen 4.0 Results Excel Sheet is a sortable spreadsheet that contains all CalEnviroScreen 4.0 scores.

Go to <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40> scroll down to Data and Additional Materials.

Fringe Communities

Fringe Communities are those communities that do not meet the established DAC, SDAC, and EDA definitions, but can show that they score in the top 25% of either the Pollution Burden or Population Characteristics score, using the CalEnviroScreen version 4.0, linked above.

Appendix G – Useful Links

California Drought

| Destination | Link |
|---|---|
| California Drought Action: | https://drought.ca.gov/ |
| DWR Drought Page | https://water.ca.gov/Programs/All-Programs/Drought |
| State Waterboard Drought Page: | https://www.waterboards.ca.gov/drought/ |
| Small Community Drought Relief Program | https://water.ca.gov/Water-Basics/Drought/Small-Community-Drought-Relief |
| Urban and Multibenefit Drought Relief Program | https://water.ca.gov/Water-Basics/Drought/urbanmultibenefidrought |

CA Department of Water Resources (DWR)

| Destination | Link |
|--|---|
| Homepage: | http://www.water.ca.gov/ |
| Financial Assistance Programs: | https://water.ca.gov/Work-With-Us/Grants-And-Loans |
| AB 1755: Open and Transparent Water Data Platform for California | https://water.ca.gov/ab1755 |
| Water Use and Efficiency Branch: | https://water.ca.gov/Programs/Water-Use-And-Efficiency |
| Urban Water Management Plans: | https://water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency/Urban-Water-Management-Plans |
| Agricultural Water Management Plans: | https://water.ca.gov/Programs/Water-Use-And-Efficiency/Agricultural-Water-Use-Efficiency |
| General Groundwater Management: | https://water.ca.gov/Programs/Groundwater-Management |
| Climate Change Website: | https://water.ca.gov/Programs/All-Programs/Climate-Change-Program |
| SGMA Website: | https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management |
| CASGEM Program: | https://water.ca.gov/Programs/Groundwater-Management/Groundwater-Elevation-Monitoring--CASGEM |

Integrated Regional Water Management (IRWM)

| Destination | Link |
|-------------------------------------|---|
| IRWM Grant Program: | https://water.ca.gov/Work-With-Us/Grants-And-Loans/IRWM-Grant-Programs |
| DAC and EDA Mapping Tools and Data: | https://water.ca.gov/Work-With-Us/Grants-And-Loans/Mapping-Tools |
| DAC Involvement Program | https://water.ca.gov/Work-With-Us/Grants-And-Loans/IRWM-Grant-Programs/Proposition-1/DAC-Involvement-Program |

State Water Resources Control Board (State Water Board)

| Destination | Link |
|---|---|
| Homepage: | http://www.waterboards.ca.gov |
| Stormwater Resource Plan Guidance: | https://www.waterboards.ca.gov/water_issues/programs/grants_loans/swgp/docs/prop1/swrp_finalguidelines_dec2015.pdf |
| California Environmental Data Exchange Network: | http://www.ceden.org/ |
| Impaired Water Bodies: | https://www.waterboards.ca.gov/rwqcb5/water_issues/tmdl/impaired_waters_list |
| Groundwater Ambient Monitoring and Assessment: | http://www.swrcb.ca.gov/gama |
| Financial Assistance Funding | https://www.waterboards.ca.gov/water_issues/programs/grants_loans/ |

Regional Water Quality Control Plans (Basin Plans)

| Destination | Link |
|--------------------|---|
| All Regions: | https://www.waterboards.ca.gov/plans_policies/ |

California Environmental Quality Act (CEQA)

| Destination | Link |
|---|---|
| California State Clearinghouse Handbook | http://opr.ca.gov/docs/SCH_Handbook_2012.pdf |

Climate Change Information

| Destination | Link |
|--|---|
| Climate Change Regional Water Planning Handbook: | http://climate.calcommons.org/sites/default/files/basic/climate_change_handbook_regional_water_planning.pdf |
| California Climate Change Portal: | http://www.climatechange.ca.gov/ |

| | |
|---|---|
| AB 32 Scoping Plan | http://www.arb.ca.gov/cc/scopingplan/scopingplan.htm |
| California Climate Adaptation Planning Guide: | https://resources.ca.gov/CNRALegacyFiles/docs/climate/01APG_Planning_for_Adaptive_Communities.pdf |
| Sea Level Rise Guidance: | http://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20180314/Item3_Exhibit-A_OPC_SLR_Guidance-rd3.pdf |
| Cal-Adapt: | http://cal-adapt.org/ |

CA Department of Industrial Relations

| Destination | Link |
|------------------------------------|---|
| Labor Compliance Programs: | http://www.dir.ca.gov/lcp.asp |
| DIR's <i>Public Works Manual</i> : | http://www.dir.ca.gov/dlse/PWManualCombined.pdf |

Tribal Consultation

| Destination | Link |
|--|---|
| California Native American Heritage Commission: | http://www.nahc.ca.gov/ |
| Governor's Tribal Advisor Office: | http://tribalgovtaffairs.ca.gov |
| Office of Planning and Research Tribal & CEQA Resources: | http://opr.ca.gov/ceqa/updates/ab-52/ |
| DWR Office of Tribal Policy Advisory | https://water.ca.gov/about/tribal-policy |
| U.S. Fish & Wildlife Service Tribal Consultation Handbook: | http://www.fws.gov/carlsbad/TribalRelations/Tribal_Consultation_Handbook_2013.pdf |

U.S. Census Bureau

| Destination | Link |
|----------------------------|---|
| Homepage: | http://www.census.gov |
| American Community Survey: | http://www.census.gov/acs |

CALIFORNIA NATURAL RESOURCES AGENCY

DEPARTMENT OF WATER RESOURCES

DIVISION OF REGIONAL ASSISTANCE

RESOLUTION NO. 2022-XX

**OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
AUTHORIZIN THE GRANT APPLICATION, ACCEPTANCE, AND EXECUTION FOR
THE 2022 UPPER CANAL RELIABILITY PROJECT**

WHEREAS, Georgetown Divide Public Utility District proposes to implement the 2022 Upper Canal Reliability Project;

WHEREAS, Georgetown Divide Public Utility District has the legal authority and is authorized to enter a funding agreement with the State of California; and

WHEREAS, Georgetown Divide Public Utility District intends to apply for grant funding from the California Department of Water Resources for the 2022 Upper Canal Reliability Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT THAT:**

1. That pursuant and subject to all of the terms and provisions of Budget Act of 2021 (Stats.2021,ch.240,§80), the Georgetown Divide Public Utility District, or designee is hereby authorized and directed to prepare and file an application for funding with Department of Water Resources, and take such other action necessary or appropriate to obtain grant funding.
2. The Georgetown Divide Public Utility District Board of Directors, or designee is hereby authorized and directed to execute the funding agreement with the Department of Water Resources and any amendments thereto.
3. The Georgetown Divide Public Utility District Board of Directors, or designee is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.

PASSED AND ADOPTED by the board of Directors of the Georgetown Divide Public Utility District at a meeting of said Board held on the 11th day of January 2022, by the following vote:

AYES:

NOES:

ABSENT/ABSTAIN:

Michael Saunders, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:

Adam Coyan, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of Resolution 2022-XX duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on the 11th day of January, 2022.

Adam Coyan, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

RESOLUTION NO. 2022-XX
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE
PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON
MARCH 4, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS
OF THE LEGISLATIVE BODIES OF THE GEORGETOWN DIVIDE SPECIAL UTILITY
DISTRICT FOR THE PERIOD FEBRUARY 1, 2021 TO FEBRUARY 28, 2022
PURSUANT TO BROWN ACT PROVISIONS

WHEREAS, the Georgetown Divide Special Utility District (“District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of District’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, and

WHEREAS, the Board of Directors previously adopted a Resolutions finding that the requisite conditions exist for the legislative bodies of the Georgetown Divide Public Utility District to conduct remote teleconference meetings without compliance with Paragraph (3) of Subdivision (b) of Section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in Section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS emergency conditions persist in the District, specifically, a State of Emergency has been proclaimed by the Governor due to the COVID-19 Pandemic; and

WHEREAS, the District also has a COVID-19 policy recommending social distancing measures; and

WHEREAS, as a consequence of the California State of Emergency caused by the COVID-19 Pandemic emergency persisting, the Board of Directors does hereby find that the legislative bodies of the District shall continue to conduct their meetings without compliance

with Paragraph (3) of Subdivision (b) of Government Code Section 54953, as authorized by Subdivision (e) of Section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in Paragraph (2) of Subdivision (e) of Section 54953; and

WHEREAS, the Georgetown Divide Public Utility District will hold its meetings via Zoom teleconference and make the access available to the public via video or phone.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF GEORGETOWN DIVIDE SPECIAL UTILITY DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of date of March 4th, 2020.

Section 3. Remote Teleconference Meetings. The General Manager and legislative bodies and committees of the District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until February 28, 2022, or until the Board of Directors adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the legislative bodies and committees of District may continue to teleconference without compliance with Paragraph (3) of Subdivision (b) of Section 54953.

PASSED AND ADOPTED by the Board of Directors of Georgetown Divide Public Utility District on this 11th day of January 2022, by the following vote:

AYES:

NOES:

ABSENT/ABSTAIN:

Michael Saunders, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT