

APPENDIX A
SENATE BILL X2 1, PERATA, 2008

Senate Bill No. 1

CHAPTER 1

An act to add and repeal Section 65595.5 of the Government Code, and to add Sections 127.5 and 134.5 to, to add Division 33 (commencing with Section 83000) to, and to repeal and add Part 2.2 (commencing with Section 10530) of Division 6 of, the Water Code, relating to water, and making an appropriation therefor.

[Approved by Governor September 30, 2008. Filed with
Secretary of State September 30, 2008.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1, Perata. Water quality, flood control, water storage, and wildlife preservation.

(1) The Integrated Regional Water Management Planning Act of 2002 authorizes a regional water management group, as defined, to prepare and adopt a regional water plan meeting specified requirements.

This bill would repeal these provisions of law and enact the Integrated Regional Water Management Planning Act. Regional water management groups, as defined, would be authorized to prepare and adopt integrated regional water management plans meeting specified requirements.

The Department of Water Resources would be required to develop project solicitation and evaluation guidelines for a specified funding source.

(2) Under existing law, various bond acts have been approved by the voters to provide funds for water projects, facilities, and programs. The Disaster Preparedness and Flood Prevention Bond Act of 2006, a bond act approved by the voters at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$4,090,000,000 for the purposes of financing disaster preparedness and flood prevention projects. The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative bond act approved by the voters at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$5,388,000,000 for the purposes of financing a safe drinking water, water quality and supply, flood control, and resource protection program. The Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, an initiative bond act approved by the voters at the November 5, 2002, statewide general election, authorizes the issuance of bonds in the amount of \$3,440,000,000 to finance a safe drinking water, water quality, and water reliability program. The Costa-Machado Water Act of 2000, a bond act approved by the voters at the March 7, 2000, statewide direct primary election, authorizes the issuance of bonds in the amount of \$1,970,000,000 for the purposes of financing a

safe drinking water, water quality, flood protection, and water reliability program.

This bill, with regard to those bond funds, would appropriate \$820,973,000 as follows: of the funds made available pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006, \$135,000,000 to the Department of Water Resources for essential emergency preparedness supplies and projects, and \$150,000,000 to the department for stormwater flood management project grants; of the funds made available pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, \$50,000,000 to the State Department of Public Health for grants for small community drinking water systems infrastructure improvements and related actions, \$50,400,000 to the State Department of Public Health for grants for projects to prevent or reduce the contamination of groundwater that serves as a source of drinking water, \$181,971,000 to the department for integrated regional water management activities, \$90,000,000 to the department for the implementation of Delta water quality improvement projects that protect drinking water supplies, \$100,000,000 to the department for the acquisition, preservation, protection, and restoration of Sacramento-San Joaquin Delta resources, \$12,000,000 to the department to complete planning and feasibility studies associated with new surface storage under the California Bay-Delta Program, \$15,000,000 to the department for planning and feasibility studies to identify potential options for the reoperation of the state's flood protection and water supply systems, \$10,000,000 to the department to update the California Water Plan, \$10,000,000 to the State Coastal Conservancy for projects on the Santa Ana River, and \$7,300,000 to the department for the urban streams restoration program; of the funds made available under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, \$3,760,000 to the department for planning and feasibility studies associated with surface storage under the California Bay-Delta Program; and of the funds made available pursuant to the Costa-Machado Water Act of 2000, \$2,272,000 to the department for the Sacramento River Hamilton City Area Flood Damage Reduction Project and \$3,450,000 to the department for the Franks Tract Pilot Project.

The bill would provide that up to 5% of the funds appropriated by the bill may be expended to pay for the administrative costs of that program. The bill would provide that funds appropriated by the bill are available for encumbrance until June 30, 2010. On January 10, 2010, program recipients would be required to report to the fiscal committees of the Legislature with regard to the committed and anticipated expenditures of these funds. The bill would require the Director of Finance to administratively establish positions necessary to implement activities funded by the bill's appropriations.

(3) Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the California regional water quality control boards are the principal state agencies with authority over matters relating to water quality.

This bill would require the state board, in consultation with other agencies, to develop pilot projects in the Tulare Lake Basin and the Salinas Valley focused on nitrate contamination. The bill would require the state board to create an interagency task force, as needed, to oversee the pilot projects and submit a report to the Legislature on the scope and findings of the projects within 2 years of receiving funding. The state board would be required to implement recommendations for developing a groundwater cleanup program for the Central Valley Water Quality Control Region and the Central Coast Water Quality Control Region based upon pilot project results within 2 years of submitting the report to the Legislature.

(4) Existing law requires the department, not later than January 1, 2009, to update a model water efficient landscape ordinance. Existing law generally requires rules and regulations of the department to be first presented to the California Water Commission and to become effective only upon approval of the commission.

This bill, until December 31, 2009, would provide that commission review and approval does not apply to the department's adoption of regulations updating the model water efficient landscape ordinance.

(5) The bill would authorize the department to utilize the Program Manager class series that was created for the California Bay-Delta Authority for positions to manage vital departmental activities.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 65595.5 is added to the Government Code, to read: 65595.5. (a) Notwithstanding Section 161 of the Water Code, until December 31, 2009, in order to ensure timely implementation of water conservation activities relating to landscaping, Section 161 of the Water Code does not apply to the department's adoption of regulations required by Section 65595.

(b) This section shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.

SEC. 2. Section 127.5 is added to the Water Code, to read:

127.5. The department may utilize the program manager class series that was created for the California Bay-Delta Authority, for positions to manage vital departmental activities, including those relating to climate change mitigation and adaptation, water management, and statewide planning.

SEC. 3. Section 134.5 is added to the Water Code, to read:

134.5. The Director of Finance shall administratively establish positions necessary to implement activities funded by the appropriations made in Division 33 (commencing with Section 83000).

SEC. 4. Part 2.2 (commencing with Section 10530) of Division 6 of the Water Code is repealed.

SEC. 5. Part 2.2 (commencing with Section 10530) is added to Division 6 of the Water Code, to read:

PART 2.2. INTEGRATED REGIONAL WATER MANAGEMENT PLANS

CHAPTER 1. SHORT TITLE

10530. This part shall be known and may be cited as the Integrated Regional Water Management Planning Act.

CHAPTER 2. LEGISLATIVE FINDINGS AND DECLARATIONS

10531. The Legislature finds and declares all of the following:

(a) Water is a valuable natural resource in California, and should be managed to ensure the availability of sufficient supplies to meet the state's agricultural, domestic, industrial, and environmental needs. It is the intent of the Legislature to encourage local agencies to work cooperatively to manage their available local and imported water supplies to improve the quality, quantity, and reliability of those supplies.

(b) Local agencies can realize efficiencies by coordinating and integrating their assets and seeking mutual solutions to water management issues.

(c) The reliability of water supplies can be significantly improved by diversifying water portfolios, taking advantage of local and regional opportunities, and considering a broad variety of water management strategies as described in the California Water Plan.

(d) The implementation of this part will facilitate the development of integrated regional water management plans, thereby assisting each region of the state to improve water supply reliability, water quality, and environmental stewardship to meet current and future needs.

(e) Water management is integrally linked to public health and the health of all natural resources within our watersheds. It is the intent of the Legislature that water management strategies and projects are carried out in a way that promotes these important public values.

CHAPTER 3. DEFINITIONS

10532. Unless the context otherwise requires, the definitions set forth in this chapter govern the construction of this part.

10533. "Basin plan" means a water quality control plan developed pursuant to Section 13240.

10534. "Integrated regional water management plan" means 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 water 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.

10535. “Local agency” means any city, county, city and county, special district, joint powers authority, or other political subdivision of the state, a public utility as defined in Section 216 of the Public Utilities Code, or a mutual water company as defined in Section 2725 of the Public Utilities Code.

10536. “Plan” means an integrated regional water management plan.

10537. “Regional projects or programs” means projects or programs identified in an integrated regional water management plan that accomplish any of the following:

(a) Reduce water demand through agricultural and urban water use efficiency.

(b) Increase water supplies for any beneficial use through the use of any of the following, or other, means:

- (1) Groundwater storage and conjunctive water management.
- (2) Desalination.
- (3) Precipitation enhancement.
- (4) Water recycling.
- (5) Regional and local surface storage.
- (6) Water-use efficiency.
- (7) Stormwater management.

(c) Improve operational efficiency and water supply reliability, including conveyance facilities, system reoperation, and water transfers.

(d) Improve water quality, including drinking water treatment and distribution, groundwater and aquifer remediation, matching water quality to water use, wastewater treatment, water pollution prevention, and management of urban and agricultural runoff.

(e) Improve resource stewardship, including agricultural lands stewardship, ecosystem restoration, flood plain management, recharge area protection, urban land use management, groundwater management, water-dependent recreation, fishery restoration, including fish passage improvement, and watershed management.

(f) Improve flood management through structural and nonstructural means, or by any other means.

10538. “Regional reports or studies” means reports or studies relating to any of the matters described in subdivisions (a) to (f), inclusive, of Section 10537, that are identified in an integrated regional water management plan.

10539. “Regional water management group” means a group in which three or more local agencies, at least two of which have statutory authority over water supply or water management, as well as those other persons who may be necessary for the development and implementation of a plan that meets the requirements in Sections 10540 and 10541, participate by means of a joint powers agreement, memorandum of understanding, or other written

agreement, as appropriate, that is approved by the governing bodies of those local agencies.

CHAPTER 4. INTEGRATED REGIONAL WATER MANAGEMENT PLANS

10540. (a) A regional water management group may prepare and adopt an integrated regional water management plan in accordance with this part.

(b) A regional water management group may coordinate its planning activities to address or incorporate all or part of any of the following actions of its members into its plan:

(1) Groundwater management planning pursuant to Part 2.75 (commencing with Section 10750) or other specific groundwater management authority.

(2) Urban water management planning pursuant to Part 2.6 (commencing with Section 10610).

(3) The preparation of a water supply assessment required pursuant to Part 2.10 (commencing with Section 10910).

(4) Agricultural water management planning pursuant to Part 2.8 (commencing with Section 10800).

(5) City and county general planning pursuant to Section 65350 of the Government Code.

(6) Other water resource management planning, including flood protection, watershed management planning, and multipurpose program planning.

(c) At a minimum, all plans shall address all of the following:

(1) Protection and improvement of water supply reliability, including identification of feasible agricultural and urban water use efficiency strategies.

(2) Identification and consideration of the drinking water quality of communities within the area of the plan.

(3) Protection and improvement of water quality within the area of the plan, consistent with the relevant basin plan.

(4) Identification of any significant threats to groundwater resources from overdrafting.

(5) Protection, restoration, and improvement of stewardship of aquatic, riparian, and watershed resources within the region.

(6) Protection of groundwater resources from contamination.

(7) Identification and consideration of the water-related needs of disadvantaged communities in the area within the boundaries of the plan.

(d) This section does not obligate a local agency to fund the implementation of any project or program.

10541. (a) The department shall develop project solicitation and evaluation guidelines for the application of funds made available pursuant to Section 75026 of the Public Resources Code, to enable broad and diverse participation in integrated regional water management plan development and refinement.

(b) The department shall conduct two public meetings to consider public comments prior to finalizing the guidelines. The department shall publish the draft solicitation and evaluation guidelines on its Internet Web site at least 30 days before the public meetings. One meeting shall be conducted at a location in northern California and one meeting shall be conducted at a location in southern California. Upon adoption, the department shall transmit copies of the guidelines to the fiscal committees and the appropriate policy committees of the Legislature. To the extent feasible, each state agency shall provide outreach to disadvantaged communities to promote access to and participation in those meetings.

(c) The department shall consult with the board, the California regional water quality control boards, the State Department of Public Health, the Department of Fish and Game, the California Bay-Delta Authority or its successor, and other state agencies with water management responsibility and authority in the development of the guidelines.

(d) The department may periodically review and update the guidelines to accommodate changes in funding sources, statutory requirements, new commonly accepted management practices, and changes in state water management policy. Any guideline changes shall be made with appropriate consultation with other state agencies and public review pursuant to subdivisions (b) and (c).

(e) The guidelines shall require that integrated regional water management plans include all of the following:

(1) Consideration of all of the resource management strategies identified in the California Water Plan, as updated by department Bulletin No. 160-2005 and future updates.

(2) Consideration of objectives in the appropriate basin plan or plans and strategies to meet applicable water quality standards.

(3) Description of the major water-related objectives and conflicts within a region.

(4) Measurable regional objectives and criteria for developing regional project priorities.

(5) An integrated, collaborative, multibenefit approach to selection and design of projects and programs.

(6) Identification and consideration of the water-related needs of disadvantaged communities in the area within the boundaries of the plan.

(7) Performance measures and monitoring to demonstrate progress toward meeting regional objectives.

(8) A plan for implementation and financing of identified projects and programs.

(9) Consideration of greenhouse gas emissions of identified programs and projects.

(10) Evaluation of the adaptability to climate change of water management systems in the region.

(11) Documentation of data and technical analyses used in the development of the plan.

(12) A process to disseminate data and information related to the development and implementation of the plan.

(13) A process to coordinate water management projects and activities of participating local agencies and local stakeholders to avoid conflicts and take advantage of efficiencies.

(14) Any other matters identified by the department.

(f) The guidelines shall include standards for identifying a region for the purpose of developing or modifying an integrated regional water management plan. At a minimum, a region shall be a contiguous geographic area encompassing the service areas of multiple local agencies, and shall be defined to maximize opportunities for integration of water management activities. The department shall develop a process to approve the composition of a region for the purposes of Sections 75026, 75027, and 75028 of the Public Resources Code.

(g) The guidelines shall require that the development and implementation of an integrated regional water management plan include a public process that provides outreach and an opportunity to participate in plan development and implementation to appropriate local agencies and stakeholders, as applicable to the region, including all of the following:

(1) Wholesale and retail water purveyors, including a local agency, mutual water company, or a water corporation as defined in Section 241 of the Public Utilities Code.

(2) Wastewater agencies.

(3) Flood control agencies.

(4) Municipal and county governments and special districts.

(5) Electrical corporations, as defined in Section 218 of the Public Utilities Code.

(6) Native American tribes that have lands within the region.

(7) Self-supplied water users, including agricultural, industrial, residential, park districts, school districts, colleges and universities, and others.

(8) Environmental stewardship organizations, including watershed groups, fishing groups, land conservancies, and environmental groups.

(9) Community organizations, including landowner organizations, taxpayer groups, and recreational interests.

(10) Industry organizations representing agriculture, developers, and other industries appropriate to the region.

(11) State, federal, and regional agencies or universities, with specific responsibilities or knowledge within the region.

(12) Disadvantaged community members and representatives, including environmental justice organizations, neighborhood councils, and social justice organizations.

(13) Any other interested groups appropriate to the region.

(h) The guidelines shall require integrated regional water management plans to be developed through a collaborative process that makes public both of the following:

(1) The process by which decisions are made in consultation with the persons or entities identified in subdivision (g).

(2) The manner in which a balance of interested persons or entities representing different sectors and interests listed in subdivision (g) have been or will be engaged in the process described in this subdivision, regardless of their ability to contribute financially to the plan.

(i) The guidelines shall provide for a process for the development, periodic review, updating, and amending of integrated regional water management plans. The department shall establish eligibility requirements for the project funding, that provide sufficient time for the updating of plans as necessary to reflect changes in the guidelines.

10543. (a) A regional water management group proposing to prepare an integrated regional water management plan shall publish a notice of intention to prepare the plan in accordance with Section 6066 of the Government Code.

(b) For the purposes of carrying out this part, the regional water management group shall make available to the public the documentation prepared pursuant to subdivision (g) of Section 10541 describing the manner in which interested parties may participate in developing the integrated regional water management plan.

(c) Upon the completion of the integrated regional water management plan, the regional water management group shall publish a notice of intention to adopt the plan in accordance with Section 6066 of the Government Code and shall adopt the plan in a public meeting of its governing board.

CHAPTER 5. FUNDING FOR QUALIFIED PROJECTS AND PROGRAMS

10544. When selecting projects and programs pursuant to Division 24 (commencing with Section 78500), Division 26 (commencing with Section 79000), Division 26.5 (commencing with Section 79500), or pursuant to any grant funding authorized on or after January 1, 2009, for water management activities, the department, the board, the State Department of Public Health, and the California Bay-Delta Authority or its successor, as appropriate, shall include in any set of criteria used to select projects and programs for funding, a criterion that provides a preference for regional projects or programs.

10546. An integrated regional water management plan prepared pursuant to this part shall be eligible for funding pursuant to Section 75026 of the Public Resources Code, and for any funding authorized on or after January 1, 2009, that is allocated specifically for implementation of integrated regional water management.

10547. This part does not prohibit the department from implementing Section 75026 of the Public Resources Code by using existing integrated regional water management guidelines in accordance with subdivision (d) of Section 75026 of the Public Resources Code.

CHAPTER 6. MISCELLANEOUS

10548. This part does not affect any powers granted to a local agency by any other law.

10549. This part does not authorize a regional water management group to define, or otherwise determine, the water rights of any person.

10550. The plan or project shall not be funded pursuant to this part if it would fund activities inconsistent with applicable state and federal water quality laws.

SEC. 6. Division 33 (commencing with Section 83000) is added to the Water Code, to read:

DIVISION 33. INTEGRATED WATER SUPPLY AND FLOOD
PROTECTION PLANNING, DESIGN, AND IMPLEMENTATION

83000. The Legislature hereby finds and declares all of the following:

(a) Water is vital to the economy, environment, and overall well-being of the state.

(b) California faces increasing challenges in managing its water supply due to climate change, uncertainty regarding the availability of water from the Sacramento-San Joaquin Delta and other sources, an increasing state population, limitations on public funds, and other factors.

(c) California must adopt a new, updated, and comprehensive set of water planning, design, and implementation policies that reflect these realities to protect its water supply future.

(d) In the past, state laws, funding schemes, and administrative actions have treated the planning, construction, and operation of water supply, groundwater, and flood control systems as separate and distinct activities, thereby reducing efficiency and water supply reliability.

(e) California has not taken full advantage of the cost savings, the environmental benefits, or the expediency of more efficient operations and usage of existing water supply, storage, and flood protection facilities.

(f) It is the policy of the state to more effectively integrate its flood protection systems with its water supply and conveyance systems in order to conserve limited public dollars, increase the available water supply, improve water quality, increase wildlife and ecosystem protections, protect public health and safety, and address the effects of climate change.

(g) The purpose of this division is to require the integration of flood protection and water systems to achieve multiple public benefits, including all of the following:

(1) Increasing water supply reliability in the least costly, most efficient, and most reliable manner to meet current and future state needs.

(2) Increasing use of water use efficiency and water conservation measures to increase and extend existing water supplies.

(3) Reducing energy consumption associated with water transport, thereby reducing state greenhouse gas emissions.

(4) Improving water management to protect and restore ecosystems and wildlife habitat.

83001. In order to provide the least costly, most efficient, and reliable water supply to a growing state, it is the intent of the Legislature that the department accomplish the following objectives:

- (a) Integrate state flood protection and water supply systems.
- (b) Promote conjunctive use of groundwater storage capacity to improve overall water supply and flood system operation.
- (c) Promote increased water use efficiency through expanded use of water conservation, water recycling, and improvements in technology.

83002. The sum of eight hundred twenty million nine hundred seventy-three thousand dollars (\$820,973,000) is hereby appropriated in accordance with the following schedule:

(a) Of the funds made available pursuant to Chapter 1.699 (commencing with Section 5096.800) of Division 5 of the Public Resources Code, the sum of two hundred eighty-five million dollars (\$285,000,000) is hereby appropriated as follows:

(1) Pursuant to subdivision (c) of Section 5096.821 of the Public Resources Code, the sum of one hundred thirty-five million dollars (\$135,000,000) to the department for the acquisition, design, and construction of essential emergency preparedness supplies and projects. Prior to the design or construction of any project funded pursuant to this paragraph, the California Bay-Delta Authority, or its successor, shall approve the specific project or program. Preference shall be given to projects that protect and improve Delta water quality and drinking water supplies. Of the amount made available pursuant to this paragraph, not less than thirty-five million dollars (\$35,000,000) shall be expended by the department for projects to reinforce those sections of the levees that have the highest potential to suffer breaches or failure and cause harm to municipal and industrial water supply aqueducts that cross the Delta and which are vulnerable to flood damage, including the installation of scour protection on the supports of the aqueducts in those areas located adjacent to the sections of the levees that have been identified as the highest risk of breaches or failure.

(2) Pursuant to Section 5096.827 of the Public Resources Code, the sum of one hundred fifty million dollars (\$150,000,000) to the department for grants for stormwater flood management projects that reduce flood damage and provide other benefits, including groundwater recharge, water quality improvement, and ecosystem restoration. Not less than one hundred million dollars (\$100,000,000) of this amount shall be available for projects that address immediate public health and safety needs, strengthen existing flood control facilities to address seismic safety issues. Twenty million dollars (\$20,000,000) shall be available for local agencies to meet immediate water quality needs related to combined municipal sewer and stormwater systems to prevent sewage discharges into state waters. Twenty million dollars (\$20,000,000) shall be available for urban stream stormwater flood management projects to reduce the frequency and impacts of flooding in watersheds that drain to the San Francisco Bay.

(b) Of the funds made available pursuant to Division 43 (commencing with Section 75001) of the Public Resources Code, the sum of five hundred

twenty-six million four hundred ninety-one thousand dollars (\$526,491,000) is hereby appropriated as follows:

(1) Pursuant to Section 75022 of the Public Resources Code, the sum of fifty million dollars (\$50,000,000) to the State Department of Public Health for grants for small community drinking water system infrastructure improvements and related action to meet safe drinking water standards. First priority for these funds shall be given to disadvantaged or severely disadvantaged communities lacking resources to provide safe drinking water to residents. Small community drinking water systems that are dependent on surface water and are under orders from the State Department of Public Health to boil water from existing treatment systems for parasites, viruses, or giardia shall be eligible for grants for drinking water system infrastructure improvements.

(2) Pursuant to Section 75025 of the Public Resources Code, the sum of fifty million four hundred thousand dollars (\$50,400,000) to the State Department of Public Health for grants for projects to prevent or reduce the contamination of groundwater that serves as a source of drinking water. Funds appropriated by this paragraph shall be available for immediate projects needed to protect public health by preventing or reducing the contamination of groundwater that serves as a major source of drinking water for a community.

(A) The State Department of Public Health shall prioritize project funding based on the following criteria:

(i) The threat posed by groundwater contamination to the affected community's overall drinking water supplies, including the need for the treatment or construction of alternative supplies if groundwater is not available due to contamination.

(ii) The potential for groundwater contamination to spread and reduce drinking water supply and water storage capacity for major population areas.

(iii) The potential of the project, if fully implemented, to enhance local water supply reliability.

(iv) The potential of the project to increase opportunities for groundwater recharge and optimization of groundwater supplies.

(B) The State Department of Public Health shall give additional consideration to projects that meet any of the following criteria:

(i) The project is implemented pursuant to a comprehensive basinwide groundwater quality management and remediation plan or is necessary to develop a comprehensive groundwater plan.

(ii) Affected groundwater provides a local supply that, if contaminated, will require the importation of additional water from the Sacramento-San Joaquin Delta or the Colorado River.

(iii) The project will serve an economically disadvantaged community.

(iv) Multiple contaminants affect more than one-third of the well capacity of a local water system.

(C) Of the amount made available by this paragraph, up to ten million dollars (\$10,000,000) shall be allocated for projects that meet the criteria of this paragraph and both of the following criteria:

(i) The project has the potential to leverage funds.

(ii) The project addresses contamination at a site on the list maintained by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code or a site listed on the National Priorities List pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. Sec. 9601 et seq.).

(D) Of the funds made available by this paragraph, two million dollars (\$2,000,000) shall be allocated to the State Department of Public Health to contract with the State Water Resources Control Board for the purposes of Section 83002.5.

(3) (A) Pursuant to Section 75026 of the Public Resources Code, the sum of one hundred eighty-one million seven hundred ninety-one thousand dollars (\$181,791,000) to the department for integrated regional water management activities as follows:

(i) One hundred million dollars (\$100,000,000) for implementation grants.

(ii) Thirty-nine million dollars (\$39,000,000) for planning grants, local groundwater assistance grants, and CALFED scientific research grants.

(iii) Twenty-two million ninety-one thousand dollars (\$22,091,000) for projects with interregional or statewide benefits.

Of the amount made available pursuant to this paragraph, not less than ten million dollars (\$10,000,000) shall be made available for expenditure to interconnect municipal and industrial water supply aqueducts that cross the Delta and that are vulnerable to flood damage, including the design and construction of interties among aqueducts that provide at least 90 percent of a regional water supply that would be threatened in the event of levee failure or other disaster, and that support an integrated regional emergency water supply system.

(iv) Twenty million seven hundred thousand dollars (\$20,700,000) for program delivery costs.

(B) An implementation grant pursuant to clause (i) of subparagraph (A) shall be available only for projects included in an integrated regional water management plan that meets one of the following conditions:

(i) The plan complies with Part 2.2 (commencing with Section 10530) of Division 6.

(ii) For a plan adopted before the date on which this section is enacted, both of the following apply:

(I) The regional water management group that prepared the plan enters into a binding agreement with the department to update the plan to comply with Part 2.2 (commencing with Section 10530) of Division 6 within two years of the date on which the agreement was entered into.

(II) The regional water management group undertakes all reasonable and feasible efforts to take into account water-related needs of disadvantaged communities in the area within the boundaries of the plan.

(C) Of the funds described in clauses (i) and (ii) of subparagraph (A), the department shall allocate not less than 10 percent to facilitate and support the participation of disadvantaged communities in integrated regional water

management planning and for projects that address critical water supply or water quality needs for disadvantaged communities.

(D) Of the funds described in clause (iii) of subparagraph (A), the department shall allocate two million dollars (\$2,000,000) to Tulare County for development of an integrated water quality and wastewater treatment program plan to address the drinking water and wastewater needs of disadvantaged communities in the Tulare Lake Basin. Funds allocated pursuant to this paragraph shall be available for assessment and feasibility studies necessary to develop the plan, and the plan shall include recommendations for planning, infrastructure, and other water management actions, and shall include specific recommendations for regional drinking water treatment facilities, regional wastewater treatment facilities, conjunctive use sites and groundwater recharge, groundwater for surface water exchanges, related infrastructure, and cost-sharing mechanisms. Tulare County shall consult with appropriate stakeholders, including representatives of disadvantaged communities, when preparing the plan. The department, in consultation with the State Department of Public Health, shall submit the plan to the Legislature by January 1, 2011.

(E) Of the funds described in clause (i) of subparagraph (A), the department shall allocate not less than twenty million dollars (\$20,000,000) to support urban and agricultural water conservation projects necessary to meet a 20-percent reduction in per capita water use by the year 2020.

(4) Pursuant to Section 75029 of the Public Resources Code, the sum of ninety million dollars (90,000,000) to the department for the implementation of Delta water quality improvement projects that protect drinking water supplies as follows:

(A) Pursuant to subdivision (d) of Section 75029 of the Public Resources Code, the sum of fifty million dollars (\$50,000,000) for drinking water intake facility projects to improve the quality of drinking water supply from the Sacramento-San Joaquin Delta that are identified in the June 2005 Delta Region Drinking Water Quality Management Plan. Funding shall be made available for environmental review, design, and construction. Project proponents seeking funding for construction shall meet all of the following criteria:

(i) Have completed documentation required under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) and a notice of determination has been filed prior to June 30, 2008.

(ii) Have demonstrated multiple benefits in conveyance and Delta operation to achieve protection or improvement to Delta pelagic fisheries, as well as drinking water quality improvement and public health protection.

(iii) Are able to complete design and commence construction before June 30, 2009.

(iv) Have local or federal cost-sharing funds immediately available.

(B) The sum of forty million dollars (\$40,000,000) for projects consistent with subdivision (c) of Section 75029 of the Public Resources Code.

(5) Pursuant to Section 75033 of the Public Resources Code, the sum of one hundred million dollars (\$100,000,000) to the department for the acquisition, preservation, protection, and restoration of Sacramento-San Joaquin Delta resources in accordance with Section 75033 of the Public Resources Code. The department shall expend these funds pursuant to priorities that reflect the value of the resources and land uses protected by the levees to the state as a whole, consistent with the Delta Vision Strategic Plan. Projects shall be selected to improve the stability of the Delta levee system, reduce subsidence, and assist in restoring the ecosystem of the Delta. Priority shall be given to projects that improve conditions for Delta smelt and other native fish. Up to five million dollars (\$5,000,000) made available pursuant to this paragraph shall be available as grants and direct expenditures for emergency communications equipment to improve emergency response preparedness.

(6) Pursuant to Chapter 4 (commencing with Section 75041) of Division 43 of the Public Resources Code, the sum of thirty-seven million dollars (\$37,000,000) to the department as follows:

(A) (i) Twelve million dollars (\$12,000,000) to complete the planning and feasibility studies associated with new surface storage under the California Bay-Delta Program.

(ii) The planning and feasibility studies shall include the following information:

(I) The identification of specific construction and operation conditions proposed for each surface storage facility, including consideration of climate change, an estimated schedule for the construction and completion of each project funded under Section 75041, and the total costs of constructing each project.

(II) A description of the estimated total costs to construct each project and an allocation of the costs to public and private beneficiaries.

(iii) Any feasibility study conducted by or funded by the state for new surface storage under the California Bay-Delta Program shall evaluate funded projects consistent with all statutory and other legally established requirements for protection of environmental and natural resources, including protections for the McCloud River pursuant to Section 5093.542 of the Public Resources Code.

(iv) The feasibility studies shall be prepared and submitted to the Governor and the Legislature no later than December 31, 2009.

(B) (i) Fifteen million dollars (\$15,000,000) for planning and feasibility studies to identify potential options for the reoperation of the state's flood protection and water supply systems that will optimize the use of existing facilities and groundwater storage capacity.

(ii) The studies shall incorporate appropriate climate change scenarios and be designed to determine the potential to achieve the following objectives:

(I) Integration of flood protection and water supply systems to increase water supply reliability and flood protection, improve water quality, and provide for ecosystem protection and restoration.

(II) Reoperation of existing reservoirs, flood facilities, and other water facilities in conjunction with groundwater storage to improve water supply reliability, flood control, and ecosystem protection and to reduce groundwater overdraft.

(III) Promotion of more effective groundwater management and protection and greater integration of groundwater and surface water resource uses.

(IV) Improvement of existing water conveyance systems to increase water supply reliability, improve water quality, expand flood protection, and protect and restore ecosystems.

(C) Ten million dollars (\$10,000,000) to update the California Water Plan, including evaluation of climate change impacts, the development of strategies to adapt to climate change impacts, technical assistance to local agencies that incorporate climate change into their studies, reports, and plans, and the identification of strategies to reduce greenhouse gas emissions related to the storage, conveyance, and distribution of water.

(D) Of the money made available pursuant to subparagraphs (A), (B), and (C), up to two million dollars (\$2,000,000) may be expended for planning and feasibility studies necessary to implement the Delta Vision Strategic Plan, developed pursuant to Executive Order No. S-17-06, dated September 28, 2006, establishing the Delta Vision process.

(7) Pursuant to Section 75050 of the Public Resources Code, the sum of seventeen million three hundred thousand dollars (\$17,300,000) for the protection and restoration of rivers and streams as follows:

(A) Ten million dollars (\$10,000,000) to the State Coastal Conservancy for the purposes of subdivision (i) of Section 75050 of the Public Resources Code.

(B) Seven million three hundred thousand dollars (\$7,300,000) to the department for the purposes of subdivision (e) of Section 75050 of the Public Resources Code.

(c) Of the funds made available pursuant to subdivision (a) of Section 79550, the sum of three million seven hundred sixty thousand dollars (\$3,760,000) is hereby appropriated to the department for planning and feasibility studies associated with surface storage under the California Bay-Delta Program.

(d) (1) Of the funds available pursuant to Section 79101.4, the sum of two million two hundred seventy-two thousand dollars (\$2,272,000) is appropriated to the department for the Sacramento River Hamilton City Area Flood Damage Reduction Project.

(2) Of the funds available pursuant to subdivision (c) of Section 79196.5, the sum of three million four hundred fifty thousand dollars (\$3,450,000) is appropriated to the department for the Franks Tract Pilot Project under the CALFED Drinking Water Quality Program.

83002.5. To improve understanding of the causes of groundwater contamination, identify potential remediation solutions and funding sources to recover costs expended by the state for the purposes of this section to clean up or treat groundwater, and ensure the provision of safe drinking water to all communities, the State Water Resources Control Board, in

consultation with other agencies as specified in this section, shall develop pilot projects in the Tulare Lake Basin and the Salinas Valley that focus on nitrate contamination and do all of the following:

(a) (1) In collaboration with relevant agencies and utilizing existing data, including groundwater ambient monitoring and assessment results along with the collection of new information as needed, do all of the following:

(A) Identify sources, by category of discharger, of groundwater contamination due to nitrates in the pilot project basins.

(B) Estimate proportionate contributions to groundwater contamination by source and category of discharger.

(C) Identify and analyze options within the board's current authority to reduce current nitrate levels and prevent continuing nitrate contamination of these basins and estimate the costs associated with exercising existing authority.

(2) In collaboration with the State Department of Public Health, do all of the following:

(A) Identify methods and costs associated with the treatment of nitrate contaminated groundwater for use as drinking water.

(B) Identify methods and costs to provide an alternative water supply to groundwater reliant communities in each pilot project basin.

(3) Identify all potential funding sources to provide resources for the cleanup of nitrates, groundwater treatment for nitrates, and the provision of alternative drinking water supply, including, but not limited to, state bond funding, federal funds, water rates, and fees or fines on polluters.

(4) Develop recommendations for developing a groundwater cleanup program for the Central Valley Water Quality Control Region and the Central Coast Water Quality Control Region based upon pilot project results.

(b) Create an interagency task force, as needed, to oversee the pilot projects and develop recommendations for the Legislature. The interagency task force may include the board, the State Department of Public Health, the Department of Toxic Substances Control, the California Environmental Protection Agency, the Department of Water Resources, local public health officials, the Department of Food and Agriculture, and the Department of Pesticide Regulation.

(c) Submit a report to the Legislature on the scope and findings of the pilot projects, including recommendations, within two years of receiving funding.

(d) Implement recommendations in the Central Coast Water Quality Control Region and the Central Valley Water Quality Control Region pursuant to paragraph (4) of subdivision (a) within two years of submitting the report described in subdivision (c) to the Legislature.

(e) For the Salinas Valley Pilot Project, the State Water Resources Control Board shall consult with the Monterey County Water Resources Agency.

83002.6. Up to 5 percent of the funds appropriated by this division may be expended to pay the costs incurred in the administration of that program.

83002.7. Funds appropriated by this division shall only be available for encumbrance until June 30, 2010. On January 10, 2010, any program that

is the recipient of an appropriation made by this division shall report to the fiscal committees of the Legislature on the details of all committed and anticipated expenditures of these funds. The report shall include all of the following information:

- (a) Fiscal detail of state operations support and local assistance costs.
- (b) A general description of the project and the project funding made available by an appropriation in the annual Budget Act for the 2008–09 fiscal year or proposed to be made available in the annual Budget Act for the 2009–10 fiscal year.
- (c) A description of the manner in which funds have been expended and a plan for the future expenditure of funds.
- (d) An anticipated timeframe for the full expenditure of the appropriation.
- (e) An anticipated timeframe for the full completion of the designated project.
- (f) The amount of total matching project funding that is being provided by an entity other than the state.

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APPENDIX B

**CALIFORNIA DEPARTMENT OF WATER RESOURCES GRANT
AGREEMENT NO. 4600009132**

**AGREEMENT
PROFESSIONAL SERVICES FOR DISADVANTAGED COMMUNITY WATER
STUDY FOR THE TULARE LAKE BASIN**

THIS AGREEMENT is entered into as of May 1, 2011, between the COUNTY OF TULARE, referred to as COUNTY, and Provost and Pritchard Consulting Group, a California Corporation, referred to as CONTRACTOR, with reference to the following:

- A. WHEREAS, in September of 2008, SBx2 1 allocated \$2,000,000 from The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) “for development of an integrated water quality and wastewater treatment program plan to address the drinking water and wastewater needs of disadvantaged communities in the Tulare Lake Basin”; and
- B. WHEREAS, COUNTY has been designated as the grantee and signed Agreement number 4600009132 with the State of California Department of Water Resources from May 1, 2011 through November 30, 2014; and
- C. WHEREAS, COUNTY has requested proposals from companies and the CONTRACTOR has submitted a proposal to the COUNTY; and
- D. WHEREAS, pursuant to Government Code 4526 COUNTY has determined that CONTRACTOR has demonstrated competence and professional qualifications necessary to perform the required services, and is willing to perform the services at a fair and reasonable price.

ACCORDINGLY, IT IS AGREED:

- 1. **TERM:** This Agreement shall become effective as of May 1, 2011 and shall expire at 11:59 PM on November 30, 2014 unless otherwise terminated as provided in this Agreement.
- 2. **SERVICES TO BE PERFORMED:** Disadvantaged Community Water Study for the Tulare Lake Basin in accordance with the COUNTY’S Grant Agreement 4600009132 with the State of California Department of Water Resources as outlined in **EXHIBIT A**
- 3. **PAYMENT FOR SERVICES:** COUNTY shall pay CONTRACTOR for work approved by County in advance and completed by CONTRACTOR, not to exceed \$1,600,000. CONTRACTOR is responsible for payment to any subcontractor. CONTRACTOR shall submit to COUNTY, in exact form as required by State of California Department of Water Resources Grant Agreement 4600009132, a monthly invoice for the services provided as outlined in **EXHIBIT A** and quarterly progress reports. The quarterly progress reports shall summarize the work completed during the reporting period including a statement of progress compared to the Project Schedule

contained in **EXHIBIT A**, and a description of anticipated activities for the next quarterly reporting period. Invoices shall be submitted to the County Administrative Officer or his designee and must satisfy the COUNTY Auditor.

4. INDEPENDENT CONTRACTOR STATUS:

(a) This Agreement is entered into by both parties with the express understanding that CONTRACTOR will perform all services required under this Agreement as an independent contractor. Nothing in this Agreement shall be construed to constitute the CONTRACTOR or any of its agents, employees or officers as an agent, employee or officer of COUNTY.

(b) CONTRACTOR agrees to advise everyone it assigns or hires to perform any duty under this agreement that they are not employees of COUNTY. Subject to any performance criteria contained in this Agreement, CONTRACTOR shall be solely responsible for determining the means and methods of performing the specified services in accordance with Exhibit A of State of California Department of Water Resources Grant Agreement 400009132 and COUNTY shall have no right to control or exercise any supervision over CONTRACTOR as to how the services will be performed. As CONTRACTOR is not COUNTY'S employee, CONTRACTOR is responsible for paying all required state and federal taxes. In particular, COUNTY will not:

1. Withhold FICA (Social Security) from CONTRACTOR'S payments.
2. Make state or federal unemployment insurance contributions on CONTRACTOR'S behalf.
3. Withhold state or federal income tax from payments to CONTRACTOR.
4. Make disability insurance contributions on behalf of CONTRACTOR.
5. Obtain unemployment compensation insurance on behalf of CONTRACTOR.

(c) Notwithstanding this independent contractor relationship, COUNTY shall have the right to monitor and evaluate the performance of CONTRACTOR to assure compliance with this Agreement.

5. COMPLIANCE WITH LAW: CONTRACTOR shall provide services in accordance with applicable Federal, State, and local laws, regulations and directives. With respect to CONTRACTOR'S employees, CONTRACTOR shall comply with all laws and regulations pertaining to wages and hours, state and federal income tax,

unemployment insurance, Social Security, disability insurance, workers' compensation insurance, and discrimination in employment.

6. **GOVERNING LAW:** This Agreement shall be interpreted and governed under the laws of the State of California without reference to California conflicts of law principles. The parties agree that this contract is made in and shall be performed in Tulare County, California.

7. **RECORDS AND AUDIT:** CONTRACTOR shall maintain complete and accurate records with respect to the services rendered and the costs incurred under this Agreement. In addition, CONTRACTOR shall maintain complete and accurate records with respect to any payments to employees or subcontractors. All such records shall be prepared in accordance with generally accepted accounting procedures, shall be clearly identified, and shall be kept readily accessible. Upon request, CONTRACTOR shall make such records available within Tulare County to the Auditor of Tulare County and to his agents and representatives, for the purpose of auditing and/or copying such records for a period of five (5) years from the date of final payment under this Agreement.

8. **CONFLICT OF INTEREST:**

(a) CONTRACTOR agrees to, at all times during the performance of this Agreement, comply with the law of the State of California regarding conflicts of interests and appearance of conflicts of interests, including, but not limited to Government Code Section 1090 et seq., and the Political Reform Act, Government Code Section 81000 et seq. and regulations promulgated pursuant thereto by the California Fair Political Practices Commission. The statutes, regulations and laws previously referenced include, but are not limited to, prohibitions against any public officer or employee, including CONTRACTOR for this purpose, from making any decision on behalf of COUNTY in which such officer, employee or consultant/contractor has a direct or indirect financial interest. A violation can occur if the public officer, employee or consultant/contractor participates in or influences any COUNTY decision which has the potential to confer any pecuniary benefit on CONTRACTOR or any business firm in which CONTRACTOR has an interest, with certain narrow exceptions.

(b) CONTRACTOR agrees that if any facts come to its attention which raise any questions as to the applicability of conflicts of interests laws, it will immediately inform the COUNTY designated representative and provide all information needed for resolution of this question.

9. **INSURANCE:** Prior to approval of this Agreement by COUNTY, CONTRACTOR shall file with the Clerk of the Board of Supervisors evidence of the required insurance as set forth in **EXHIBIT B** attached.

10. INDEMNIFICATION: CONTRACTOR shall hold harmless, defend and indemnify COUNTY, its agents, officers and employees from and against any liability, claims, actions, costs, damages or losses of any kind, including death or injury to any person and/or damage to property, including COUNTY property, arising from, or in connection with, the performance by CONTRACTOR or its agents, officers and employees under this Agreement. This indemnification specifically includes any claims that may be made against COUNTY by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, and any claims made against COUNTY alleging civil rights violations by CONTRACTOR under Government Code sections 12920 et seq. (California Fair Employment and Housing Act), and any fines or penalties imposed on COUNTY for CONTRACTORS failure to provide form DE-542, when applicable. This indemnification obligation shall continue beyond the term of this Agreement as to any acts or omissions occurring under this Agreement or any extension of this Agreement.

11. TERMINATION:

(a) Without Cause: County will have the right to terminate this Agreement without cause by giving thirty (30) days prior written notice of intention to terminate pursuant to this provision, specifying the date of termination. County will pay to the CONTRACTOR the compensation earned for work performed and not previously paid for to the date of termination. County will not pay lost anticipated profits or other economic loss. The payment of such compensation is subject to the restrictions on payment of compensation otherwise provided in this Agreement, and is conditioned upon receipt from CONTRACTOR of any and all plans, specifications and estimates, and other documents prepared by CONTRACTOR in accordance with this Agreement. No sanctions will be imposed.

(b) With Cause: This Agreement may be terminated by either party should the other party:

- (1) be adjudged a bankrupt, or
- (2) become insolvent or have a receiver appointed, or
- (3) make a general assignment for the benefit of creditors, or
- (4) suffer any judgment which remains unsatisfied for 30 days, and which would substantively impair the ability of the judgment debtor to perform under this Agreement, or
- (5) materially breach this Agreement.

In addition, COUNTY may terminate this Agreement based on:

- (6) material misrepresentation, either by CONTRACTOR or anyone acting on CONTRACTOR's behalf, as to any matter

related in any way to COUNTY's retention of CONTRACTOR, or

- (7) other misconduct or circumstances which, in the sole discretion of the COUNTY, either impair the ability of CONTRACTOR to competently provide the services under this Agreement, or expose the COUNTY to an unreasonable risk of liability.

County will pay to the CONTRACTOR the compensation earned for work performed and not previously paid for to the date of termination. The payment of such compensation is subject to the restrictions on payment of compensation otherwise provided in this Agreement, and is conditioned upon receipt from CONTRACTOR of any and all plans, specifications and estimates, and other documents prepared by CONTRACTOR by the date of termination in accordance with this Agreement. County will not pay lost anticipated profits or other economic loss, nor will the County pay compensation or make reimbursement to cure a breach arising out of or resulting from such termination. If this Agreement is terminated and the expense of finishing the CONTRACTOR's scope of work exceeds the unpaid balance of the agreement, the CONTRACTOR must pay the difference to the County. Sanctions taken will be possible rejection of future proposals based on specific causes of non performance.

(c) **Effects of Termination:** Expiration or termination of this Agreement shall not terminate any obligations to indemnify, to maintain and make available any records pertaining to the Agreement, to cooperate with any audit, to be subject to offset, or to make any reports of pre-termination contract activities. Where CONTRACTOR's services have been terminated by the County, said termination will not affect any rights of the County to recover damages against the CONTRACTOR.

(d) **Suspension of Performance:** Independent of any right to terminate this Agreement, the authorized representative of COUNTY for which CONTRACTOR's services are to be performed, may immediately suspend performance by CONTRACTOR, in whole or in part, in response to health, safety or financial emergency, or a failure or refusal by CONTRACTOR to comply with the provisions of this Agreement, until such time as the cause for suspension is resolved, or a notice of termination becomes effective.

12. LOSS OF FUNDING: It is understood and agreed that if the funding is either discontinued or reduced for this project for the COUNTY, that the COUNTY shall have the right to terminate this Agreement. In such event, the affected party shall provide the other party with at least thirty (30) days prior written notice of such termination.

13. FORM DE-542: If CONTRACTOR is an individual, CONTRACTOR acknowledges that this Agreement is subject to filing obligations pursuant to Unemployment Insurance Code Section 1088.8. Accordingly, COUNTY has an obligation to file a report with the

Employment Development Department, which report will include the CONTRACTOR's full name, social security number, address, the date this contract was executed, the total amount of the contract, the contract's expiration date or whether it is ongoing. CONTRACTOR agrees to cooperate with COUNTY to make such information available and to complete Form DE- 542. Failure to provide the required information may, at COUNTY's option, prevent approval of this Agreement, or be grounds for termination by COUNTY.

14. NOTICES:

(a) Except as may be otherwise required by law, any notice to be given shall be written and shall be either personally delivered, sent by facsimile transmission or sent by first class mail, postage prepaid and addressed as follows:

COUNTY:

With A Copy To:

Jean Rousseau, CAO
County Administrative Office
County of Tulare
2800 W. Burrel
Visalia, CA 93277
Phone No.: (559) 636-5005
Fax No.: (559) 733-6318

CONTRACTOR:

John S. Dutton, PE
Provost and Pritchard Consulting Group
130 N. Garden Street
Visalia, CA 93291
Phone No.: (559) 636-1166
Fax No.: (559) 636-1177

(b) Notice personally delivered is effective when delivered. Notice sent by facsimile transmission is deemed to be received upon successful transmission. Notice sent by first class mail shall be deemed received on the fifth day after the date of mailing. Either party may change the above address by giving written notice pursuant to this paragraph.

15. **ASSIGNMENT/SUBCONTRACTING:** Unless otherwise provided in this Agreement, COUNTY is relying on the personal skill, expertise, training and experience of CONTRACTOR and CONTRACTOR'S employees and no part of this Agreement

may be assigned or subcontracted by CONTRACTOR without the prior written consent of COUNTY.

16. DISPUTE RESOLUTION: If a dispute arises out of or relating to this Agreement, or the breach thereof, and if said dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by non-binding mediation before resorting to litigation or some other dispute resolution procedure, unless the parties mutually agree otherwise. The mediator shall be mutually selected by the parties, but in case of disagreement, the mediator shall be selected by lot from among two nominations provided by each party. All costs and fees required by the mediator shall be split equally by the parties, otherwise each party shall bear its own costs of mediation. If mediation fails to resolve the dispute within 30 days, either party may pursue litigation to resolve the dispute.

This Agreement supersedes any contrary provision as to dispute resolution. The Parties to this Agreement do not intend to incorporate Paragraph D.24 REMEDIES, COSTS, AND ATTORNEYS FEES in page 24 of Grant Agreement 4600009132 with the State of California Department of Water Resources attached as Exhibit A into this Agreement.

17. FURTHER ASSURANCES: Each party will execute any additional documents and perform any further acts that may be reasonably required to effect the purposes of this Agreement.

18. CONSTRUCTION: This Agreement reflects the contributions of all undersigned parties and accordingly the provisions of Civil Code section 1654 shall not apply to address and interpret any alleged uncertainty or ambiguity.

19. HEADINGS: Section headings are provided for organizational purposes only and do not in any manner affect the scope, meaning or intent of the provisions under the headings.

20. NO THIRD-PARTY BENEFICIARIES INTENDED: Unless specifically set forth, the parties to this Agreement do not intend to provide any other party with any benefit or enforceable legal or equitable right or remedy.

21. WAIVERS: The failure of either party to insist on strict compliance with any provision of this Agreement shall not be considered a waiver of any right to do so, whether for that breach or any subsequent breach. The acceptance by either party of either performance or payment shall not be considered to be a waiver of any preceding breach of the Agreement by the other party.

22. EXHIBITS AND RECITALS: The recitals and the exhibits to this Agreement are

fully incorporated into and are integral parts of this Agreement.

23. CONFLICT WITH LAWS OR REGULATIONS/SEVERABILITY: This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court or other legal authority, or is agreed by the parties to be, in conflict with any code or regulation governing its subject matter, only the conflicting provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of the Agreement to either party is lost, the Agreement may be terminated at the option of the affected party. In all other cases the remainder of the Agreement shall continue in full force and effect.

24. ENTIRE AGREEMENT REPRESENTED: This Agreement represents the entire agreement between CONTRACTOR and COUNTY as to its subject matter and no prior oral or written understanding shall be of any force or effect. No part of this Agreement may be modified without the written consent of both parties.

25. DRUG-FREE WORKPLACE REQUIREMENTS: CONTRACTOR and any subcontractors shall comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code 8350 et seq.) and have or will provide a drug-free workplace in accordance with **EXHIBIT C**.

26. ASSURANCES OF NON-DISCRIMINATION: CONTRACTOR shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, and denial of family care leave. CONTRACTOR shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. CONTRACTOR shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12990 (a-f) et seq.) and the applicable regulations promulgated there under (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. CONTRACTOR shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

(a) It is recognized that both the Contractor and the County have the responsibility to protect County employees and clients from unlawful activities, including discrimination and sexual harassment in the workplace. Accordingly, Contractor agrees to provide appropriate training to its employees regarding discrimination and sexual

harassment issues, and to promptly and appropriately investigate any allegations that any of its employees may have engaged in improper discrimination or harassment activities. The County, in its sole discretion, has the right to require Contractor to replace any employee who provides services of any kind to County pursuant to this Agreement with other employees where County is concerned that its employees or clients may have been or may be the subjects of discrimination or harassment by such employees. The right to require replacement of employees as aforesaid shall not preclude County from terminating this Agreement with or without cause as provided for herein.

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THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

COUNTY OF TULARE

Date: 5/3/11

BY Mike Ennis
Mike Ennis, Chairman, Board of Supervisors

ATTEST: JEAN ROUSSEAU
County Administrative Officer/Clerk of the Board
of Supervisors of the County of Tulare

By Jean Rousseau
Deputy Clerk



CONTRACTOR

Date: 5/02/11

By [Signature]
TITLE Vice President

Date: 5/2/11

By [Signature]
TITLE CFO

Corporations Code section 313 requires that contracts with a corporation be signed by both (1) the chairman of the Board of Directors, the president or any vice-president, and (2) the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer, unless the contract is accompanied by a certified copy of the corporation's Board of Directors' resolution authorizing the execution of the contract.

Approved as to Form
County Counsel

By Aileen Siler 2011618
Deputy

Date 5/2/2011

EXHIBIT A

STATE OF CALIFORNIA
THE NATURAL RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES

GRANT AGREEMENT BETWEEN STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES AND

COUNTY OF TULARE

AGREEMENT NUMBER: 4600009132
UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY,
FLOODCONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006
(Public Resources Code Section 75026 et seq.)

THIS GRANT AGREEMENT, entered into by and between State of California, acting by and through the Department of Water Resources, herein referred to as the "State" and the County of Tulare, a public agency, in the County of Tulare, State of California, duly organized, existing, and acting pursuant to the laws thereof, herein referred to as the "Grantee", which parties do hereby agree as follows:

1. **PURPOSE OF GRANT:** This Grant is made by State to Grantee to assist in financing projects associated with the Tulare County for development of an integrated water quality and wastewater treatment program plan as appropriated by Senate Bill SBX2 1 (California Water Code §83002 (b)(3)(D), hereinafter referred to as "SBX2 1"). Grant funds may be used only as provided in this Grant Agreement for Eligible Costs as included in Exhibit A, Project Work Plan.
2. **TERM OF GRANT AGREEMENT:** The term of this Agreement begins on the date this agreement is executed by DWR and terminates on **November 30, 2014**, or when all of the Parties' obligations under this Agreement have been fully satisfied, whichever occurs earlier.
3. **SCHEDULE:** Grantee shall diligently perform or cause to be performed all work as described in Exhibit A, Project Work Plan, in accordance with Exhibit B, Project Schedule.
4. **GRANT AMOUNT:** The maximum amount payable by State under this Grant Agreement shall not exceed **\$2,000,000**.
5. **GRANTEE'S COST:** The reasonable total costs of the Project are estimated to be **\$2,000,000** which is summarized in Exhibit C, Project Budget. Grantee agrees to fund, or ensure funding of the difference, if any, between the estimate of Project costs and the Grant Amount specified in paragraph 4. Grantee cost share is estimated to be **\$0.00**.
6. **ELIGIBLE COST:** Grantee shall apply State funds received only to eligible Project Costs in accordance with applicable provisions of the law and Exhibit C, Project Budget. Eligible project costs include the reasonable costs of studies, engineering, design, land and easement acquisition, legal fees, preparation of environmental documentation, environmental mitigations, monitoring, and project construction. Work performed after the date **July 1, 2010**, shall be eligible for reimbursement. Costs incurred after November 30, 2014, and prior to July 1, 2010 are not eligible for reimbursement. Reasonable administrative expenses may be included as Project Costs and will depend on the complexity of the project preparation, planning, coordination, construction, acquisitions, implementation, and maintenance. Reimbursable administrative expenses are the necessary costs incidentally but directly related to the project including an appropriate pro-rata

allocation of overhead and administrative expenses that are regularly assigned to all such projects in accordance with the standard accounting practices of the Grantee.

Costs that are not reimbursable with grant funds include, but may not be limited to, the following:

- Costs incurred prior to the reimbursable date as identified in paragraph 6 of the Grant Agreement.
- Operation and maintenance costs, including post construction performance and monitoring costs.
- Purchase of equipment not an integral part of a project.
- Establishing a reserve fund.
- Purchase of water supply.
- Replacement of existing funding sources for ongoing programs.
- Support of existing agency requirements and mandates.
- Purchase of land in excess of the minimum required acreage necessary to operate as an integral part of a project, as set forth and detailed by engineering and feasibility studies, or land purchased prior to the effective date of this Grant Agreement.
- Payment of principal or interest of existing indebtedness or any interest payments unless the debt is incurred after execution of this Grant Agreement, the State agrees in writing to the eligibility of the costs for reimbursement before the debt is incurred, and the purposes for which the debt is incurred are otherwise eligible costs.
- Overhead not directly related to Program costs.

7. **GRANTEE RESPONSIBILITY:** Grantee and its representatives, with the authority to act for Grantee, shall be responsible for work and for persons or entities engaged in work, including, but not limited to, subcontractors, suppliers, and providers of services. Grantee and its representatives shall provide regular inspections of any construction work in progress. Grantee and its representatives shall fulfill its obligations under the Grant Agreement. Grantee shall faithfully and expeditiously perform or cause to be performed all project work as described in Exhibit A, Project Work Plan.

Grantee shall be responsible for any and all disputes arising out of its contracts for work on the Project, including but not limited to bid disputes and payment disputes with Grantee's representatives, contractors and subcontractors. State will not mediate disputes between Grantee and any other entity concerning responsibility for performance of work.

8. **RELATIONSHIP OF PARTIES:** Grantee is solely responsible for design, construction, and operation and maintenance of projects within the work plan. Review or approval of plans, specifications, bid documents, or other construction documents by State is solely for the purpose of proper administration of grant funds by State and shall not be deemed to relieve or restrict responsibilities of Grantee under this Grant Agreement.

9. **GRANTEE REPRESENTATIONS:** Grantee accepts and agrees to comply with all terms, provisions, conditions, and commitments of this Grant Agreement, including all incorporated documents, and to fulfill all assurances, declarations, representations, and statements made by Grantee in the application, documents, amendments, and communications filed in support of its request for Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

10. **PROJECT PERFORMANCE AND ASSURANCES:** Grantee agrees to faithfully and expeditiously perform or cause to be performed all project work as described in the Project Work Plan, Exhibit A, under this Grant Agreement and implement the Project in accordance with applicable provisions of the law. Grantee and its representatives shall fulfill its obligations under the Grant Agreement, and shall be responsible for the performance of the project. In the event State finds it necessary to enforce this provision of this Grant Agreement in the manner provided by law, Grantee agrees to pay all costs incurred by State including, but not limited to, reasonable attorneys' fees, legal expenses, and costs.
11. **REQUIREMENTS FOR DISBURSEMENT:** Grantee shall, by October 31, 2011 meet all conditions precedent to the disbursement of money under this Grant Agreement, including Basic Conditions, paragraph 12. Failure by Grantee to comply by this date may, at the option of State, result in termination of the Grant Agreement under Exhibit D, Standard Conditions. For disbursements of funds for each project, Grantee shall continue to meet the Basic Conditions as well as the Conditions for Disbursement, paragraph 13.
12. **BASIC CONDITIONS:** State shall have no obligation to disburse money for a project under this Grant Agreement unless and until Grantee has satisfied for such project the State's requirements for disbursement in accordance with the California Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 which include:
 - a) Grantee demonstrates compliance with the provisions of the Grant Agreement between State and Grantee.
 - b) Grantee demonstrates the availability of sufficient funds to complete the project.
 - c) Work that is subject to the California Environmental Quality Act (CEQA) shall not proceed under this Agreement until documents that satisfy the CEQA process are received by the DWR Point of Contact and DWR has completed its CEQA compliance. Work that is subject to a CEQA document shall not proceed until and unless approved by the DWR Point of Contact. Such approval is fully discretionary and shall constitute a condition precedent to any work for which it is required. Once CEQA documentation has been completed, DWR will consider the environmental documents and decide whether to continue to fund the project or to require changes, alterations or other mitigation.
 - d) For the term of this Grant Agreement, Grantee submits timely periodic progress reports as required by paragraph 18, Submission of Reports.
13. **CONDITIONS FOR DISBURSEMENT:** Prior to disbursement of funds, by State for construction, Grantee shall submit to State:
 - a) Final plans and specifications certified by a California Registered Civil Engineer as to compliance with the approved project as defined in paragraph 1.
 - b) A written statement that all necessary permits, easements, rights-of-way, and approvals as may be required by other State, federal, and/or local agencies as specified in paragraph 22, permits, licenses, approvals, and legal obligations, have been obtained.
14. **METHOD OF PAYMENT:** After the disbursement requirements in paragraph 11 are met, State will disburse the whole or portions of the Grant commitment to Grantee, following receipt from Grantee of an invoice for costs incurred, and timely progress reports as required by paragraph 18.

Invoices submitted by Grantee shall include the following information:

- a) Costs incurred for work performed in implementing the Project or contracts during the period identified in the particular invoice.
- b) Costs incurred for any interests in real property (land or easements) that have been necessarily acquired for a project during the period identified in the particular invoice for the construction, operation, or maintenance of a project.
- c) Any appropriate receipts and reports for costs incurred.
- d) Invoices shall be submitted on forms provided by State and shall meet the following format requirements:
 - i. Invoices must contain the date of the invoice, the time period covered by the invoice, and the total amount due.
 - ii. Invoices must be itemized based on the categories specified in the Project Budget, Exhibit C. The amount claimed for salaries/wages/consultant fees must include a calculation formula (i.e., hours or days worked times the hourly or daily rate = the total amount claimed).
 - iii. Each invoice shall clearly delineate those costs claimed for reimbursement from the State's grant amount, paragraph 4 and those costs that represent Grantee's and Local Project Sponsors' costs, as applicable, paragraph 5.
 - iv. Original signature and date (in ink) of Grantee's Project Manager

Payment will be made no more than monthly, in arrears, upon receipt of an invoice bearing the Grant Agreement number. Submit the original and three (3) copies of the invoice form to the following address:

Department of Water Resources
Division of Integrated Regional Water Management
South Central Region Office
Attention: Ernest Taylor

Overnight/Hand Delivery Address:
3374 East Shields Avenue
Fresno, CA 93726

15. **DISBURSEMENT:** Following the review of each invoice, State will disburse to Grantee the amount approved, subject to the availability of funds through normal State processes. For each project, funds will be disbursed by State in response to each approved invoice, and in accordance with the Project Budget, Exhibit C. Any and all money disbursed to Grantee under this Grant Agreement and any and all interest earned by Grantee on such money shall be used solely to pay Eligible Costs.
16. **WITHHOLDING OF GRANT DISBURSEMENT BY STATE:** If State determines that a project is not being implemented in accordance with the provisions of this Grant Agreement, or that Grantee has failed in any other respect to comply with the provisions of this Grant Agreement, and if Grantee does not remedy any such failure to State's satisfaction, State may withhold from Grantee all or any portion of the Grant Commitment and take any other action that it deems necessary to protect its interests. State may require the Grantee to immediately repay all or any portion of the disbursed grant amount with interest, consistent with its determination. State may consider Grantee's refusal to repay the requested disbursed grant amount a contract breach subject to the default provisions in paragraph 17. If State notifies Grantee of its decision to withhold the

entire grant amount from Grantee pursuant to this paragraph, this Grant Agreement shall terminate upon receipt of such notice by Grantee and shall no longer be binding on either party.

17. **DEFAULT PROVISIONS:** Grantee will be in default under this Grant Agreement if any of the following occur:
- Breach of this Grant Agreement, or any supplement or amendment to it, or any other agreement between Grantee and State evidencing or securing Grantee's obligations;
 - Making any false warranty, representation, or statement with respect to this Grant Agreement;
 - Failure to operate or maintain projects in accordance with this Grant Agreement; or
 - Failure to make any remittance required by this Grant Agreement.

Should an event of default occur, State may do any or all of the following:

- Declare the Grant be immediately repaid, with interest, which shall be equal to State of California general obligation bond interest rate in effect at the time of the default;
- Terminate any obligation to make future payments to Grantee;
- Terminate the Grant Agreement; and
- Take any other action that it deems necessary to protect its interests.

18. **SUBMISSION OF REPORTS:** The submittal and approval of all reports is a requirement for the successful completion of this Grant Agreement. Reports shall meet generally accepted professional standards for technical reporting and shall be proofread for content, numerical accuracy, spelling, and grammar prior to submittal to State. All reports shall be submitted to the State's Project Manager, and shall be submitted in both electronic and hard copy forms. If requested, Grantee shall promptly provide any additional information deemed necessary by State for approval of reports. Reports shall be presented in the formats described in Exhibit E, Report Format. The submittal and approval of reports is a requirement for initial and continued disbursement of State funds. Submittal of a Project Completion Report for the Project is a requirement for the release of any funds retained for such project.
- Quarterly Reports: Beginning October 2011, and for the duration of the Grant Agreement, Grantee shall submit to State a quarterly report which explains the status of each project described in the Project Work Plan, Exhibit A. Reports shall be submitted by the last day of January, April, July, and October for the preceding quarter. Progress reports shall summarize the work completed for each project during the reporting period. Quarterly reports shall include, for each project, a statement of progress compared to the schedule contained in Exhibit B, Project Schedule, and a comparison of actual costs to date to the budget contained in Exhibit C, Project Budget.
 - Project Completion Report: Grantee shall prepare and submit to State a separate Project Completion Report detailing the project elements included in Exhibit A, Project Work Plan. Grantee shall submit a Project Completion Report within ninety (90) calendar days of completion of all tasks associated with the project. Each Project Completion Report shall include a description of actual work done, a final schedule showing actual progress versus planned progress, and copies of any final documents or reports generated or utilized during the project. The Project Completion Report shall also include, if applicable, certification of final project by a registered civil engineer, consistent with Standard Condition D-14 of this Grant Agreement.

19. **MONITORING REQUIREMENTS:** Grantee shall ensure that all groundwater projects and projects that include groundwater monitoring requirements are consistent with the Groundwater

Quality Monitoring Act of 2001 (Part 2.76 (commencing with Section 10780) of Division 6 of the Water Code) and, where applicable, that projects that affect water quality shall include a monitoring component that allows the integration of data into statewide monitoring efforts, including where applicable, the surface water ambient monitoring program carried out by the State Water Resources Control Board. Exhibit G, Statewide Monitoring, provides guidance on such monitoring requirements.

20. **PERFORMANCE EVALUATION:** Grantee's performance under this Agreement will be evaluated by State after completion.
21. **OPERATION AND MAINTENANCE OF PROJECT:** For the useful life of the projects and in consideration of the Grant made by State, Grantee agrees to ensure or cause to be performed the commencement and continued operation of the projects, and shall ensure or cause the projects to be operated in an efficient and economical manner; shall ensure all repairs, renewals, and replacements necessary to the efficient operation of the same are provided; and shall ensure or cause the same to be maintained in as good and efficient condition as upon its construction, ordinary and reasonable wear and depreciation excepted. The Grantee assumes all operations and maintenance costs of the facilities and structures; State shall not be liable for any cost of such maintenance, management, or operation. Grantee may be excused from operations and maintenance only upon the written approval of the State's Project Manager. For purposes of this Grant Agreement, "operation costs" include direct costs incurred for material and labor needed for operations, utilities, insurance, and similar expenses. "Maintenance costs" include ordinary repairs and replacements of a recurring nature necessary for capital assets and basic structures and the expenditure of funds necessary to replace or reconstruct capital assets or basic structures. Refusal of Grantee to ensure operation and maintenance of the projects in accordance with this provision may, at the option of State, be considered a breach of this Grant Agreement and may be treated as default under paragraph 17, "Default Provisions."
22. **PERMITS, LICENSES, APPROVALS, AND LEGAL OBLIGATIONS:** Grantee shall be responsible for ensuring any and all permits, licenses, and approvals required for performing their obligations under this Grant Agreement are obtained, and shall comply with other applicable federal, State and local laws, rules, and regulations, guidelines, and requirements for the project described in Exhibit A, Project Work Plan, prior to disbursement of funds under this Grant Agreement.

Grantee agrees to comply with all applicable California Labor Code requirements, including prevailing wage provisions. Grantee must, independently or through a third party, adopt and enforce a Department of Industrial Relations-certified Labor Compliance Program (LCP) meeting the requirements of Labor Code section 1771.5 for projects funded by Proposition 84 (Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006).

Grantee's failure to comply with LCP requirements is a substantial breach of this Agreement. At the State's request, grantee must promptly submit written evidence of Grantee's compliance with the LCP requirements.

23. **NOTIFICATION OF STATE:** For each project, Grantee shall promptly notify, in writing, State of the following items:

- a) Events or proposed changes that could affect the scope, budget, or work performed under this Grant Agreement. Grantee agrees that no substantial change in the scope of a project will be undertaken until written notice of the proposed change has been provided to State and State has given written approval for such change.
 - b) Any public or media event publicizing the accomplishments and/or results of this Grant Agreement and provide the opportunity for attendance and participation by State's representatives. Grantee shall make such notification at least fourteen (14) calendar days prior to the event.
 - c) Completion of work on a project.
 - d) Final inspection of a project by a Registered Civil Engineer, as determined and required by State, and in accordance with Standard Condition D-14, and provide State the opportunity to participate in the inspection. Grantee shall make such notification at least fourteen (14) calendar days prior to the final inspection.
24. PROJECT MANAGERS: Either party may change its Project Manager upon written notice to the other party.
- State's Project Manager: State's Project Manager shall be the Chief, Division Integrated Regional Water Management, Department of Water Resources. State's Project Manager shall be State's representative and shall have the authority to make determinations and findings with respect to each controversy arising under or in connection with the interpretation, performance, or payment for work performed under the Grant Agreement.
 - Grantee's Project Manager: Grantee's Project Manager shall be Jean Rousseau, County Administrative Officer. Grantee's Project Manager shall be the Grantee's representative for the administration of the Grant Agreement and shall have full authority to act on behalf of the Grantee, including authority to execute all payment requests.
25. NOTICES: Any notice, demand, request, consent, or approval that either party desires or is required to give to the other party under this Grant Agreement shall be in writing. Notices may be sent by any of the following means: (i) by delivery in person; (ii) by certified U.S. mail, return receipt requested, postage prepaid; (iii) by "overnight" delivery service; provided that next-business-day delivery is requested by the sender; or (iv) by facsimile transmission, followed by a hard copy. Notices delivered in person will be deemed effective immediately on receipt (or refusal of delivery or receipt). Notices sent by certified mail will be deemed effective given seven (7) calendar days after the date deposited with the U. S. Postal Service. Notices sent by overnight delivery service will be deemed effective one business day after the date deposited with the delivery service. Notices sent by facsimile will be effective on the date of successful transmission, which is documented in writing. Notices shall be sent to the following addresses. Either party may, by written notice to the other, designate a different address that shall be substituted for the one below:

IN WITNESS WHEREOF, the parties hereto have executed this Grant Agreement.

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES

COUNTY OF TULARE



Paula J. Landis, P.E., Chief
Division of Integrated Regional Water
Management

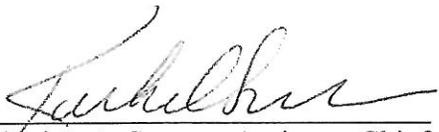


Mike Ennis, Chairman
Tulare County Board of Supervisors

Date 5-10-11

Date April 26, 2011

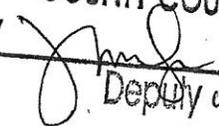
Approved as to Legal Form and Sufficiency



Katherine A. Spanos, Assistant Chief Counsel
Office of Chief Counsel

Date 5/5/11

sc
5/4/11

APPROVED AS TO FORM:
COUNTY COUNSEL
By 
Deputy 120110007

State of California
Department of Water Resources
Division of Integrated Regional Water Management
Attention: Chief, Division of Integrated Regional Water Management
Financial Assistance Branch
Post Office Box 942836
Sacramento, California 94236-0001

Mike Ennis, Chairman
Tulare County Board of Supervisors
County of Tulare
2800 W. Burrel Avenue
Visalia, CA 93291

26. INCORPORATION OF STANDARD CONDITIONS AND GRANTEE COMMITMENTS: The following exhibits are attached and made a part of this Grant Agreement by this reference:
- Exhibit A – Project Work Plan
 - Exhibit B – Project Schedule
 - Exhibit C – Project Budget
 - Exhibit D – Standard Conditions
 - Exhibit E – Report Format
 - Exhibit F – Grantee Resolution
 - Exhibit G – Statewide Monitoring
 - Exhibit H – Travel and Per Diem Expenses

EXHIBIT A PROJECT WORK PLAN

Tulare County Integrated Water Quality and Wastewater Treatment Program Plan

Scope of the Proposal

Tulare County will prepare a plan to address the drinking water and wastewater needs of rural, disadvantaged communities in the Tulare Lake Basin (Basin). The Project will culminate in the production of a final Report that will contain the plan, including results and recommendations for the implementation of specific projects, to be submitted to Department of Water Resources (DWR) in August 2014. To prepare the plan, Tulare County will consult with various state, federal and local agencies, stakeholders and consultants to identify the water and wastewater problems affecting disadvantaged communities in the Basin and develop recommended solutions to address these problems through pilot projects and studies. For more information, see the attached timeline and budget.

Purpose, Goals and Objectives

Disadvantaged communities (DACs) in the Tulare Lake Basin region face widespread drinking water and wastewater challenges. In many cases local Integrated Regional Water Management (IRWM) planning groups have been unable to help disadvantaged communities within their planning areas address these challenges. This Project will enable Tulare County to investigate and develop solutions for disadvantaged communities that can be integrated into IRWM planning efforts for the Tulare Lake Basin region.

The purpose of this Project is to develop a plan that provides rural, disadvantaged communities with a safe, clean and affordable potable water supply and effective and affordable wastewater treatment and disposal. The final product will be an integrated water quality and wastewater treatment program plan to address the drinking water and wastewater needs of disadvantaged communities in the Tulare Lake Basin region.

The plan will include recommendations for planning, infrastructure, and other water management actions, as well as specific recommendations for regional drinking water treatment facilities, regional wastewater treatment facilities, conjunctive use sites and groundwater recharge, groundwater for surface water exchanges, related infrastructure, project sustainability, and cost-sharing mechanisms. The Project will identify projects and programs that will create long-term reliability, while optimizing the ongoing operation and maintenance (O&M) and management costs for small water and wastewater systems.

The Project will focus on the drinking water and wastewater needs of rural and unincorporated areas that meet the definition of disadvantaged community from Prop. 84 – less than 80% of the statewide median household income. This would include community water systems, wastewater systems, schools that provide their own drinking water or are served by a local water system, and rural communities with a high density of contaminated private wells.

The Tulare County Administrative Office will manage the Project in conjunction with a team of consultants and stakeholder consultation groups. The final Report and Project Completion Report will be submitted to DWR by August 31, 2014 and November 30, 2014, respectively. (See Exhibit C).

Work Items Performed Under Each Task

Administration

Administrative tasks will be ongoing throughout the Project. These tasks will include submittal of reports and invoices, coordination of meetings and travel and per diem associated with these activities.

Task 1 – Baseline Data Gathering

Tulare County will develop a database of all disadvantaged communities in the Tulare Lake Basin. The database may include the following information:

- a. Community name and profile (population, connections, median household income, etc.);
- b. Identified water problems (e.g., drinking water (quality and supply), wastewater, drainage/stormwater, flooding problems):
 - i. Current status;
 - ii. Solutions considered to date and potential options;
- c. Location;
- d. Community water or waste water provider (e.g. Pixley Public Utility District);
- e. Community technical representative(s);
- f. Status of eligibility for funding under existing government funding programs;
- g. Date last updated

Subtask 1.1 – Data Gathering, Data Mapping, and Database Creation

Tulare County will coordinate with other local, state and federal agencies as well as appropriate organizations to collect existing data and create the database described above. It will also create a protocol for the update and maintenance of the database throughout the life of the Project. Tulare County will utilize a GIS consultant and/or staff to map the location of disadvantaged communities in the Tulare Lake Basin and other available and appropriate data in order to identify regional challenges and opportunities for regional projects. (Examples of data that might be useful include groundwater quality, surface water conveyance infrastructure, groundwater recharge areas, LAFCO boundaries, etc.) Maps may be utilized in identifying priority issues and pilot projects, as well as in developing final recommendations and illustrating recommendations in the final Report.

Subtask 1.2 – Database Update and Maintenance

For the duration of the Project, the County Administrative Office will update and maintain this database, in conjunction with the California Department of Public Health and other relevant agencies. Database information and updates will be made available to Tulare Lake Basin Integrated Regional Water Management (IRWM) planning groups, relevant General Plan efforts, and other agencies as requested. This information will be provided to DWR, and upon request other agencies and the general public.

Subtask 1.3 – Database Planning

The final Report will include a proposal on how the database will be maintained and updated beyond the life of the Project.

Task 2 – Stakeholder Consultation and Community Outreach

Tulare County designated consultant/s will prepare the final Report in consultation with stakeholders, including representatives of disadvantaged communities throughout the life of the Project. The communities to be served will be involved in the development of any solutions to address their water and wastewater problems. Their feedback will be critical to the success of this Project because community members have a unique understanding of the problems facing their community. Because they have to live with the solutions potentially generated by the pilot project, communities must have buy-in and understand what will be needed to implement, operate, and maintain any solution to ensure that the recommendations will be successfully implemented.

Subtask 2.1 – Convening of the “Stakeholder Oversight Committee”

Tulare County staff will establish a basin-wide Stakeholder Oversight Committee comprised of community representatives (including water consumers and local water board members), as well as regulatory and funding agency representatives and other organizations working on disadvantaged community water and wastewater needs as appropriate. This body will work with the project consultant/s to identify plan priorities for the basin, pilot projects, and review draft and final recommendations, as described in Tasks 3 and 5. All meetings will be open to the public.

Subtask 2.2 – Community Outreach

Tulare County staff will work with community outreach consultants to conduct outreach to the residents of communities that will be the subject of individual pilot projects. This process will also serve to recruit community members for participation in the Stakeholder Oversight Committee and each individual Pilot Project Stakeholder Advisory Group (see Subtask 2.3).

Subtask 2.3 – Convening the Pilot Project Stakeholder Advisory Groups

In order to ensure that each pilot project is developed with input from stakeholders, a separate Pilot Project Stakeholder Advisory Group will be convened for each individual pilot project or study. Each group will be comprised of members of impacted communities, regulatory and funding agencies, local water or wastewater providers, and other agencies and organizations as appropriate, in order to provide input and recommendations to the technical consultants throughout the identification and analysis of physical, management, financial, and operational alternatives to the known problems.

Subtask 2.4 – Stakeholder Involvement Report

As part of the final Report to DWR (see Task 5) a summary of the lessons learned and recommendations for improvements to the Stakeholder involvement processes described in this Task, (as well as any recommendations for incorporation of these lessons in other on-going or future planning processes) will be prepared.

Task 3 – Select and Design Pilot Projects and Studies to Develop Representative Solutions to Priority Issues**Subtask 3.1 – Identification of Priority Issues throughout the Tulare Lake Basin**

In consultation with the Stakeholder Oversight Committee, the consultants will utilize the database to identify common problems associated with providing safe, reliable water and wastewater services to disadvantaged communities that can be effectively explored by further study, alternative solution development, and pilot projects. Using this list of common problems, the consultants will work with the Stakeholder Oversight Committee to identify the priority issues facing disadvantaged communities in the Tulare Lake Basin.

Subtask 3.2 – Identification of Potential Solutions to Priority Issues

For each priority issue identified in Subtask 3.1, the consultants will list the potential solutions for that particular issue. This list of issues and corresponding potential solutions will be combined with a matrix of community scenarios (i.e. the number of connections, community setting) and the resulting matrix will be used as a tool to identify potential solutions for communities throughout the basin region based on where they fall within the matrix. (See Subtask 3.3).

Subtask 3.3 – Identification and Evaluation of Representative Pilot Projects and Studies

In order to generate and select representative pilot projects and studies the Stakeholder Oversight

Committee will develop a set of detailed metrics to evaluate and prioritize potential pilot projects and studies. These metrics will likely include average cost estimates for potential solution components (i.e. average capital costs, average surface water treatment costs); the severity of the public health impacts addressed; effectiveness at solving the problem; technical, managerial, and financial feasibility and affordability; long-term sustainability; whether the solution represents a regional solution; whether the project has the potential to solve a common problem in a way that can be replicated in similarly situated communities throughout the Tulare Lake Basin; and potential for funding with an evaluation of the best funding options. The priority issues identified in Subtask 3.1, the matrix developed in Subtask 3.2, and the evaluation metrics will serve as the basis for the Stakeholder Oversight Committee and consultants to generate representative pilot projects, and studies that present potential regional solutions to the identified priority issues. Pilot projects and studies will consider the given community setting observed throughout the Tulare Lake Basin.

For example, DACs in the Tulare Lake Basin within the scope of this study can be classified into the following three settings: 1) isolated communities, 2) neighboring unincorporated communities, and 3) an unincorporated community near a city. Examples of pilot projects addressing priority issues include a pilot project to address the hypothetical priority issue of arsenic contamination in an isolated community, the lack of sewer services in several neighboring unincorporated communities, or nitrate contamination in a community on private wells near a city. Some priority issues may not be conducive to the pilot project model; these will be addressed through overarching issue studies. These studies will evaluate different models for delivery of services, governance models, or any other issue that poses a barrier to the long term sustainability of DAC drinking water and wastewater systems, as determined by the Stakeholder Oversight Committee. An example of an overarching issue study would be cost-sharing or joint management options for delivery of water services to reduce operation and maintenance costs and ensure access to professional and certified services.

For each pilot project and study identified, a preliminary budget and timeframe will be estimated, as well as potential additional resources. Tulare County will integrate the pilot projects and studies identified in this phase of the project into the database and transmit them to relevant IRWM planning groups. This information will be provided to DWR, and upon request other agencies and the general public. The Stakeholder Oversight Committee will use these metrics to establish a priority list for all identified projects, which can then be used as a guide for future funding priorities.

Subtask 3.4 – Selection of Representative Pilot Projects and Studies

Using the priority list developed in Subtask 3.3, the Stakeholder Oversight Committee will select a final roster of representative pilot projects and studies that will become the focus of the final Report to be submitted to DWR. The number of representative pilot projects and studies selected will be determined by the Stakeholder Oversight Committee, through consultation with technical consultants.

Subtask 3.5 – Preparation of Representative Pilot Projects and Studies

Once the representative pilot projects and studies have been selected through the Stakeholder Oversight Process, Tulare County and the consultants will take the following steps to prepare for each project or study:

1. Determine a final scope, budget, schedule and form of the result(s) or deliverables;
2. Identify and retain additional consultants if needed and convene a Pilot Project Stakeholder Advisory Group;
3. Determine any additional resources necessary for successful implementation

Task 4 - Implement Pilot Project Stakeholder Process to Develop Studies and Representative Solutions to Priority Issues

The consultants identified in Subtask 3.4 and 3.5 will implement the selected representative pilot projects and studies in accordance with the scope, budget, schedule and deliverables for each pilot project or study.

Subtask 4.1 – Implementation of the Pilot Project Stakeholder Process

In consultation with the Pilot Project Stakeholder Advisory Group convened for each pilot project, the consultants will further develop and evaluate the possible solutions generated in Subtask 3.2, gather data to determine their effectiveness, and conduct feasibility studies to determine a recommended solution.

Subtask 4.2 – Generation of Recommendations from Representative Pilot Projects or Studies

For each representative pilot project or study, the consultants will work with the corresponding Pilot Project Stakeholder Advisory Group to develop final recommendations. These recommendations will be integrated into the final Report to DWR, used to update the database, and transmitted to IRWMPs, General Plan processes, and other agencies, as appropriate. This information will be provided to DWR, and upon request other agencies and the general public. Final recommendations will, at a minimum, include the following:

1. A description of the particular problem being addressed and identification of specific communities facing that problem in similar settings throughout the Tulare Lake Basin, for which these recommendations may also be applicable;
2. A description of the solution recommended by the pilot project and any other lessons learned over the course of the study or project (regional impact?);
3. Funding opportunities available to implement the recommended solutions, including the preparation of funding applications when possible;
4. A discussion of steps that may be taken to insure long-term sustainability of the implemented program for the Tulare Lake Basin; and
5. Identification of any obstacles or barriers to implementation of the recommended solution and a proposal for how to eliminate those obstacles or barriers, if applicable.

If appropriate and time and money permit, the consultants may also conduct preliminary engineering, environmental compliance reports (*i.e.*, CEQA & NEPA), conduct water testing, geotechnical work (including test wells if necessary) and design in order to implement the recommended approaches for some pilot projects.

Task 5 – Preparation and Finalization of the Report to DWR

Subtask 5.1 – Preparation of Draft Report

The consultants will prepare a draft Report incorporating the results of each representative pilot project or other study to be reviewed by the Stakeholder Oversight Committee before finalizing the Report and submitting it to the Department of Water Resources.

Subtask 5.2 – Recommendations on Integration with other Agencies

Because various state, federal, and local agencies are involved directly in the provision of drinking water and wastewater services or provide regulatory oversight of drinking water and wastewater systems, the final Report will include recommendations on how the Tulare Lake Basin Disadvantaged Community Water Plan can be integrated into these existing planning and funding processes and disseminated to the

appropriate agencies. In particular, the final Report will provide specific recommendations, data, and projects that should be integrated into the various Integrated Regional Water Management Plans in the Tulare Lake Basin. The final Report will also make recommendations on how state, federal, and local agencies can provide funding and other support to move each pilot project through to completion. The database, priority issues, and evaluation metrics created by the consultants and Stakeholder Oversight Committee will serve as a guide for prioritization of projects that become eligible for funding under existing and new funding programs to assure the largest benefit possible to DACs.

Subtask 5.3 - Finalization of the Report

The consultants will work with Tulare County to incorporate suggestions from the Stakeholder Oversight Committee's review of the draft Report and finalize the Report for submission to DWR.

Submission of the Final Report to the Department of Water Resources

Once the Report has been finalized by the consultants and approved by Tulare County, it will be submitted to the Department of Water Resources to be submitted to the Legislature.

Submission of the Project Completion Report to the Department of Water Resources

The Project Completion Report will be submitted to the Department of Water Resources by November 30, 2014 in accordance with Exhibit E.

Quarterly Reports

Progress reports will be submitted on a quarterly basis in accordance with Exhibit E.

EXHIBIT B
PROJECT SCHEDULE

The proposed project schedule is included in this section below.

EXHIBIT C
PROJECT BUDGET

The cost estimate to complete the proposed Work Plan for this project is \$2,000,000, as presented in the Project Budget below.

EXHIBIT D

STANDARD CONDITIONS

- D.1 ACCOUNTING AND DEPOSIT OF GRANT DISBURSEMENT:**
SEPARATE ACCOUNTING OF GRANT DISBURSEMENT AND INTEREST RECORDS: Grantee shall account for the money disbursed pursuant to this Grant Agreement separately from all other Grantee funds. Grantee shall maintain audit and accounting procedures that are in accordance with generally accepted accounting principles and practices, consistently applied. Grantee shall keep complete and accurate records of all receipts, disbursements, and interest earned on expenditures of such funds. Grantee shall require its Local Project Sponsors, contractors, or subcontractors to maintain books, records, and other documents pertinent to their work in accordance with generally accepted accounting principles and practices. Records are subject to inspection by State at any and all reasonable times.
- FISCAL MANAGEMENT SYSTEMS AND ACCOUNTING STANDARDS:** The Grantee agrees that, at a minimum, its fiscal control and accounting procedures will be sufficient to permit tracing of grant funds to a level of expenditure adequate to establish that such funds have not been used in violation of state law or this Grant Agreement.
- REMITTANCE OF UNEXPENDED FUNDS:** Grantee, within a period of sixty (60) calendar days from the final disbursement from State to Grantee of grant funds, shall remit to State any unexpended funds that were disbursed to Grantee under this Grant Agreement and were not needed to pay Eligible Project Costs.
- D.2 ACKNOWLEDGEMENT OF CREDIT:** Grantee and Local Project Sponsors shall include appropriate acknowledgement of credit to the State and to all cost-sharing partners for their support when promoting the IRWM Program or associated grant funded projects or using any data and/or information developed under this Grant Agreement. During construction or implementation of each project, Grantee or Local Project Sponsors shall install a sign at a prominent location which shall include a statement that the project is financed under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, administered by State of California, Department of Water Resources. Grantee shall notify State as each sign has been erected by providing them with a site map with the sign location noted and a photograph of each sign.
- D.3 AMENDMENT:** No amendment or variation of the terms of this Grant Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or agreement not incorporated in the Grant Agreement is binding on any of the parties.
- D.4 AMERICANS WITH DISABILITIES ACT:** By signing this Grant Agreement, Grantee assures State that it complies with the Americans with Disabilities Act (ADA) of 1990, (42 U.S.C., 12101 *et seq.*), which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA.
- D.5 AUDITS:** State reserves the right to conduct an audit at any time between the execution of this Grant Agreement and the completion of the Program, with the costs of such audit borne by State. After completion of the Program, State may require Grantee to conduct a final audit, at Grantee's

expense, such audit to be conducted by and a report prepared by an independent Certified Public Accountant. Failure or refusal by Grantee to comply with this provision shall be considered a breach of this Grant Agreement, and State may take any action it deems necessary to protect its interests.

Grantee agrees that the awarding department, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Grant Agreement. Grantee agrees to maintain such records for a possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. Grantee agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Grantee agrees to include a similar right of the State to audit records and interview staff in any contract related to performance of this Agreement.

- D.6 BUDGET CONTINGENCY:** If the Budget Act of the current year and/or any subsequent years covered under this Grant Agreement does not appropriate sufficient funds for the IRWM Program, this Grant Agreement shall be of no force and effect. This provision shall be construed as a condition precedent to the obligation of State to make any payments under this Grant Agreement. In this event, State shall have no liability to pay any funds whatsoever to Grantee or to furnish any other considerations under this Grant Agreement and Grantee shall not be obligated to perform any provisions of this Grant Agreement. Nothing in this Grant Agreement shall be construed to provide Grantee with a right of priority for payment over any other Grantee. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, State shall have the option to either cancel this Grant Agreement with no liability occurring to State, or offer a Grant Agreement amendment to Grantee to reflect the reduced amount.
- D.7 COMPETITIVE BIDDING AND PROCUREMENTS:** Grantee and Local Project Sponsors shall comply with all applicable laws and regulations regarding securing competitive bids and undertaking competitive negotiations in Grantee's contracts with other entities for acquisition of goods and services and construction of public works with funds provided by State under this Grant Agreement.
- D.8 COMPUTER SOFTWARE:** Grantee certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this Grant Agreement for the acquisition, operation, or maintenance of computer software in violation of copyright laws.
- D.9 CONFLICT OF INTEREST:**
- CURRENT STATE EMPLOYEES:** No State officer or employee shall engage in any employment, activity, or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any State agency, unless the employment, activity, or enterprise is required as a condition of regular State employment. No State officer or employee shall contract on his or her own behalf as an independent contractor with any State agency to provide goods or services.

FORMER STATE EMPLOYEES: For the two-year period from the date he or she left State employment, no former State officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements, or any part of the decision-making process relevant to the contract while employed in any capacity by any State

agency. For the twelve-month period from the date he or she left State employment, no former State officer or employee may enter into a contract with any State agency if he or she was employed by that State agency in a policy-making position in the same general subject area as the proposed contract within the twelve-month period prior to his or her leaving State service.

- D.10 DELIVERY OF INFORMATION, REPORTS, AND DATA:** Grantee agrees to expeditiously provide, during work on the IRWM Program and throughout the term of this Grant Agreement, such reports, data, information, and certifications as may be reasonably required by State.
- D.11 DISPOSITION OF EQUIPMENT:** Grantee shall provide to State, not less than 30 days prior to submission of the final project invoice, a final inventory list of equipment purchased with grant funds provided by State. Grantee shall consult with State on the scope of the inventory not less than 60 days prior to the submission of the final project invoice. The inventory shall include all items with a current estimated fair market value of more than \$500 per item. Within 60 days of receipt of such inventory, State shall provide Grantee with a list of the items on the inventory that State will take title to. All other items shall become the property of Grantee. State shall arrange for delivery from Grantee of items that it takes title to. Cost of transportation, if any, shall be borne by State.
- D.12 DISPUTES:** In the event of an invoice dispute, payment will not be made until the dispute is resolved and a corrected invoice submitted. Failure to use the address exactly as provided may result in return of the invoice to the Grantee. Payment shall be deemed complete upon deposit of the payment, properly addressed, postage prepaid, in the United States mail.

Any claim that Grantee may have regarding the performance of this Grant Agreement including, but not limited to claims for additional compensation or extension of time, shall be submitted to the Director, Department of Water Resources, within thirty (30) calendar days of Grantee's knowledge of the claim. State and Grantee shall then attempt to negotiate a resolution of such claim and process an amendment to the Grant Agreement to implement the terms of any such resolution.

- D.13 DRUG-FREE WORKPLACE REQUIREMENTS:** Grantee, Local Project Sponsors, and their contractors or subcontractors will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code 8350 *et seq.*) and have or will provide a drug-free workplace by taking the following actions:
- a) Publish a statement notifying employees, contractors, and subcontractors that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees, contractors, or subcontractors for violations, as required by Government Code Section 8355(a).
 - b) Establish a Drug-Free Awareness Program, as required by Government Code Section 8355(b) to inform employees, contractors, or subcontractors about all of the following:
 1. The dangers of drug abuse in the workplace,
 2. Grantee's policy of maintaining a drug-free workplace,
 3. Any available counseling, rehabilitation, and employee assistance programs, and
 4. Penalties that may be imposed upon employees, contractors, and subcontractors for drug abuse violations.
 - c) Provide as required by Government Code Sections 8355(c), that every employee, contractor, and/or subcontractor who works under this Grant Agreement:
 1. Will receive a copy of Grantee's drug-free policy statement, and

2. Will agree to abide by terms of Grantee's condition of employment, contract or subcontract.

- D.14 FINAL INSPECTIONS AND CERTIFICATION OF REGISTERED CIVIL ENGINEER:** Upon completion of a construction project and as determined by State, Grantee shall provide for a final inspection and certification by a California Registered Civil Engineer that the project has been completed in accordance with submitted final plans and specifications and any modifications thereto and in accordance with this Grant Agreement and to the State's satisfaction.
- D.15 GOVERNING LAW:** This Grant Agreement is governed by and shall be interpreted in accordance with the laws of the State of California.
- D.16 INCOME RESTRICTIONS:** Grantee agrees that any refunds, rebates, credits, or other amounts (including any interest thereon) accruing to or received by Grantee under this Grant Agreement shall be paid by Grantee to State, to the extent that they are properly allocable to costs for which Grantee has been reimbursed by State under this Grant Agreement.
- D.17 INDEMNIFICATION:** Grantee agrees to indemnify State and its officers, agents, and employees against and to hold the same free and harmless from any and all claims, demands, damages, losses, costs, expenses, or liability due or incident to, either in whole or in part, and whether directly or indirectly, arising out of the IRWM Program, including without limitation, arising out of post-construction operation and maintenance.
- D.18 INDEPENDENT CAPACITY:** Grantee, and the agents and employees of Grantee, if any, in the performance of the Grant Agreement, shall act in an independent capacity and not as officers, employees, or agents of the State.
- D.19 INSPECTION OF BOOKS, RECORDS, AND REPORTS:** During regular office hours, each of the parties hereto and their duly authorized representatives shall have the right to inspect and to make copies of any books, records, or reports of either party pertaining to this Grant Agreement or matters related hereto to the extent permitted by Government Code sections 6250 et seq. or other applicable laws. Each of the parties hereto shall maintain and shall make available at all times for such inspection accurate records of all its costs, disbursements, and receipts with respect to its activities under this Grant Agreement. Failure or refusal by Grantee to comply with this provision shall be considered a breach of this Grant Agreement, and State may withhold disbursements to Grantee or take any other action it deems necessary to protect its interests, as provided in paragraph 17.
- D.20 INSPECTIONS OF PROJECTS BY STATE:** State shall have the right to inspect the work being performed at any and all reasonable times, providing a minimum of a 24-hour notice, during the term of the Grant Agreement. This right shall extend to any subcontracts, and Grantee shall include provisions ensuring such access in all its contracts or subcontracts entered into pursuant to its Grant Agreement with State.
- D.21 NONDISCRIMINATION:** During the performance of this Grant Agreement, Grantee, Local Project Sponsors, and their contractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, and denial of family care leave. Grantee, Local Project Sponsors, and their contractors shall ensure that the evaluation and

treatment of their employees and applicants for employment are free from such discrimination and harassment. Grantee, Local Project Sponsors, and their contractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12990 (a-f) et seq.) and the applicable regulations promulgated there under (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Grant Agreement by reference and made a part hereof as if set forth in full. Grantee, Local Project Sponsors, and their contractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. Grantee shall include the nondiscrimination and compliance provisions of this clause in all contracts to perform work under the Grant Agreement.

- D.22 OPINIONS AND DETERMINATIONS:** The parties agree that review or approval of any IRWM Program applications, documents, permits, plans and specifications or other program information by the State is for administrative purposes only and does not relieve the Grantee of its responsibility to properly plan, design, construct, operate, maintain, implement, or otherwise carry out the IRWM Program.
- D.23 PROHIBITION AGAINST DISPOSAL OF PROJECT WITHOUT STATE PERMISSION:** Grantee and Local Project Sponsors shall not sell, abandon, lease, transfer, exchange, mortgage, hypothecate, or encumber in any manner whatsoever all or any portion of any real or other property necessarily connected or used in conjunction with the IRWM Program without prior permission of State. Grantee and Local Project Sponsors shall not take any action concerning the performance of this Grant Agreement, including but not limited to actions relating to user fees, charges, and assessments that could adversely affect the ability of Grantee to meet its obligations under this Grant Agreement, without prior written permission of State. State may require that the proceeds from the disposition of any real or personal property acquired through this Grant Agreement be remitted to State.
- D.24 REMEDIES, COSTS, AND ATTORNEY FEES:** Grantee agrees that any remedy provided in this Grant Agreement is in addition to and not in derogation of any other legal or equitable remedy available as a result of breach of this Grant Agreement, whether such breach occurs before or after completion of the IRWM Program, and exercise of any remedy provided by this Grant Agreement shall not preclude either party from pursuing any legal remedy or right which would otherwise be available. In the event of litigation between the parties hereto arising from this Grant Agreement, it is agreed that the prevailing party shall be entitled to such reasonable costs and/or attorney fees as may be ordered by the court entertaining such litigation.
- D. 25 RETENTION:** State shall, for each project, withhold ten percent (10.0%) of the funds requested by Grantee for reimbursement of Eligible Costs until the project is completed and Grantee has met requirements of paragraph 19, Submissions of Reports.
- D.26 RIGHTS IN DATA:** Grantee and Local Project Sponsors agree that all data, plans, drawings, specifications, reports, computer programs, operating manuals, notes, and other written or graphic work produced in the performance of this Grant Agreement shall be in the public domain. Grantee and Local Project Sponsors may disclose, disseminate and use in whole or in part, any final form data and information received, collected, and developed under this Grant Agreement, subject to appropriate acknowledgement of credit to State for financial support. Grantee and Local Project

Sponsors shall not utilize the materials for any profit-making venture or sell or grant rights to a third party who intends to do so.

- D.27 SEVERABILITY OF UNENFORCEABLE PROVISION:** If any provision of this Grant Agreement is held invalid or unenforceable by a court of final jurisdiction, all other provisions of this Grant Agreement shall be construed to remain fully valid, enforceable, and binding on the parties.
- D.28 SUCCESSORS AND ASSIGNS:** This Grant Agreement and all of its provisions shall apply to and bind the successors and assigns of the parties. No assignment or transfer of this Grant Agreement or any part thereof, rights hereunder, or interest herein by Grantee shall be valid unless and until it is approved by State and made subject to such reasonable terms and conditions as State may impose.
- D.29 TERMINATION, IMMEDIATE REPAYMENT, INTEREST:** This Grant Agreement may be terminated by written notice at any time prior to completion of the IRWM Program, at the option of State, upon violation by Grantee of any material provision after such violation has been called to the attention of Grantee and after failure of Grantee to bring itself into compliance with the provisions of this Grant Agreement within a reasonable time as established by State. In the event of such termination, Grantee agrees, upon demand, to immediately repay to State an amount equal to the amount of grant funds disbursed to Grantee prior to such termination. In the event of termination, interest shall accrue on all amounts due at the highest legal rate of interest from the date that notice of termination is mailed to Grantee to the date of full repayment by Grantee.
- D.30 TIMELINESS:** Time is of the essence in this Grant Agreement.
- D.31 TRAVEL:** Travel includes the costs of transportation, subsistence, and other associated costs incurred by personnel during the term of this Grant Agreement. Travel and per diem shall be reimbursed consistent with the rates applicable at the time of travel. These rates are published at <http://www.dpa.ca.gov/jobinfo/statetravel.shtm> or its successor website. For the purpose of computing such expenses, Grantee's designated headquarters shall be: 2800 W. Burrel Avenue, Visalia, CA 93291. No travel outside the State of California shall be reimbursed unless prior written authorization is obtained from the State. Exhibit H, Travel and Per Diem Expenses, provides the travel reimbursement rates posted at the time of execution of this Grant Agreement.
- D.32 WAIVER OF RIGHTS:** None of the provisions of this Grant Agreement shall be deemed waived unless expressly waived in writing. It is the intention of the parties here to that from time to time either party may waive any of its rights under this Grant Agreement unless contrary to law. Any waiver by either party of rights arising in connection with the Grant Agreement shall not be deemed to be a waiver with respect to any other rights or matters, and such provisions shall continue in full force and effect.

EXHIBIT E REPORT FORMAT

QUARTERLY REPORT

Quarterly Reports shall generally use the following format. This format may be modified as necessary to effectively communicate information on the projects contained in the Work Plan. The quarterly report should reflect the status of all of the projects identified in the Grant Agreement. A brief summary of program status should also be provided.

For each project, describe the work performed during the quarter including:

PROJECT INFORMATION

- Legal matters;
- Engineering matters;
- Environmental matters;
- Status of permits, easements, rights-of-way, and approvals as may be required by other State, federal, and/or local agencies;
- Major accomplishments during the quarter (i.e. tasks completed, milestones met, meetings held or attended, press releases, etc.);
- Discussion of the ambient surface water and groundwater data submittal effort for the previous quarter, including a description of the data submitted and date(s) of submittal;
- Issues/concerns that have, will, or could affect the schedule or budget, with a recommendation on how to correct the matter; and
- Description of the differences between the work performed and the work outlined in the project work plans.
- Discussion of project performance achieved over the previous quarter relative to the criteria established in the Project Assessment and Evaluation Plan (PAEP).

COST INFORMATION

- Listing showing costs incurred during the quarter by the grantee, the local project sponsor overseeing the work, and each contractor working on the project. Listing should include hours per task worked on during the quarter for above personnel;
- A discussion on how the actual budget is progressing in comparison to the project budget included in the Work Plan; and
- A revised budget, by task, if changed from latest budget in Work Plan.

SCHEDULE INFORMATION

- A schedule showing actual progress verse planned progress as shown in Exhibit B;
- A discussion on how the actual schedule is progressing in comparison to the schedule in Exhibit B; and
- A revised schedule, by task, if changed from latest schedule in Exhibit B.

ANTICIPATED ACTIVITIES NEXT QUARTER

Provide a description of anticipated activities for the next quarterly reporting period.

PROJECT COMPLETION REPORT

Project Completion Reports shall generally use the following format. This format may be modified as necessary to effectively communicate information on the various projects contained in the IRWM Program. A Project Completion Report is required for each project identified in the Work Plan, Exhibit A.

EXECUTIVE SUMMARY

The Executive Summary consists of a maximum of ten (10) pages summarizing project information (see report status section below for topics). The Executive Summary should include the following:

- Brief description of work proposed to be done in the original Exhibit A Work Plan;
- Description of actual work completed and any deviations from the work plan identified in the Grant Agreement;
- Describe the mechanism or process that allows for continued performance monitoring of the objectives;

REPORTS AND/OR PRODUCTS

- Provide a copy of the final technical report or study;
- Provide a map and shapefile(s) showing the location of the completed project. A description of the geographic projection and datum used for the shapefile must be submitted with the shapefile (a NAD '83 datum and a UTM 11 projection should be utilized);
- If any wells were constructed as part of the project, provide the following information: well logs; borehole geophysical logs; state well number; site information to include horizontal (NAD '83) and vertical (NAVD '88) datum to be determined within 0.5 feet;
- Provide an electronic copy of any as-built plans (media: CD-ROM; PDF format);
- Provide copies of any data collected along with location maps;
- If applicable, describe the findings of any study and whether the study determined the engineering, hydrologic, hydrogeologic, environmental, economic and financial feasibility of the project.

COST & DISPOSITION OF FUNDS INFORMATION

- A list of invoices showing:
 - The date each invoice was submitted to State;
 - The amount of the invoice;
 - The date the check was received; and
 - The amount of the check. (If a check has not been received for the final invoice, then state this in this section.)
- A summary of final funds disbursement including:
 - Labor cost of personnel of agency/ major consultant /sub-consultants. (Indicate personnel, hours, rates, type of profession and reason for consultant, i.e., design, CEQA work, etc.);
 - Construction cost information, shown by material, equipment, labor costs, and change orders;
 - Any other incurred cost detail; and
 - A statement verifying separate accounting of grant disbursements.
- Summary of project cost including:

-
- Accounting of the cost of project expenditure;
 - Include all internal and external costs not previously disclosed;
 - A discussion of factors that positively or negatively affected the project cost and any deviation from the original project cost estimate.

ADDITIONAL INFORMATION

- A final project schedule showing actual progress verse planned progress;
- Certification that the project was conducted in accordance with the approved work plan and any approved modifications thereto; and
- Submittal schedule for Post Performance Report and outline of the reporting format.

ELECTRONIC REPORT FORMATTING

Grantee agrees that work funded under this Agreement will be provided in an electronic format to State. Electronic submittal of final reports, plans, studies, data, and other work performed under this grant shall be as follows:

- Text preferably in MS WORD or text PDF format.
- Files generally less than 10 MB in size.
- Files named so that the public can determine their content. For example, file naming of reports must have the title and, if subdivided into smaller sized files, the chapter number/letter and names in the report Table of Content (TOC); files of maps, figures, and tables by number/letter as referenced in the TOC; well logs files with DWR required naming convention; and Appendix number/letter and named in the TOC.
- For projects involving a modeling component, grantee shall provide the major input data files, parameters, calibration statistics, output files, and other information requested by DWR's Project Manager.

**EXHIBIT F
GRANTEE RESOLUTION**

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF Approve and accept)
a grant from the California Department of) RESOLUTION NO. 2010-0686
Water Resources for the County of Tulare) AGREEMENT NO. 24676
Disadvantaged Community Water Study)
Project.)

UPON MOTION OF SUPERVISOR ENNIS, SECONDED BY SUPERVISOR
ISHIDA, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT
AN OFFICIAL MEETING HELD AUGUST 17, 2010, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS ISHIDA, VANDER POEL, COX, WORTHLEY AND ENNIS
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE



ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: *Jean M. Rousseau*
Deputy Clerk

- 1 Approved and accepted a grant from the California Department of Water Resources ("DWR") for the County of Tulare Disadvantaged Community Water Study Project ("Study") from October 1, 2010 through March 31, 2014 in an amount not to exceed \$2,000,000.
- 2 Authorized Jean Rousseau, County Administrative Officer, to be the Project Manager on behalf of Tulare County.
- 3 Authorized the Chairman to sign three copies of the Grant Agreement.

CAO
Co. Counsel

DAY

EXHIBIT G STATEWIDE MONITORING

REQUIREMENTS FOR STATEWIDE MONITORING AND DATA SUBMITTAL

Ambient surface water and groundwater quality monitoring data (may include chemical, physical, or biological data) shall be submitted to the State as described below, with a narrative description of data submittal activities included in project reports, as described in Exhibit E.

Surface water quality monitoring data shall be submitted to the Surface Water Ambient Monitoring Program (SWAMP), which is administered by the State Water Resources Control Board (SWRCB). If a project work plan contains a surface water monitoring element, the Grantee shall also prepare, maintain, and implement a Quality Assurance Project Plan (QAPP) in accordance with:

- The SWAMP QAPP and data reporting requirements.
- The USEPA's *EPA Requirements for Quality Assurance Project Plans* (Publication EPA AQ/R-5, 2001).

The QAPP shall be submitted to the State for review and a decision regarding approval. Guidance for preparing the QAPP is available at:

<http://www.waterboards.ca.gov/swamp/qapp.html>

SWAMP comparable electronic format shall be followed. SWAMP data formats and templates can be accessed at:

<http://mpsl.mlml.calstate.edu/swdbcompare.html>

After the Grantee has followed the proper quality assurance and quality control (QA/QC) procedures and prepared the data for submittal to SWAMP, the data shall be uploaded, using the methodology established by SWAMP, to the California Environmental Data Exchange Network (CEDEN) database at the following link:

<http://bdat.ca.gov>

Groundwater quality monitoring data shall be submitted to the State through the SWRCB Groundwater Ambient Monitoring and Assessment (GAMA) Program. If a project work plan contains a groundwater ambient monitoring element, the Grantee shall contact the SWRCB GAMA Program for guidance on the submittal of ambient groundwater data. Information on the SWRCB GAMA Program can be obtained at:

<http://www.waterboards.ca.gov/gama/index.html>

Prior to the Grantee implementing any sampling or monitoring activities, State must be notified in writing as the planned procedure for submittal of groundwater data to GAMA.

**REQUIREMENTS FOR PROJECT ASSESSMENT AND EVALUATION PLAN (PAEP)
SUBMITTAL:**

Project Assessment and Evaluation Plans (PAEPs) shall be prepared for each project receiving grant funding. For each project, a PAEP shall be submitted to State prior to project construction or monitoring, and as deemed appropriate by State. For information about preparing PAEPs and the recommended content, relevant documentation may be found at the following web site:

<http://www.waterboards.ca.gov/funding/paep.html>

EXHIBIT H TRAVEL AND PER DIEM EXPENSES*

I. SHORT-TERM PER DIEM EXPENSES

A. In computing reimbursement for continuous short-term travel of more than 24 hours and less than 31 consecutive days, the employee will be reimbursed for actual costs up to the maximum allowed for each meal, incidental, and lodging expense for each complete 24 hours of travel, beginning with the traveler's times of departure and return, as follows:

1. On the first day of travel on a trip of 24 hours or more:

Trip begins at or before 6 a.m.	Breakfast may be claimed on the first day.
Trip begins at or before 11 a.m.	Lunch may be claimed on the first day.
Trip begins at or before 5 p.m.	Dinner may be claimed on the first day.

2. On the fractional day of travel at the end of a trip of more than 24 hours:

Trip ends at or after 8 a.m.	Breakfast may be claimed.
Trip ends at or after 2 p.m.	Lunch may be claimed.
Trip ends at or after 7 p.m.	Dinner may be claimed.

If the fractional day includes an overnight stay, receipted lodging may also be claimed. No meal or lodging expense may be claimed or reimbursed more than once on any given date or during any 24-hour period.

3. Reimbursement shall be for actual expenses, subject to the following maximum rates:

Meals:

Breakfast	\$ 6.00	Receipts are not required for regular short-term travel meals
Lunch	\$10.00	
Dinner	\$18.00	
Incidentals	\$ 6.00	

Lodging:

Statewide	Actual up to \$84.00 plus tax
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When required to conduct State business and obtain lodging in the counties of Los Angeles and San Diego, reimbursement will be for actual receipted lodging to a maximum of \$110 plus tax.

When required to conduct State business and obtain lodging in the counties of Alameda, San Francisco, San Mateo, and Santa Clara, reimbursement will be for actual receipted lodging to a maximum of \$140 plus tax.

If lodging receipts are not submitted, reimbursement will be for meals only at the rates and time frames set forth in B.1 below.

- B. In computing reimbursement for continuous travel of less than 24 hours, actual expenses, up to the maximums in A.3 above, will be reimbursed for breakfast and/or dinner and/or lodging in accordance with the following time frames:
1. Travel begins at or before 6 a.m. and ends at or after 9 a.m.: Breakfast may be claimed. Travel begins at or before 4 p.m. and ends at or after 7 p.m.: Dinner may be claimed. If the trip of less than 24 hours includes an overnight stay, receipted lodging may be claimed. **No lunch or incidentals may be reimbursed on travel of less than 24 hours.**
 2. Employees on short-term travel who stay in commercial lodging establishments or commercial campgrounds will be reimbursed for actual lodging expenses substantiated by a receipt. Employees who stay with friends or relatives, or who do not produce a lodging receipt, will be eligible to claim meals only.

II. LONG-TERM TRAVEL AND PER DIEM EXPENSES

- A. Employee maintains a separate residence in the headquarters area:
Long-term travelers who maintain a permanent residence at their primary headquarters may claim daily long-term lodging up to \$24.00 with a receipt, and long-term meals of \$24.00 for each period of travel from 12 to 24 hours at the long-term location. For travel of less than 12 hours, the traveler may claim either \$24.00 in receipted lodging or \$24.00 in long-term meals.
- B. Employee does not maintain a separate residence in headquarters area:
Long-term travelers who do not maintain a permanent residence at their headquarters may claim daily receipted lodging up to \$12.00, and long-term meals of \$12.00 for each period of travel from 12 to 24 hours at the long-term locations. For travel of less than 12 hours, the travelers may claim either \$12.00 in receipted lodging or \$12.00 in long-term meals.

III. MILEAGE REIMBURSEMENT*

Reimbursement for personal vehicle mileage is 51* cents per mile.

IV. VEHICLE RENTAL

Reimbursement for vehicle rental shall be for actual and necessary costs of such rental and airplane usage shall be allowed at the lowest fare available. Claims for reimbursements shall be allowed upon submittal of the appropriate receipt. Refer to California Code of Regulations, Title 2, Sections 599.627 and 599.628.

* Refer to the latest expenses and reimbursement information in the following web page:
<http://www.dpa.ca.gov/personnel-policies/travel/hr-staff.htm>.

EXHIBIT B

PROFESSIONAL SERVICES CONTRACTS INSURANCE REQUIREMENTS

CONTRACTOR shall provide and maintain insurance for the duration of this Agreement against claims for injuries to persons and damage to property which may arise from, or in connection with, performance under the Agreement by the CONTRACTOR, his agents, representatives, employees and subcontractors, if applicable.

A. Minimum Scope & Limits of Insurance

1. Insurance Services Office Commercial General Liability coverage of \$1,000,000 combined single Limit per occurrence (occurrence Form CG 00 01 or Claims Made Form CG 00 02). If an annual aggregate applies it must be no less than \$2,000,000.
2. Insurance Services Office Form Number CA 00 01 covering Automobile Liability, (any auto) (if applicable) of \$1,000,000 per occurrence.
3. Workers' Compensation insurance as required by the State of California.
4. Employer's Liability \$1,000,000 each accident, \$1,000,000 policy limit bodily injury by disease, \$1,000,000 each employee body injury by disease.
5. Errors & Omissions Liability insurance of \$1,000,000 appropriate to the contractor's profession. Architects' and Engineers' coverage is to be endorsed to include contractual liability.
6. With respect to General Liability, Errors & Omissions, Architects' and Engineers' Liability, coverage should be maintained for a minimum of five (5) years after contract completion.

B. Specific Provisions of the Certificate

1. The General Liability and Comprehensive Automobile Liability Policies must contain the following provisions. CONTRACTOR will provide endorsements reflecting the following requirements:
 - a. *The COUNTY, its officers, agents, officials, employees and volunteers are to be covered as additional insureds as respects: liability arising out of work or operations performed by or on behalf of the Contractor; or automobiles owned, leased, hired or borrowed by the CONTRACTOR.*
 - b. *For any claims related to this project, the CONTRACTOR's insurance coverage shall be primary insurance as respects the COUNTY, its officers, agents, officials, employees and volunteers. Any insurance or self-insurance maintained by the COUNTY, its officers, agents, officials, employees or volunteers shall be excess of the CONTRACTOR's insurance and shall not contribute with it.*
 - c. *Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days prior written notice has been provided to the County.*
2. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the COUNTY for all work performed by the CONTRACTOR, its employees, agents and subcontractors.
 - a. *Waiver of Subrogation. The workers' compensation policy shall be endorsed with a waiver of subrogation in favor of the COUNTY for all work performed by the contractor, its employees, agents and subcontractors. CONTRACTOR waives all rights against the County and its officers, agents, official, employees and volunteers for recovery of damages to the extent these damages are covered by the workers compensation and employers liability.*

Deductibles and Self-Insured Retentions

Contractor will eliminate self insured retentions as respects this agreement with COUNTY or provide a letter of credit or bond to satisfy the self insured retention.

D. Acceptability of Insurance

Insurance must be placed with insurers with a current rating given by A.M. Best and Company of no less than A:VII and a Standard & Poor's Rating (if rated) of at least BBB and from a company authorized to do business in California. Any waiver of these standards is subject to approval by the County Risk Manager.

E. Verification of Coverage

Prior to approval of this Agreement by the COUNTY, the CONTRACTOR shall file with the submitting department, certificates of insurance with original endorsements effecting coverage and a copy of the declarations page from the policy in effect in a form acceptable to the COUNTY. Endorsements must be signed by persons authorized to bind coverage on behalf of the insurer. The COUNTY reserves the right to require certified copies of all required insurance policies at any time.

EXHIBIT C

This Rule sets forth the policy of Tulare County under the Federal Drug-Free Workplace Act and the California Drug-Free Workplace Act. It is the intention of this policy to eliminate drug abuse and the effects of such abuse in the workplace and to thus provide and maintain an efficient and safe workplace for all employees. Drug abuse increases the potential for accidents, absenteeism, substandard performance, poor employee morale and damages the public service and Tulare County.

21.0 DRUG FREE WORKPLACE POLICY

21.1 While any employee is on duty, on Tulare County property, at work locations or on "on-call" time (see Rule 4.4), such employee shall not:

- a) be under the influence of, or in possession of controlled substance;
- b) shall not sell or provide drugs to any other employee or any other person;
- c) shall not engage in the unlawful manufacture of drugs; and
- d) shall not utilize or otherwise have his or her ability to work impaired as a result of the use of drugs.

21.1.2 Tulare County and/ or Contractor will act to eliminate any drug abuse which could impair an employee's ability to safely and effectively perform the functions of his or her job. Accordingly, supervisors within the affected departments will be trained to recognize drug abusers and to become involved in the control of drug abuse in the workplace.

21.1.3 Employees who believe that they may have a drug problem are encouraged to voluntarily seek confidential assistance. While it is Tulare County Policy to be supportive of those who seek help voluntarily, it is also policy that abuse of drugs will not be tolerated and disciplinary action, up to and including termination will be used as necessary to implement this policy and assure a drug free workplace.

21.2 The term "controlled substance" is defined by the Drug Free Workplace Act of 1988 as one set forth in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812). The term "drug", when used in this policy, shall mean a "controlled substance."

21.3 All employees shall be made aware of the dangers of abusing drugs, of guidelines for the detection and deterrence of drug abuse, of their responsibilities under this rule, and of resources available for treatment of drug abuse.

21.4 Each department shall make copies of the Federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act of 1990 available to employees for review.

21.5 Employee Responsibilities

21.5.1 An employee shall not:

- A. Report to work while his or her ability to perform job duties is impaired due to any on or off duty legal or illegal drug use;
- B. Have his or her ability to perform job duties impaired due to legal or illegal drug use while on "on-call" time.
- C. Possess or use impairing legal or illegal drugs during working hours or while on "on-call" time, on breaks, during work day or shift meal periods or at any time while on Tulare County property;

D. Sell or provide, directly or through any third person, any illegal drugs to any person, including any employee while either employee or both employees are on duty or on "on-call" time;

E. Manufacture any drugs during working hours or "on-call" time, during work day or shift meal periods, during breaks or at any time while on Tulare County property.

21.5.2 An employee shall:

A. Provide notice to his Appointing Authority of any prescription medication that is used during the work day if such prescribed medication may affect the employee's ability to perform the essential duties of his position. Where appropriate the Appointing Authority shall cause an interactive accommodation meeting to assure said employee can safely perform the essential functions of his position

B. Notify the Department Head of any criminal drug statute conviction, including a plea of guilty or nolo contendere, for an offense which occurred in the workplace or while on duty, no later than five days after such a conviction or plea.

C. Attend such programs as Tulare County may designate for the purposes of instructing employees generally of the dangers of drug abuse, which will be scheduled as work time.

D. Read this policy, agree to its terms and provide written acknowledgment of receipt of a copy of this policy.

21.6 Management Responsibilities

21.6.1 Management shall:

A. Provide each employee with a copy of this policy, of the Federal and State Drug-Free Workplace Acts, and of a list of available drug abuse treatment resources.

B. Establish a Drug-Free Workplace awareness program to inform employees about the dangers of drug abuse in the workplace, of the County's policy of maintaining a drug-free workplace, of available counseling, rehabilitation and employee assistance programs, and of the penalties that may be imposed upon employees for violations of this policy and for drug abuse violations.

C. Notify the Federal sponsoring agency within ten days after receiving notice from a covered employee of a conviction for a criminal drug statute violation occurring in the workplace.

D. Take one of the following actions within 30 days of receipt of notice from an employee of any conviction for a drug statute violation occurring in the workplace:

(1) Take appropriate personnel action against such employee, up to and including termination; or

(2) Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state or local health, law enforcement, or other appropriate agency. (Failure to participate satisfactorily in such program may result in personnel action as set forth in paragraph D. (1) above).

E. Make a good faith effort to continue to maintain a drug-free workplace.

21.7 Abuse Identification

21.7.1 Accommodation

Tulare County is committed to providing reasonable accommodation to employees whose drug problem classifies them as handicapped under federal or state law. Where appropriate, the employees will be referred to the Employee Assistance Program.

21.7.2 Reasonable Suspicion

A. For purposes of this policy, "reasonable suspicion" is a belief based on objective facts sufficient to lead a reasonably prudent supervisor to suspect that an employee is under the influence of drugs so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform his or her job safely is reduced.

B. Reasonable suspicion may, without limitation, include any of the following, singly or in combination:

1. Slurred speech
2. Unsteady walking or movements
3. An accident
4. A pattern of unusual mood swings
5. Physical or verbal altercations
6. Possession of drugs
7. Information obtained from a reliable source with personal knowledge.
8. Dilated or restricted pupils or other demeanor unusual for the particular employee, or consistent with impairment of ability to perform normal duties.

21.7.3 Any manager or supervisor who has a reasonable suspicion that an employee is under the influence of illegal drugs should document the facts constituting reasonable suspicion in writing.

21.7.4 If a manager or supervisor has a reasonable suspicion that an employee may have illegal drugs in his or her possession or stored at or in any County property, they shall notify their Department Head. If the Department Head agrees that there is a reasonable suspicion of illegal drug possession, the Department Head shall notify the appropriate law enforcement agency.

21.7.5 Employees reasonably believed to be under the influence of drugs shall be prevented from engaging in further work and shall be detained for a reasonable time to assure he or she can be safely transported from the work site.

21.7.6 Pre-Employment Testing

All candidates for positions shall be subject to a pre-employment drug screening as part of a contingent offer of employment.

APPENDIX C

REPORT TO THE LEGISLATURE, SENATE BILL X2 1, JUNE 2011

REPORT TO THE LEGISLATURE

Senate Bill X2 1
(Perata, Chapter 1, Statutes of 2008)

Proposition 84
The Safe Drinking Water, Water Quality and Supply,
Flood Control, River and Coastal Protection Act of 2006

California Department of Public Health

Division of Drinking Water and Environmental Management

June 2011

TABLE OF CONTENTS

EXECUTIVE SUMMARY	iii
I. BACKGROUND.....	1
A. Statutory Requirement for Report to Legislature	1
B. Background on Proposition 84.....	1
C. CDPH Implementation of Proposition 84.....	2
II. REPORT TO LEGISLATURE	3
A. Fiscal Detail of State Operations Support and Local Assistance Costs	3
B. General Description of Projects and Project Funding	3
C. Expenditure Plan	4
D. Timeframe for Expenditure	4
E. Anticipated Timeframe for Project(s) Completion	4
F. Matching Funds	5

APPENDICES

Table A-1	Proposition 84 Section 75022, Projects Awarded Funding in 2010-2011.....	6
Table A-2	Proposition 84 Section 75022, Projects Expected to Receive Funding in 2011.....	9
Table A-3	Proposition 84 Section 75025, Projects Awarded Funding in 2010-2011.....	12
Table A-4	Proposition 84 Section 75025, Projects Expected to Receive Funding in 2011.....	12
Table B	CDPH Proposition 84 Expenditure Plan.....	13
Table C	Proposition 84 Section 75022, Feasibility Study Projects Expected to Request Construction Funding	14

EXECUTIVE SUMMARY

Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Public Resources Code Section 75001, et seq.), was passed by California voters in the November 2006 general election. The Drinking Water Program of the California Department of Public Health (CDPH) is responsible for implementing certain sections of Proposition 84, specifically Public Resources Code Sections 75021, 75022, 75023, and 75025 of Chapter 2 (Safe Drinking Water and Water Quality Projects). The overall purpose of these sections is to provide the funds necessary to address the most critical water needs of the state including the provision of safe drinking water to all Californians, the protection of water quality and the environment, and the improvement of water supply reliability.

In September 2008, Senate Bill (SB) X2 1 (Perata) and SB 732 (Steinberg) were signed into law, which modified some of the provisions of Sections 75022 and 75025. In addition, SB X2 1 appropriated \$50 million to CDPH for Section 75022 and \$50.4 million for Section 75025. These appropriations were only available for encumbrance until June 30, 2010. CDPH modified its implementation of Proposition 84 to meet the requirements of SB X2 1.

However, in December 2008, the Department of Finance (DOF) in Budget Letter 08-33, directed all state entities that have expenditure control and oversight of General Obligation bond programs to cease authorizing any new grants or obligations for bond projects, and to suspend all projects, excluding those for which DOF authorizes an exemption. Accordingly, CDPH suspended authorizing any new grants or obligations for bond projects on Proposition 84 projects.

Thereafter, CDPH was allocated proceeds for Proposition 84 from subsequent bond sales from April 2009 through November 2010. With these allocations, CDPH has continued to progress since the restart of the Proposition 84 program. The impact of the freeze on operations is reflected in this report. CDPH did not meet the encumbrance timeframes specified in SB X2 1, and received authority to reappropriate the SB X2 1 funds through Fiscal Year 2013-14.

Pursuant to Water Code Section 83002.7, which was created by SB X2 1, CDPH is required to submit a report to the fiscal committees of the Legislature on the details of all committed and anticipated expenditures of funds appropriated by SB X2 1 from Proposition 84.

California Department of Public Health

Report to the Legislature
Senate Bill X2 1 (Perata, Chapter 1, Statutes of 2008)

Proposition 84
The Safe Drinking Water, Water Quality and Supply, Flood Control,
River and Coastal Protection Act of 2006
June 2011

I. BACKGROUND

A. Statutory Requirement for Report to Legislature

Pursuant to Water Code Section 83002.7, which was created by Senate Bill (SB) X2 1 (Perata, 2008), the California Department of Public Health (CDPH) is required to submit a report to the fiscal committees of the Legislature on the details of all committed and anticipated expenditures of funds appropriated by SB X2 1 from Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006.

B. Background on Proposition 84

Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Public Resources Code Section 75001, et seq.), was passed by California voters in the November 2006 general election. CDPH's Drinking Water Program is responsible for implementing Public Resources Code Sections 75021, 75022, 75023, and 75025 of Chapter 2 (Safe Drinking Water and Water Quality Projects). The overall purpose of these sections is to provide the funds necessary to address the most critical water needs of the state including the provision of safe drinking water to all Californians, the protection of water quality and the environment, and the improvement of water supply reliability. Specifically:

- The purpose of Section 75021 is to provide funding for grants and direct expenditures to fund emergency and urgent actions to ensure safe drinking water supplies; \$10 million was authorized for this purpose.
- The purpose of Section 75022 is to provide grants for small community drinking water system infrastructure improvements and related actions to meet safe drinking water standards; \$180 million was authorized for this purpose.
- The purpose of Section 75025 is to provide funding for immediate projects needed to protect public health by preventing or reducing the contamination of groundwater that serves as a major source of drinking water for a community; \$60 million was authorized for this purpose.

- In addition, Proposition 84 authorized, in Public Resources Code Section 75023, \$50 million for the state match required for the Safe Drinking Water State Revolving Fund.
- Proposition 84 allows up to five percent of the funding to be used by CDPH for administration of the funding programs. In addition, 3.5 percent for bond costs must come out of the available funding.

The funding available for grants to projects for each of the programs is as follows:

	Funding Authorized	Bond Costs 3.5%	Administration 5%	Available for Projects
Section 75021	\$10,000,000	\$350,000	\$500,000	\$9,150,000
Section 75022	\$180,000,000	\$6,300,000	\$9,000,000	\$164,700,000
Section 75023	\$50,000,000	\$1,750,000	\$2,500,000	\$45,750,000
Section 75025	\$60,000,000	\$2,100,000	\$3,000,000	\$54,900,000*
TOTAL	\$300,000,000	\$10,500,000	\$15,000,000	\$274,500,000

*\$2 million is allocated, pursuant to SB X2 1, to the State Water Resources Control Board to develop pilot projects in the Tulare Lake Basin and the Salinas Valley that focus on nitrate contamination.

C. CDPH Implementation of Proposition 84

In 2007, CDPH held public workshops and sought public comments on draft criteria for funding under Proposition 84. CDPH developed an expenditure plan for implementation of the programs and began to embark on funding for projects meeting the requirements of Sections 75021 and 75022.

In September 2008, SB X2 1 (Perata) and SB 732 (Steinberg) were signed into law, which modified some of the provisions of Sections 75022 and 75025. In addition, SB X2 1 appropriated \$50 million for Section 75022 and \$50.4 million for Section 75025. These appropriations were only available for encumbrance until June 30, 2010. Subsequently, CDPH developed revised criteria and a revised expenditure plan to meet the requirements of SB X2 1.

However, in December 2008, the Department of Finance (DOF) in Budget Letter 08-33, directed all state entities that have expenditure control and oversight of General Obligation bond programs to cease authorizing any new grants or obligations for bond projects, and to suspend all projects, excluding those for which DOF authorizes an exemption. Accordingly, CDPH suspended authorizing any new grants or obligations for bond projects on Proposition 84 projects.

Thereafter, CDPH was allocated proceeds for Proposition 84 from subsequent bond sales in April 2009, October/November 2009, March/April 2010 and October/November 2010. With these allocations, CDPH has continued with the Proposition 84 program. The impact of the freeze on operations is reflected in this report. CDPH did not meet the encumbrance timeframes specified in SB X2 1, and received authority to reappropriate the SB X2 1 funds through Fiscal Year 2013-14.

II. REPORT TO LEGISLATURE

A. Fiscal Detail of State Operations Support and Local Assistance Costs

Water Code Section 83002.7 requirement: "Fiscal detail of state operations support and local assistance costs."

Fiscal Year	Section	Program Purpose	Encumbrances	Expenditures
PROGRAM SUPPORT (STATE OPERATIONS)				
2008-09 (Actual)	SB X2 1	Salary and Wages	\$ 0	\$9,071
		Operating Expenses & Equipment	\$ 0	\$724
		SUBTOTAL		\$9,795
2009-10 (Actual)	SB X2 1	Salary and Wages	\$ 0	\$312,647
		Operating Expenses & Equipment		\$77,982
		SUBTOTAL		\$390,629
TOTAL				\$400,419

LOCAL ASSISTANCE (GRANTS FOR PROJECTS)				
2008-09 (Actual)	75022 (SB X2 1)	Small Community Infrastructure	\$ 0	\$16,500
	75025 (SB X2 1)	Prevent or Reduce Groundwater Contamination	\$ 0	\$ 0
	SUBTOTAL		\$ 0	\$ 16,500
2009-10 (Actual)	75022 (SB X2 1)	Small Community Infrastructure	\$3,826,101	\$ 457,571
	75025 (SB X2 1)	Prevent or Reduce Groundwater Contamination	\$949,837	\$ 0
	SUBTOTAL		\$4,775,938	\$ 0
TOTAL			\$4,775,938	\$ 474,071

B. General Description of Projects and Project Funding

Water Code Section 83002.7 requirement: "A general description of the project and the project funding made available by an appropriation in the annual Budget Act for the 2008-09 fiscal year or proposed to be made available in the annual Budget Act for the 2009-10 fiscal year."

See attached Table A-1: Proposition 84 Section 75022, Projects Awarded Funding in 2010-11

See attached Table A-2: Proposition 84 Section 75022, Projects Expected to Receive Funding in 2011

See attached Table A-3: Proposition 84 Section 75025, Projects Awarded Funding in 2010-11

See attached Table A-4: Proposition 84 Section 75025, Projects Expected to Receive Funding in 2011

C. Expenditure Plan

Water Code Section 83002.7 requirement: "A description of the manner in which funds have been expended and a plan for the future expenditure of funds."

See attached Table B: Proposition 84 Expenditure Plan.

D. Timeframe for Expenditure

Water Code Section 83002.7 requirement: "An anticipated timeframe for the full expenditure of the appropriation."

Full expenditure of the appropriations pursuant to SB X2 1 is three years from the date of encumbrance. CDPH has requested a reappropriation of the SB X2 1 funds for five years, through fiscal year 2013-14. Complete construction of the projects is expected three years after that, or June 30, 2017. Funding recipients have six months to file a final claim; thus, full expenditure is expected by December 31, 2017.

The appropriation for SB X2 1 for Section 75022 was \$50 million, and the appropriation for Section 75025 was \$50.4 million. However, less than half of these funds have been made available to CDPH through bond sales in 2010. As shown in the Proposition 84 Spending Plan and as noted in Part B of this report, CDPH did not fully encumber the entire appropriation authorized by SB X2 1 by June 30, 2010. Depending upon bond sales, full encumbrance is not expected to occur until fiscal year 2013-14.

E. Anticipated Timeframe for Project(s) Completion

Water Code Section 83002.7 requirement: "An anticipated timeframe for the full completion of the designated project(s)."

All projects must be completed within three years of execution of a funding agreement.

Table A-1 lists the projects covered by Section 75022 that received executed funding agreements in 2010 and 2011 and their anticipated completion dates.

Table A-2 lists the projects covered by Section 75022 that are expected to receive funding in 2011. Projects are expected to be completed within three years of execution of a funding agreement.

Table A-3 lists the projects covered by Section 75025 that received executed funding agreements in 2010 and 2011 and their completion dates.

Table A-4 lists the projects covered by Section 75025 that are expected to receive funding in 2011. The second round of projects for this section has not been selected yet. The remaining SB X2 1 funds for Section 75025 are expected to be encumbered in fiscal year 2011-12.

Table C (Proposition 84 Section 75022, Feasibility Study Projects Expected to Request Construction Funding) lists projects that are conducting feasibility studies that are expected to request construction funding from Section 75022. These feasibility study projects are expected to be complete by with requests for construction funding coming shortly thereafter.

The Prop 84 program invited a third round of applicants for Section 75022 funding in April 2011. The total amount of Section 75022 funding needed to fully fund the invited projects is estimated to be \$65 million.

F. Matching Funds

Water Code Section 83002.7 requirement: "The amount of total matching project funding that is being provided by an entity other than the state."

Section 75022 does not require a match from non-state sources. Section 75025 projects are not required to provide a match, but certain projects are prioritized based on ability to leverage non-state funds. The second round of projects for this section has not yet been selected, so the amount of non-state match is not yet known.

APPENDICES

**Table A-1
Proposition 84 Section 75022
Projects Awarded Funding in 2010-11**

	Project Title	Project Description	Project No.	Funding	Project Completion Date
1	Lewiston Valley Water Company Drinking Water Intake Improvement Project	Feasibility Study to design intake improvements for the Lewiston Valley WC Treatment Plant.	P84C-5301002-001 (FAA)	\$313,500	12/31/2011
2	South Fork Union School District New Well Project	Install new well, storage tank, pumps, and monitoring equipment.	P84C-1502260-001 (FA)	\$45,168	9/16/2012
3	Wilmar Union School District Consolidation Project with the City of Petaluma	Construction Project to install water pipeline to connect Wilmar USD's Wilson School to the City of Petaluma.	P84C-4901136-001 (FA)	\$65,490	8/31/2012
4	Fairways Tract WC Consolidation Project with the City of Porterville	Construction Project to install pipelines to connect Fairways Tract WC to the City of Porterville	P84C-5400663-001 (FA)	\$916,105	1/1/2013
5	Mojave Public Utility District Arsenic Treatment Project	Construction Project to install arsenic treatment system for Mojave Public Utility District.	P84C-1510014-001 (FA)	\$1,424,500	9/30/2013
6	Queen Motel Consolidation Project with California American Water Company	Construction Project to install water pipeline to connect Queen Motel and Lonoak water systems to California Water Service Company.	P84C-2700706-002 (FA)	\$1,033,000	6/30/2013
7	Latrobe School Well and Arsenic Treatment Project	Feasibility Study to drill new well and install an arsenic treatment system.	P84C-0900410-001 (FA)	\$275,470	9/28/2012
8	Lovell School Consolidation Project with Cutler Public Utility District	Construction Project to install water pipeline to connect Lovell School to Cutler PUD.	P84C-5400634-001 (FA)	\$185,380	1/31/2012
9	Edmundson Acres Mutual Water Company Consolidation Project with Arvin CSD	Construction Project to install water pipeline to connect Edmundson Acres Mutual Water Company to Arvin CSD.	P84C-1500190-002 (FA)	\$19,004	9/9/2012
10	Hillview Water Company Arsenic and Uranium Treatment Project	Feasibility Study to design three treatment plants to remove arsenic and uranium.	P84C-2010007-005 (FA)	\$500,000	10/31/2011

**Table A-1
Proposition 84 Section 75022
Projects Awarded Funding in 2010-11**

	Project Title	Project Description	Project No.	Funding	Project Completion Date
11	Sierra Linda Mutual Water Company New Well Project	Feasibility Study to drill a test well and design well improvements	P84C-2000506-001 (FA)	\$495,000	12/1/2011
12	Alpaugh Joint Powers Authority Centralized Arsenic Treatment Project	Feasibility Study to design centralized arsenic treatment plant for Alpaugh JPA.	P84C-5410050-001 (FA)	\$278,962	12/1/2011
13	Tranquility Irrigation District New Well Project	Feasibility Study to drill test wells and design new well for Tranquility ID.	P84C-1010030-002 (FA)	\$497,000	12/1/2011
14	Caruthers CSD Well and Arsenic Treatment Project	Feasibility Study to drill test wells and design new well and arsenic treatment system for Caruthers CSD	P84C-1010039-009 (FA)	\$500,000	11/30/2011
15	Lake Morena Oak Shore Nitrate Treatment and Consolidation Project	Feasibility Study to design nitrate treatment system at Lake Morena Oak Shores MWC and design pipeline to connect the Lake Morena Trailer Resort.	P84C-3700923-001 (FA)	\$128,500	9/4/2012
16	Lindsay Strathmore Irrigation District - El Rancho Water System Interconnection Project with Page Moore Water System	Feasibility Study to design interconnection pipeline to connect Lindsay Strathmore Irrigation District (LSID) - El Rancho water system to LSID Page Moore water system.	P84C-5410052-001 (FA)	\$163,143	12/31/2011
17	Aerial Acres Mutual Water Company Arsenic Treatment Project	Feasibility Study to design arsenic treatment plant and well improvements for Aerial Acres MWC	P84C-1500405-001 (FA)	\$119,974	2/8/2012
18	Arvin Community Services District New Wells and Arsenic Treatment Project	Feasibility Study to design two new wells and five arsenic treatment plants for Arvin CSD	P84C-1510001-001 (FA)	\$499,432	1/31/2012
19	City of McFarland Arsenic Treatment Project	Feasibility Study for arsenic pilot plant study and design arsenic treatment system for the City of McFarland.	P84C-1510013-002 (FA)	\$173,500	9/1/2011
20	Riverdale Public Utilities District Centralized Arsenic Treatment Project	Feasibility Study to design centralized arsenic treatment system, storage tank, and blending pipelines at Riverdale Public Utilities District.	P84C-1010028-002 (FA)	\$499,800	9/9/2011

**Table A-1
Proposition 84 Section 75022
Projects Awarded Funding in 2010-11**

	Project Title	Project Description	Project No.	Funding	Project Completion Date
21	North Edwards Water District Arsenic Treatment and Consolidation Project	Feasibility Study to design arsenic treatment system and design water pipeline to connect Fountain Trailer Park and Dunes Apartments to North Edwards Water District.	P84C-1510052-003 (FA)	\$416,000	12/31/2011
22	Lakeside School Consolidation Project with the City of Bakersfield	Feasibility Study to design water pipeline to connect Lakeside School to the City of Bakersfield.	P84C-1502154-001 (FA)	\$39,200	2/28/2012
23	Sunbird Mobile Home Park Consolidation Project with Coachella Valley Water District	Feasibility Study to design water pipeline to connect Sunbird Mobile Home Park to Coachella Valley Water District.	P84C-3301755-001 (FA)	\$13,340	1/31/2012
24	North Fork Union School New Well Project	Feasibility Study to design new well for North Fork Union School.	P84C-2000612-001 (FA)	\$38,600	4/30/2012
25	Semi Tropic School Consolidation Project with Lost Hills Utility District	Feasibility Study to design water pipeline to connect Semi Tropic School to Lost Hills Utility District.	P84C-1502244-002 (FA)	\$17,700	3/31/2012
26	Richgrove Community Services District Consolidation Project with Rodriguez Labor Camp Water System	Feasibility Study to design new well, storage tank, and water pipeline to connect Rodriguez Labor Camp Water System to Richgrove Community Services District.	P84C-5410024-002 (FA)	\$100,000	9/24/2012
27	Fairmont School New Well Project	Feasibility Study to design new production well for Fairmont School	P84C-1000112-001 (FA)	\$323,117	9/22/2012
28	Kit Carson Elementary School Consolidation project with City of Hanford	Feasibility Study to design water pipeline to connect Kit Carson School to the City of Hanford.	P84C-1600014-001 (FA)	\$146,668	4/25/2012
29	Pratt MWC Consolidation Project with the City of Tulare	Feasibility Study to design distribution and water pipelines to connect Pratt MWC to the City of Tulare.	P84C-5410033-003 (FA)	\$97,300	2/28/2012
			TOTAL	\$9,324,853	

**Table A-2
Proposition 84 Section 75022
Projects Expected to Receive Funding in 2011**

	Project Title	Project Description	Project No.	Funding	Project Completion Date
1	Pauma Valley Mutual Water Company Consolidation Project with Yuima MWD	Feasibility Study to design storage tanks and design water pipeline to connect to Yuima MWD	P84C-3700934-001 (TR)	\$282,000	To be determined
2	Apple Ave Water System #3 Consolidation Project with the City of Greenfield	Feasibility Study to design the water pipeline to connect the Apple Avenue Water System to the City of Greenfield.	P84C-2701036-001 (TR)	\$64,896	To be determined
3	Tooleville MWC Consolidation Project with the City of Exeter	Feasibility Study to design a storage tank and water pipeline to connect to the City of Exeter.	P84C-5400567-001 (TR)	\$81,600	To be determined
4	Cutler Public Utility District New Well and Nitrate Blending Project	Construction Project to install new well, storage tank, and pump station for Cutler Public Utility District.	P84C-5410001-001 (TR)	\$2,431,300	To be determined
5	Keeler Community Service District Arsenic Treatment Project	Feasibility Study to design arsenic treatment system.	P84C-1400036-006 (TR)	\$50,000	To be determined
6	Pinon Pines Mutual Water Company Fluoride Removal Treatment Project	Feasibility Study to design a fluoride removal treatment system and blending tank.	P84C-1510054-001 (TR)	\$447,500	To be determined
7	Long Canyon Water Company Regional Consolidation Project	Feasibility Study to drill test well and design new well, storage tank, and water pipelines to connect 12 water systems.	P84C-1500578-002 (TR)	\$499,748	To be determined
8	Rosamond Community Services District Regional Consolidation Project	Feasibility Study to design water pipelines to connect nine small community water systems to Rosamond Community Services District.	P84C-1510018-801 (TR)	\$1,440,215	To be determined
9	Kernvale Mutual Water Company Consolidation Project with Erskine Creek Water Company	Feasibility Study to design storage tanks, distribution pipelines, and interconnection pipeline to connect to Erskine Creek Water Company.	P84C-1500364-001 (TR)	\$67,000	To be determined
10	Arnold Park (O'Bannon MHP) Consolidation Project with the City of Hollister	Feasibility Study to design water pipeline to connect Arnold Park (O'Bannon MHP) to the City of Hollister.	P84C-3500526-001 (TR)	\$45,000	To be determined
11	East Niles Community Services District Regional Consolidation Project	Feasibility Study to design a new well, pump station, pipelines to connect three small water systems to East Niles CSD.	P84C-1510006-801 (TR)	\$465,213	To be determined

**Table A-2
Proposition 84 Section 75022
Projects Expected to Receive Funding in 2011**

	Project Title	Project Description	Project No.	Funding	Project Completion Date
12	City of Hanford Regional Consolidation Project	Feasibility Study to design new well and water pipelines to connect three small community water systems to the City of Hanford.	P84C-1610003-004 (TR)	\$500,000	To be determined
13	Hungry Gulch Water System Consolidation Project with Boulder Canyon Water Association Water System	Feasibility Study to design new well and arsenic treatment system, and design water pipeline to connect the Hungry Gulch Water System to the Boulder Canyon Water Association Water System.	P84C-1500436-001 (FA)	\$175,000	To be determined
14	Akin Water Company Consolidation Project with the City of Porterville	Feasibility Study to design water pipeline to connect Akin Water Company to the City of Porterville.	P84C-5401038-001 (TR)	\$82,000	To be determined
15	R.S. Mutual Water Company Consolidation Project with California Water Service Company	Feasibility Study to design water pipeline to connect R.S. Mutual Water Company to California Water Service Company.	P84C-1500458-001 (TR)	\$82,000	To be determined
16	El Adobe POA Water System Consolidation Project with Lamont Public Utility District	Feasibility Study to design storage tank and water pipeline to connect El Adobe POA Water System to Lamont PUD.	P84C-1500493-001 (APP)	\$196,720	To be determined
17	City of Santa Rosa Regional Consolidation Project	Feasibility Study to design water pipelines to connect four small community water systems to the City of Santa Rosa.	P84C-4910009-801 (FA)	\$467,000	To be determined
18	Washington School Consolidation Project with California American WC	Feasibility Study to a storage tank and water pipeline to connect to California American WC.	P84C-2701221-002 (TR)	\$269,600	To be determined
19	Buena Vista School Nitrate Treatment Project	Feasibility Study to design a new well and install nitrate treatment system for Buena Vista School.	P84C-5400919-001 (TR)	\$219,000	To be determined
20	CSA 70 W-4 Water System Interconnection Project with High Desert WC	Feasibility Study to design the water pipeline to connect CSA 70 W-4 Water System to High Desert WC.	P84C-3600196-501 (TR)	\$260,000	To be determined
21	MCHA Los Banos Center Water System Consolidation Project with the City of Los Banos	Construction Project to install a pipeline to connect MCHA Los Banos Center Water System to the City of Los Banos.	P84C-2400108-001 (TR)	\$1,200,000	To be determined

**Table A-2
Proposition 84 Section 75022
Projects Expected to Receive Funding in 2011**

	Project Title	Project Description	Project No.	Funding	Project Completion Date
22	MD#43 Miami Creek Knolls Water System New Well Project	Feasibility Study to design new well and storage tank for MD#43 Miami Creek Knolls Water System.	P84C-2000557-003 (TR)	\$500,000	To be determined
23	Seventh Standard Mutual Water Company Consolidation Project with Oildale Mutual Water Company	Feasibility Study to design the water pipeline to connect Seventh Standard Mutual Water Company Consolidation Project to Oildale MWC	P84C-1500373-001 (FA)	\$112,160	To be determined
24	Son Shine Water System Consolidation Project with Arvin CSD	Feasibility Study to design pump station, storage tank, and water pipeline to connect Son Shine Water System to Arvin CSD.	P84C-1500588-001 (TR)	\$397,350	To be determined
25	Island Union School Arsenic Treatment Project	Feasibility Study to design arsenic treatment system for Island Union School.	P84C-1600017-002 (FA)	\$500,000	To be determined
26	Oak Valley School New Well Project	Feasibility Study to design well and storage tank.	P84C-5400713-001 (TR)	\$230,000	To be determined
27	San Benancio School Consolidation Project with California American Water Company	Construction Project to install water pipeline to connect San Benancio School to California American Water Company.	P84C-2701227-003 (TR)	\$282,450	To be determined
28	County Water Company Consolidation Project with Elsinore Valley Water District	Feasibility Study to design water pipeline to connect County Water Company to Elsinore Valley Water District	P84C-3302093-501 (TR)	\$290,000	To be determined
29	LSID - Tonyville Interconnection with the City of Lindsay	Feasibility Study to design an interconnection with the City of Lindsay.	P84C-5410007-003P (TR)	\$262,500	To be determined
30	Beverly-Grand MWC Consolidation with City of Porterville	Feasibility Study to design water pipeline to connect Beverly-Grand MWC to the City of Porterville.	P84C-5400651-001 (TR)	\$142,600	To be determined
			TOTAL:	\$12,042,852	

**Table A-3
Proposition 84 Section 75025
Projects Awarded Funding in 2010-11**

	Project Title	Project Description	Project No.	Funding	Project Completion Date
1	California State Polytechnic University – Pomona Groundwater Treatment Plant Project	Construction project to install a Reverse Osmosis Treatment facility to reduce contamination at Well #1.	P84G-1910022-801 (FA)	\$2,472,300	12/8/2013
2	City of Anaheim Abandoned Well Destruction Project	Construction project to destroy eight abandoned wells near and within the boundaries of a known contaminated plume.	P84G-3010001-801 (FA)	\$375,000	7/31/2013
3	City of El Monte Well No. 3 Treatment and Blending Project	Construction project to install Granular Activated Carbon (GAC) treatment system.	P84G-1910038-802 (FA)	\$990,413	7/1/2013
4	Department of Toxic Substances Control Hard Chrome/South Central Los Angeles Project	Construction project to install treatment facilities for remediation of hexavalent chromium contamination.	P84G-8400006-801 (FA)	\$5,161,805	3/8/2014
5	Eastern Municipal Water District Perris Desalter Project	Construction project to install an iron and manganese removal facility.	P84G-3310009-803 (FA)	\$10,000,000	8/31/2011
6	Morro Bay Water Department Desalting Plant Project	Construction project to install a Brackish Water Reverse Osmosis treatment system.	P84G-4010011-801 (FA)	\$600,000	7/1/2013
7	West Valley Water District/City of Rialto Wellhead Treatment System Project	Construction project to install Fluidized Bed Bioreactor and Blending treatment at Wells 11 and 6.	P84G-3610004-801 (FA)	\$10,000,000	7/1/2013
			TOTAL	\$ 29,599,518	

**Table A-4
Proposition 84 Section 75025
Projects Expected to Receive Funding in 2011**

	Project Title	Project Description	Project No.	Funding	Project Completion Date
1	City of Perris Eastern Municipal Water District Enchanted Heights Sewer Project	Proposed construction project to extend the EMWD sewer transmission main to the Enchanted Heights Community and abandoning the existing septic system.	P84G-3310009-801 (TR)	\$9,744,830	To be determined
			TOTAL	\$9,744,830	

CDPH PROPOSITION 84 EXPENDITURE PLAN

Table B

**Proposition 84 Expenditure Plan
Chapter 2 – Safe Drinking Water & Water Quality Projects (\$300 Million)**

Description	2007-08 (Actual)	2008-09 (Actual)	Prior Years 2007/08 - 2008/09 (Actual)	Current 2009-10 (Estimated)	Year 1 2010-11 (Projected)	Year 2 2011-12 (Projected)	Year 3 2012-13 (Projected)	Year 4 2013-14 (Projected)	Year 5 2014-15 (Projected)	Total	SBX2 1 Total
Beginning Balance			300,000,000	286,209,201	259,703,445	205,183,823	136,999,826	72,865,829	31,505,750		
Bond Costs											
Bond Costs subtotal @ 3 ½%			10,500,000	0	0	0	0			10,500,000	
Adjusted Beginning Balance (A)			289,500,000							10,500,000	
SUPPORT BUDGET											
Baseline Support of 16.5 PYs	414,000	1,467,421	1,881,421	2,007,969	2,154,000	2,154,000	2,154,000	1,638,616	1,500,000		
SBX 2 1		9,994	9,994	1,500,000							1,509,994
Total Support (B)	414,000	1,477,415	1,891,415	3,507,969	2,154,000	2,154,000	2,154,000	1,638,616	1,500,000	15,000,000	
LOCAL ASSISTANCE BUDGET											
Section 75021(a) Emergency Grants	889,000	396,884	1,285,884	4,099,000	2,052,616	1,000,000	250,000	250,000	212,500	9,150,000	
75022 - SBX2 1				6,898,787	11,913,006	10,000,000	10,000,000	9,678,213		48,490,006	48,490,006
75025 - SBX2 1				10,000,000	38,400,000	0				48,400,000	
75025 - SBX2 1 - SWRCB Contract				2,000,000						2,000,000	50,400,000
Section 75022 - Infrastructure Improvements		113,500	113,500			28,254,997	28,254,997	29,793,250	29,793,250	116,209,994	
Section 75023 – State Match for SRF Capitalization Grant	0	0	0		0	22,875,000	22,875,000	0	0	45,750,000	
Section 75025 – Prevention of Groundwater Contamination			0	0	0	3,900,000	600,000			4,500,000	
Total Local Assistance (C)	889,000	510,384	1,399,384	22,997,787	52,365,622	66,029,997	61,979,997	39,721,463	30,005,750	274,500,000	
Subtotal (B+C)			3,290,799	26,505,756	54,519,622	68,183,997	64,133,997	41,360,079	31,505,750	300,000,000	100,400,000
End of Year Balance (A-(B+C))	1,303,000	1,987,799	286,209,201	259,703,445	205,183,823	136,999,826	72,865,829	31,505,750	0		

Table C
Proposition 84 Section 75022
Feasibility Study Projects Expected to Request Construction Funding

	Project Title	Project Description	Project No.	Estimated Total Project Cost	Completion Date
1	Hillview Water Company Arsenic and Uranium Treatment Project	Construction Project to install three treatment plants to remove arsenic and uranium.	P84C-2010007-005C	\$4,462,300	To be determined
2	City of McFarland Arsenic Treatment Project	Construction Project to install arsenic treatment system for the City of McFarland.	P84C-1510013-002C	\$2,400,000	To be determined
3	Tranquility Irrigation District New Well Project	Construction Project to install new well for Tranquility Irrigation District.	P84C-1010030-002C	\$1,690,000	To be determined
4	Alpaugh Joint Powers Authority Centralized Arsenic Treatment Project	Construction Project to install centralized arsenic treatment plant for Alpaugh Joint Powers Authority.	P84C-5410050-001C	\$750,000	To be determined
5	Caruthers Community Services District Well and Arsenic Treatment Project	Construction Project to install new well and arsenic treatment system for Caruthers CSD	P84C-1010039-009C	\$6,400,000	To be determined
6	Sierra Linda Mutual Water Company New Well Project	Construction Project to install new well for Sierra Linda Mutual Water Company.	P84C-2000506-001C	\$2,250,000	To be determined
7	Lindsay Strathmore Irrigation District - El Rancho Water System Interconnection Project with Page Moore Water System	Construction Project to install interconnection pipeline to connect Lindsay Strathmore Irrigation District (LSID) - El Rancho water system to LSID Page Moore water system.	P84C-5410052-001C	\$773,000	To be determined
8	North Edwards Water District Arsenic Treatment and Consolidation Project	Construction Project to install arsenic treatment system and install water pipeline to connect Fountain Trailer Park and Dunes Apartment water systems to North Edwards WD	P84C-1510052-003C	\$1,070,000	To be determined
9	Lewiston Valley Water Company Drinking Water Intake Improvement Project	Construction Project to install intake improvements for Lewiston Valley Water Company's Surface WTP	P84C-5301002-001C	\$1,174,000	To be determined
10	Pratt Mutual Water Company Consolidation Project with the City of Tulare	Construction Project to install distribution pipelines and water pipeline to connect Pratt MWC to the City of Tulare.	P84C-5410033-003C	\$3,650,000	To be determined
11	Lakeside School Consolidation Project with the City of Bakersfield	Construction Project to install water pipeline to connect Lakeside School to the City of Bakersfield.	P84C-1502154-001C	\$4,850,000	To be determined

Table C
Proposition 84 Section 75022
Feasibility Study Projects Expected to Request Construction Funding

	Project Title	Project Description	Project No.	Estimated Total Project Cost	Completion Date
12	Arvin Community Services District New Wells and Arsenic Treatment Project	Construction Project to install two new wells and five arsenic treatment plants for Arvin Community Services District.	P84C-1510001-001C	\$4,084,484	To be determined
13	Sunbird Mobile Home Park Consolidation Project with Coachella Valley Water District	Construction Project to install water pipeline to connect Sunbird Mobile Home Park to Coachella Valley WD	P84C-3301755-001C	\$527,421	To be determined
14	Kit Carson Elementary School Consolidation project with City of Hanford	Construction Project to install a water pipeline to connect Kit Carson School to the City of Hanford.	P84C-1600014-001C	\$2,106,000	To be determined
15	Semi Tropic School Consolidation Project with Lost Hills Utility District	Construction Project to install water pipeline to connect Semi Tropic School to Lost Hills Utility District.	P84C-1502244-002C	\$682,000	To be determined
16	North Fork Union School New Well Project	Construction Project to drill new well for North Fork Union School.	P84C-2000612-001C	\$1,025,000	To be determined
17	Aerial Acres Mutual Water Company Arsenic Treatment Project	Construction Project to install arsenic treatment plant and well improvements for Aerial Acres Mutual Water Company.	P84C-1500405-001C	\$665,446	To be determined
18	Latrobe School Well and Arsenic Treatment Project	Construction Project to drill new well and install an arsenic treatment system.	P84C-0900410-001C	\$172,533	To be determined
19	Apple Ave Water System #3 Consolidation Project with the City of Greenfield	Construction Project to install water pipeline to connect the Apple Avenue Water System to the City of Greenfield.	P84C-2701036-001C	\$148,056	To be determined
20	Washington School Consolidation Project with California American WC	Construction Project to install a storage tank and water pipeline to connect to California American WC.	P84C-2701221-002C	\$1,628,800	To be determined
21	Arnold Park (O'Bannon Mobile Home Park) Consolidation Project with the City of Hollister	Construction Project to install water pipeline to connect Arnold Park (O'Bannon MHP) to the City of Hollister.	P84C-3500526-001C	\$446,000	To be determined
22	MD#43 Miami Creek Knolls Water System New Well Project	Construction Project to install new well and storage tank for MD#43 Miami Creek Knolls Water System.	P84C-2000557-003C	\$1,890,350	To be determined
23	Son Shine Water System Consolidation Project with Arvin Community Services District	Construction Project to install pump station, storage tank, and water pipeline to connect Son Shine WS to Arvin CSD	P84C-1500588-001C	\$2,600,000	To be determined

Table C
Proposition 84 Section 75022
Feasibility Study Projects Expected to Request Construction Funding

	Project Title	Project Description	Project No.	Estimated Total Project Cost	Completion Date
24	East Niles Community Services District Regional Consolidation Project	Construction Project to install a new well, pump station, pipelines to connect three small water systems to East Niles CSD.	P84C-1510006-801C	\$12,204,450	To be determined
25	Island Union School Arsenic Treatment Project	Construction Project to install arsenic treatment system for Island Union School.	P84C-1600017-002C	\$1,430,000	To be determined
26	City of Hanford Regional Consolidation Project	Construction Project to install new well and water pipelines to connect three small community water systems to the City of Hanford.	P84C-1610003-004C	\$2,925,882	To be determined
27	Tooleville Mutual Water Company Consolidation Project with the City of Exeter	Construction Project to install a storage tank, water pipeline to connect the Tooleville MWC to the City of Exeter.	P84C-5400567-001C	\$3,021,535	To be determined
28	Beverly-Grand MWC Consolidation with City of Porterville	Construction Project to install a water pipeline to connect Beverly-Grand MWC to the City of Porterville.	P84C-5400651-001C	\$801,000	To be determined
29	Oak Valley School New Well Project	Construction Project to drill new well and install a storage tank for Oak Valley School.	P84C-5400713-001C	\$523,000	To be determined
30	Buena Vista School Nitrate Treatment Project	Construction Project to install a new well and install nitrate treatment system for Buena Vista School.	P84C-5400919-001C	\$500,000	To be determined
31	Akin Water Company Consolidation Project with the City of Porterville	Construction Project to install water pipeline to connect Akin WC to the City of Porterville.	P84C-5401038-001C	\$315,500	To be determined
32	Richgrove Community Services District Consolidation Project with Rodriguez Labor Camp Water System	Construction Project to install new well, storage tank and water pipeline to connect Rodriguez Labor Camp Water System to Richgrove CSD	P84C-5410024-002C	\$4,500,000	To be determined
33	Keeler Community Service District Arsenic Treatment Project	Construction Project to install arsenic treatment system for Keeler CSD	P84C-1400036-006C	\$172,533	To be determined
34	CSA 70 W-4 Water System Interconnection Project with High Desert Water Company	Construction Project to install water pipeline to connect CSA 70 W-4 Water System to High Desert Water Company.	P84C-3600196-501C	\$2,250,000	To be determined

Table C
Proposition 84 Section 75022
Feasibility Study Projects Expected to Request Construction Funding

	Project Title	Project Description	Project No.	Estimated Total Project Cost	Completion Date
35	Lake Morena Oak Shore Nitrate Treatment and Consolidation Project	Construction Project to install a nitrate treatment system at Lake Morena Oak Shores Mutual Water Company (MWC) and install water pipeline to connect the Lake Morena Trailer Resort to Lake Morena Oak Shores MWC.	P84C-3700923-001C	\$1,890,350	To be determined
36	Pauma Valley Mutual Water Company Consolidation Project with Yuima Municipal Water District	Construction Project to install storage tanks and water pipeline to connect Pauma Valley Mutual Water Company to Yuima MWD	P84C-3700934-001C	\$3,700,000	To be determined
37	City of Santa Rosa Regional Consolidation Project	Construction Project to install water pipelines to connect four small community water systems to the City of Santa Rosa.	P84C-4910009-801C	\$2,646,858	To be determined
38	Kernvale Mutual Water Company Consolidation Project with Erskine Creek Water Company	Construction Project to install storage tanks, distribution pipelines and interconnection pipeline to connect Kernvale MWC to Erskine Creek WC	P84C-1500364-001C	\$440,000	To be determined
39	Seventh Standard Mutual Water Company Consolidation Project with Oildale Mutual Water Company	Construction Project to install water pipeline to connect Seventh Standard Mutual Water Company Consolidation Project to Oildale MWC	P84C-1500373-001C	\$1,890,350	To be determined
40	Hungry Gulch Water System Consolidation Project with Boulder Canyon Water Association Water System	Construction project to drill new well, install arsenic treatment system and install water pipeline to connect the Hungry Gulch Water System to the Boulder Canyon WA	P84C-1500436-001C	\$925,000	To be determined
41	R.S. Mutual Water Company Consolidation Project with California Water Service Company	Construction Project to install water pipeline to connect R.S. MWC to California Water Service Company.	P84C-1500458-001C	\$115,000	To be determined
42	EI Adobe POA Water System Consolidation Project with Eco Resources-Lamont Public Utility District	Construction Project to install storage tank and water pipeline to connect EI Adobe POA Water System to Eco Resources-Lamont PUD	P84C-1500493-001C	\$1,918,850	To be determined
43	Long Canyon Water Company Regional Consolidation Project	Construction Project to install new well, storage tank, water pipelines to connect 12 water systems to Long Canyon WC	P84C-1500578-002C	\$11,970,700	To be determined

Table C
Proposition 84 Section 75022
Feasibility Study Projects Expected to Request Construction Funding

	Project Title	Project Description	Project No.	Estimated Total Project Cost	Completion Date
44	Rosamond Community Services District Regional Consolidation Project	Construction Project to install water pipelines to connect ten small community water systems to Rosamond CSD	P84C-1510018-801C	\$16,650,000	To be determined
45	Pinon Pines Mutual Water Company Fluoride Removal Treatment Project	Construction Project to install a fluoride removal treatment system and blending tank at Pinon Pines MWC	P84C-1510054-001C	\$1,590,000	To be determined
46	County Water Company Consolidation Project with Elsinore Valley Water District	Construction Project to install water pipeline to connect County Water Company to Elsinore Valley Water District	P84C-3302093-501C	\$2,000,000	To be determined
47	Riverdale Public Utilities District Centralized Arsenic Treatment Project	Construction Project to install centralized arsenic treatment system, storage tank, and blending pipelines at Riverdale PUD	P84C-1010028-002C	\$5,900,000	To be determined
48	Fairmont School New Well Project	Construction Project to install a new production well for Fairmont School	P84C-1000112-001C	\$1,500,000	To be determined
			TOTAL	\$127,226,398	

APPENDIX D

**COMPLIANCE ORDERS (FRESNO, VISALIA, AND TEHACHAPI
DISTRICTS)**

Quarterly PICME Violation Reporting

Check CO issuance spreadsheet for newly issued orders for **CHEMICAL MCL VIOLATIONS**, add to this spreadsheet each quarter for

System #	System Name	Compliance Order #	Violation Type/Period	Staff	Date Issued
1000005	Big Creek CSD	03-23-13R-004	HAA5 MCL	SP	6/6/13
1000461	Cargill Meat Solutions Corp. (frmly Bee	03-12-080-007	Nitrate MCL	PD	4/22/08
1000238	Camden Trailer Park	03-23-090-018	Arsenic MCL	SP	9/24/09
1000010	Camp Sierra	03-23-090-007	SWTR Turbidity	SP	4/14/09
1000580	Campos Brothers Farms (Walnut)	03-23-110-003	Arsenic MCL	PD	6/10/11
1000547	Cal Produces Sales Corp	03-23-120-007	Nitrate MCL	PD	5/15/12
1010039	Caruthers CSD	03-23-090-001	Arsenic MCL	PD	1/15/09
1000536	Con Agra Foods	03-23-100-007	TTHM MCL	PD	8/31/10
1000360	Cotton West Ag Management (Vasto va	03-12-080-029	TTHM MCL	PD	10/30/08
1000360	Cotton West Ag Management (Vasto va	03-23-13R-002	HAA5 MCL	PD	4/12/13
1000360	Cotton West Ag Management (Vasto va	03-23-110-002	Filter Loading Rate	PD	5/19/11
1000360	Cotton West Ag Management (Vasto va	03-23-110-006	SWTR CT	PD	8/8/11
1000248	Double L Mobile Ranch Park	03-23-110-004	Uranium MCL	PD	8/1/11
1000405	Doyal's MHP	03-23-120-006	SWTR GWUDI	PD	5/1/12
1000577	Dunlap Leadership Academy	03-23-110-005	Uranium MCL	PD	8/1/11
1000112	Fairmont School	03-23-090-011	Nitrate MCL	SP	5/19/09
1000359	FCSA #32/Cantua Creek	03-12-080-003	TTHM MCL	SP	2/14/08
1000359	FCSA #32/Cantua Creek	03-23-13R-007	HAA5 MCL	SP	8/27/13
1000019	FCSA#30/El Porvenir	03-12-080-019	TTHM MCL	SP	10/30/08
1000546	FCSA #49/Five Points	03-12-230-012	TTHM MCL	SP	10/30/12
1000546	FCSA #49/Five Points	03-23-13R-006	HAA5 MCL	SP	8/27/13
1000042	FCWWD 40/Shaver Springs (Uranium	03-23-090-013	Uranium MCL	SP	6/16/09
1000042	FCWWD 40/Shaver Springs (Arsenic)	03-23-100-005	Arsenic MCL	SP	4/26/10
1000480	Fowler Packing Company	03-23-090-029	DBCP MCL	SP	12/21/09
1009281	Hammonds Ranch	03-12-080-020	TTHM MCL	PD	10/30/08
1009027	Harris Farms Headquarters	03-23-090-021	SWTR CT	PD	10/6/09
1009027	Harris Farms Headquarters	03-12-080-021	TTHM MCL	PD	10/30/08
1000213	Harris Farms/Horse Barn	03-23-090-016	TTHM MCL	PD	9/8/09
1000213	Harris Farms - Horse Division	03-23-110-010	SWTR CT	PD	12/20/11
1009028	Harris Farms South #101-144	03-12-080-009	TTHM MCL	PD	4/29/08
1009078	Harris Feeding Company	03-12-080-022	TTHM MCL	PD	10/30/08
1009078	Harris Feeding Company	03-23-110-009	SWTR CT	PD	12/20/11
1000214	Harris Ranch Restaurant	03-12-080-008	TTHM MCL	PD	4/29/08
1000214	Harris Ranch Restaurant	03-23-13R-005	HAA5 MCL	PD	8/22/13
1010044	Huron, City of	03-12-070-004	TOC TT	SP	7/6/07
1010044	Huron, City of	03-12-080-016	TTHM MCL	SP	5/15/08
1000177	I-5 & Panoche	03-12-080-011	TTHM MCL	PD	4/29/08
1000178	I-5 & 198 Property Services	03-12-080-010	TTHM MCL	PD	4/29/08
1000459	Johnny Quick #127	03-23-100-002	Nitrate MCL	SP	2/10/10
1000176	JR Simplot	03-23-100-006	Uranium MCL	EL	7/19/10
1000053	Lanare CSD	03-23-090-010	Arsenic MCL	PD	5/18/09
1000054	Las Deltas MWS	03-23-120-005	Pressure	PD	4/6/12
1000445	Linda Vista Farms	03-23-100-010	Uranium MCL	SP	11/29/10
1000469	Lion Raisins Employee Labor Camp	03-23-090-026	Nitrate MCL	PD	12/10/09
1000576	Lone Star Dehydrator	03-23-090-020	DBCP MCL	SP	9/29/09
1000490	Los Gatos Tomato Products	03-23-090-015	TTHM MCL	PD	9/8/09
1000490	Los Gatos Tomato Products	03-23-120-003	SWTR CT	PD	3/2/12

Quarterly PICME Violation Reporting

Check CO issuance spreadsheet for newly issued orders for **CHEMICAL MCL VIOLATIONS**, add to this spreadsheet each quarter for

System #	System Name	Compliance Order #	Violation Type/Period	Staff	Date Issued
1000056	Meadow Lakes Club	03-12-080-018	Uranium MCL	PD	9/19/08
1009091	Olam Spices & Vegetables (Key Foods)	03-23-110-001	Arsenic MCL	PD	3/1/11
1009092	Olam Spices & Vegetables (Key Foods)	03-23-13R-008			8/22/13
1009092	Olam Spices & Vegetables (Key Foods)	03-23-13R-001	TTHM MCL	PD	3/5/13
1009039	Pappas & Company (Mendota)	03-12-080-015	TTHM MCL	PD	5/14/08
1009039	Pappas & Company (Mendota)	03-23-100-005	SWTR CT	PD	8/3/10
1009006	Pappas & Company (Coalinga)	03-12-080-025	TTHM MCL	PD	10/30/08
1009006	Pappas & Company (Coalinga)	03-23-090-027	SWTR CT	PD	12/21/09
1009006	Pappas & Company (Coalinga)	03-23-110-007	HAA5 MCL	PD	9/15/11
1009232	Peck Ranch (aka Baker Farms)	03-12-080-027	TTHM MCL	PD	10/30/08
1000207	Pershing High School	03-12-080-036	Nitrate/Ur MCL	SP	11/17/08
1000472	PG&E Helms Support Facility	03-23-090-009	Arsenic MCL	PD	5/1/09
1009035	Pilibos Brothers Ranch	03-23-090-028	SWTR CT	PD	12/21/09
1000452	Ray Moles Farm	03-23-120-009	Nitrate MCL	PD	9/6/12
1000505	Ray & Larry Moles Farm	03-23-120-010	Nitrate MCL	PD	9/6/12
1009258	San Andreas Farms	03-12-080-034	TTHM MCL	PD	10/30/08
1009258	San Andreas Farms	03-23-100-003	SWTR CT	PD	3/4/10
1009259	San Andreas Farms	03-23-13R-003	HAA5 MCL	PD	4/25/13
1009035	Simonian Farms (Pilibos Brothers Ranch)	03-12-080-033	TTHM MCL	PD	10/30/08
1009222	Terra Linda	03-12-080-028	TTHM MCL	PD	10/30/08
1000485	Tessengerlo Kerley	03-23-120-008	Nitrate MCL	PD	8/23/12
1000584	True Organics	03-23-110-008	Arsenic MCL	SP	12/15/11
1009172	Vaquero Farms	03-23-090-002	TTHM MCL	PD	1/15/09
1000221	Washington Union High School	03-23-090-005	DBCP MCL	SP	4/10/09
1009214	Westside Harvesting (Steve Marks)	03-12-080-026	TTHM MCL	PD	10/30/08
1000369	Zonneveld Dairy	03-23-090-014	Arsenic MCL	SP	7/29/09
1000369	Zonneveld Dairy	03-23-120-011	Nitrate MCL	SP	9/10/12
1000182	Burrell Union School		Lead AL Exceedance	PD	
1009111	SCE/Big Creek Powerhouse #1		Lead AL Exceedance	SP	
1000112	Fairmont School		Lead AL Exceedance	SP	
1000276	Orange Center School		Lead AL Exceedance	SP	1/14/13
1000040	FCWWD 37/Mile High		Copper AL Exceedance	SP	6/24/13
EPA Administrative Orders (CDPH does not enter violations)					
1010030	Tranquillity Irrigation District	EPA Admin Order	Arsenic MCL		9/25/2008?
1010028	Riverdale PUD	EPA Admin Order	Arsenic MCL		9/25/2008

Tehachapi District
Water Systems with
Chemical MCL Violations and Enf. Actions
March 1, 2013

SYSTEM #	SYSTEM NAME	SYSTEM TYPE	CONTAMINANT	Compliance Order #	Date Issued	STATUS	Jurisdiction	On Valley Floor? (Yes/No)
1500096	Old River Road MWC	C	Uranium	03-19-09O-045	5/13/2009	Applied for SRF planning funds in 2012. Application was determined incomplete.	Visalia District (#12)	Yes
1500364	Kernvale Mutual Water Company	C	Uranium & Arsenic	03-19-09O-002	1/26/2009	P84 planning project for consolidation with Erskine Creek Water Company underway - FA already issued.	Tehachapi District (#19)	No
1500373	Seventh Standard Mutual Water Company	C	Nitrate	03-19-07O-006	8/14/2007	Pursuing P84 construction funds for consolidation with Oildale MWC. Construction funding application already received; waiting for issuance of FA by HQ.	Visalia District (#12)	Yes
1500378	Mahe Mutual Water Company	C	Arsenic	03-19-09O-003	1/26/2009	Part of Vaughn Water Company Regional consolidation project. Waiting for issuance of planning FA.	Visalia District (#12)	Yes
1500393	Rainbird Valley MWC	C	Uranium/Nitrate	03-12-99O-002	5/5/2009	Part of Long Canyon regional planning project. Waiting for issuance of FA by HQ.	Tehachapi District (#19)	No
1500406	Tradwinds Water Association	C	Uranium	03-19-09O-044	3/28/2009	Part of Long Canyon funding project; waiting for issuance of FA.	Tehachapi District (#19)	No
1500409	Brock MWC	C	Nitrate	03-19-08O-006	9/22/2008	Part of Vaughn Water Company's regional consolidation project; waiting for issuance of P84 planning funding agreement.	Visalia District (#12)	Yes
1500436	Hungry Gulch Water System	C	Arsenic	03-19-09O-007	1/26/2009	P84 planning FA already issued. Boulder Canyon Water Association with arsenic MCL violation to physically consolidate with Hungry Gulch.	Tehachapi District (#19)	No
1500449	Fourth Street Water System	C	Arsenic	03-19-09O-008	1/26/2009	P84 planning FA already issued; plan to drill a new well.	Tehachapi District (#19)	No
1500458	R.S. Mutual Water Company	C	Uranium & Arsenic	03-19-03O-010	8/13/2003	Waiting for some items to be submitted by Cal Water for issuance of P84 planning FA for consolidation with CWS-Kernville System.	Tehachapi District (#19)	No
1500475	Krista Mutual Water Company	C	Fluoride	03-09C-040	5/26/2009	Waiting for issuance of SRF FA.	Tehachapi District (#19)	No
1500493	El Adobe Property Owners	C	Arsenic	03-19-10O-002	9/27/2010	Pursuing P84 planning funds - possibility of consolidation with Lamont PUD	Visalia District (#12)	Yes
1500494	Wilson Road Water Company	C	Nitrate	03-19-09O-041	2/24/2009		Visalia District (#12)	Yes
1500516	Tut Brothers Farm #96	C	Waterworks Std Viola	03-19-12O-001	1/17/2012	Currently hauling water.	Visalia District (#12)	Yes
1500521	Boulder Canyon Water Association	C	Arsenic	03-19-09O-014	1/26/2009	Part of Hungry Gulch P84 planning project for consolidation with Hungry Gulch.	Tehachapi District (#19)	No
1500525	Lake View Ranchos Water Co.	C	Arsenic	03-19-09O-015	1/26/2009	Pursuing P84 planning funds.	Tehachapi District (#19)	No
1500544	Enos Lane PUD	C	Arsenic	03-19-12O-005	7/6/2012	Pursuing P84 and SRF funding to drill a new well and blending treatment.	Visalia District (#12)	Yes
1500561	Round Mountain Water Company	C	Uranium	03-19-06O-001	3/9/2006	Planning to drill a new well using its own funds.	Visalia District (#12)	Yes
1500569	Valley View Estates MWC	C	Nitrate	03-19-07O-003	8/3/2007	System is on SRF PPL but haven't applied for funding.	Tehachapi District (#19)	No
1500575	San Joaquin Estates MWC	C	Nitrate	03-19-00O-003	11/15/2000	Pursuing SRF funding to correct the problem; Later this year, the Department is going to invite the Water Company to submit a full SRF loan application for a consolidation project with East Niles CSD. A temporary intertie with East Niles CSD was in operation from March to early May 2006 when Water Company's well had mechanical breakdown.	Visalia District (#12)	Yes
1500588	Sonshine Properties	C	Nitrate & DBCP	03-19-12O-007	7/8/2012	P84 planning FA already issued. Plan to consolidate with Arvin CSD.	Visalia District (#12)	Yes
1502017	Wheeler Farms Headquarters	C	Nitrate	03-12-95O-004	4/27/1995	Bottled water being provided.	Visalia District (#12)	Yes
1502383	Nord Road Association	C	Arsenic	03-19-09O-024	1/26/2009	Part of Vaughn Water Company Regional consolidation project. Waiting for issuance of planning FA.	Visalia District (#12)	Yes
1502699	East Wilson Road Water Company	C	Nitrate	03-19-01O-004	10/3/2001	Part of East Niles CSD P84 regional consolidation planning project.	Visalia District (#12)	Yes
1503509	Anne Sippi Clinic	C	TTHM & HAA5	Only Letter Issued	6/23/2011	Prop 50 project may pay for the improvements needed.	Visalia District (#12)	Yes
1510051	Lebec CWD	C	Fluoride	03-19-09O-047	12/23/2009	Pursuing SRF for planning funds. Waiting for issuance of FA.	Tehachapi District (#19)	No
1510054	Pinon Pines MWC	C	Fluoride & Arsenic	03-19-11O-001	4/22/2011	Prop 84 planning FA issued. Test well done; waiting for fluoride pilot study. A second funding agreement to be issued to allow more time and money to complete the planning project.	Tehachapi District (#19)	No

CO = Compliance Order
 PN = Public Notification
 PWS = Public Water System
 MCL = Maximum Contaminant Level
 M/R = Monitoring and Reporting
 RWQCB = Regional Water Quality Control Board
 SNC = Significant Non-Complier
 SRF = State Revolving Fund

Compliance Orders DEADLINE TRACKING- VISALIA DISTRICT



STAFF	System #	System Name	Compliance Order #	CO Issue Date	Violation Type	Source
EPA Administrative ORDERS						
CJF	1610001	Armona CSD	EPA Adm.		Arsenic MCL Exc	
CJF	1510001	Arvin CSD	EPA Adm.		Arsenic MCL Exc	Submit plan, Qtrly prog repts, Qtrly monit, Qtrly PN (w/proof)
ATF	1610002	Avenal, City of	EPA Adm. 2011-6000 & Adm Ord 2001-6000	3/25/2011	DBP (TTHMs/HAA5)	Compliance due by 6/30/13, Qtrly prog repts, Qtrly monit, Qtrly PN w/proof?.
ATF	1610002	Avenal, City of	EPA Adm. 2004-6023	3/25/2004	DBP (TOC)	
CJF	1510005	Delano, City of	EPA Adm. 2008-6020	9/25/08	Arsenic MCL Exc	Wells 4,12,19,20,21,22,23,24 & 26. Submit plan, RAA must meet MCL by 6/30/10, Qtrly Arsenic monit, Qtrly prog repts.
Compliance Orders Issued						
BP	5410050	Alpaugh Joint Powers	03-12-080-040	12/18/08	Arsenic MCL Exc	For Wells 1 & 10. Submit plan, Qtrly prog repts, Qtrly PN (w/proof), Qtrly monitoring.
CJF	1510001	Arvin CSD	03-12-040-002	6/15/04	Nitrate	Well 9: Submit plan, Qtrly PN (w/proof), Qtrly NO3 monitoring.
	1500409	Brock MWC	03-19-080-006	9/22/2008	Nitrate	DO THEY NEED TO BE SOX'D?
ATF	5410001	Cutler PUD	03-12-060-002	10/13/05	DBCP MCL Exc	For Well 6: Submit Qtrly prog repts, monthly prod rept, Qtrly PN (w/proof), Min use of W6, continue SRF project.
ATF	5410001	Cutler PUD (starts 4Q-12)	03-12-120-006	9/25/12	Nitrate	For Well 6. Submit plan (due , Qtrly prog rept, Qtrly monit NO3 & coliform to waste, Qtrly PN (w/proof) if used, monthly prod repts. Minimize use of W6. Notify Dept of planned use. Notify Dept w/in 24 hrs of emerg use & T1 PN immediate.
BP	5400665	Del Oro - River Island No. 1	03-12-110-003	11/18/11	Nitrate	For Well 2 - Qtrly/monthly sampling, sample to waste if not delivering to system, immediate PN w/proof if used & exc'ds, monthly prod repts, min use.
BP	5400665	Del Oro - River Island No. 1	03-12-110-003	11/18/11	Uranium MCL Exc	Uranium: Wells 2, 5, 14 & 34. Qtrly monit, sample to waste if not being used in system, Qtrly PN w/proof req'd when exc'd & used in system, monthly prod rept, min use.
BP	5402048	Del Oro - River Island No. 2	03-12-080-031	10/16/08	Nitrate	Well 2, sometimes Well 1
LR	5410034	Del Oro Pine Flat	03-12-090-007	9/16/09	Uranium	Barn & Meadow Wells: Submit plan, Qtrly prog repts, Qtrly PN w/proof, Qtrly monitor for GA & UR.
	1502699	East Wilson Road WC	03-19-010-004	10/4/01	Nitrate	
	1500493	El Adobe POA	03-19-0100-002	9/27/2010	Arsenic	Wells 1 & 2: Submit plan, Qtrly prog reports, Qtrly PN (w/proof), continue Qtrly monitoring
	1500544	Enos Lane PUD	03-19-120-005	7/6/2012	Arsenic	Wells 1 & 2: Submit plan, Qtrly prog reports, Qtrly PN (w/proof), continue Qtrly monitoring
LR	5410003	Exeter, City of	03-12-040-001	4/16/04	DBCP MCL Exc	Well 6: Submit plan, monthly prod repts, Qtrly DBCP monit, PN w/proof when used.
	1500584	Gooselake WC	03-19-090-040	2/9/2009	Nitrate	
ATF	1510024	Greenfield CWD	03-12-100-001	3/4/10	Arsenic MCL Exc	For Berkshire & Taft wells only. Submit Qtrly prog repts, Qtrly PN (w/proof), continue Qtrly monit.
BP	5400968	Improvement Dist. #1	None on File		SWTR TT (inadequate treatment)	
ATF	5410019	Ivanhoe PUD (starts 4Q-12)	03-12-120-005	9/20/12	Nitrate	For Well 7. Submit plan, Qtrly prog rept, Qtrly monit NO3 & coliform to waste, Qtrly PN (w/proof) if used, monthly prod repts. Minimize use of W7. Notify Dept of planned use. Notify Dept w/in 24 hrs of emerg use & T1 PN immediate.
SS	1510802	Kern Valley State Prisd	03-12-080-037	12/12/08	Arsenic MCL Exc	Submit project plan, Qtrly prog repts, Qtrly PN (w/proof) if source is used, Qtrly monit.
CJF	1610009	Kettleman City CSD	03-12-090-003	1/23/09	Arsenic MCL Exc	Submit Qtrly prog repts, Qtrly PN (w/proof), continue Qtrly monit.
SS	1510012	Lamont PUD	03-12-080-039	12/18/08	Arsenic MCL Exc	For Wells 12 & 16. Submit plan, Qtrly prog rept, Qtrly PN (w/proof).
SS	1610005	Lemoore, City of	03-12-110-002	5/23/11	TTHM MCL	Submit quarterly PN (w/proof), quarterly monitoring, written response to directives.
SS	5410006	Lindsay, City of	03-12-120-003	3/16/12	DBCP MCL Exc	Well 14: Improv plan, Submit Qtrly Prog Repts, Qtrly PN w/proof, Qtrly monit, Qtrly prod repts.

Compliance Orders DEADLINE TRACKING- VISALIA DISTRICT

STAFF	System #	System Name	Compliance Order #	CO Issue Date	Violation Type	Source
BP	1610700	LNAS	03-12-080-006	4/16/08	TTHM MCL	Submit plan, Qtrly prog rept, Qtrly PN (w/proof).
ATF	5410052	LSID - El Rancho	03-12-050-005	9/29/05	SWTR-No Filtration	Submit plan, Qtrly PN (w/proof).
ATF	5410037	LSID Page Moore	03-12-090-008	11/23/09	TTHM & HAA5	Submit Qtrly PN with proof.
ATF	5410007	LSID - Tonyville	03-12-050-004	9/29/05	Nitrate	Submit plan, Qtrly PN (w/proof), collect NO3 and coliform data when high nitrate well is used.
ATF	5410007	LSID Tonyville	03-12-070-003	3/23/07	TTHM/HAA5 MCL Exc	Submit Monitoring plan, Qtrly prog rept, Qtrly PN (w/proof).
ATF	5410007	LSID-Tonyville	03-12-080-002	2/5/08	Perchlorate MCL	For S.Lindsay Hts, S.Sect 8 & Stark Sect 8 wells: Submit Qtrly PN (w/proof), Qtrly monit.
	1500378	Maheer MWC	03-19-090-003	1/23/2009	Arsenic	Well 01: Submit plan, Qtrly PN (w/proof), Qtrly monitoring, Qtrly prog rept
CJF	1510013	McFarland, City of	03-12-120-004	5/8/12	Arsenic MCL Exc	Garzoli well: Improv plan, Submit Qtrly Prog Repts, Qtrly monit, Qtrly PN w/proof
	1502383	Nord Rd WA	03-19-090-024	1/23/2009	Arsenic	Well 01: Submit plan, Qtrly PN (w/proof), Qtrly monitoring, Qtrly prog rept
BP	5400506	North Kaweah MWC	2011-16 (Issued by County)	9/14/11	Waterworks Standard Non-Compliance	
BP	5400506	North Kaweah MWC	None on File		SWTR TT (inadequate treatment)	
	1500585	Oasis POA	01-19-090-018	1/23/2009	Arsenic	Well 03: Submit plan, Qtrly PN (w/proof), Qtrly monit, Qtrly prog rept
	1500096	Old River MWC	03-19-090-045	4/3/2009	Uranium	
SS	5410009	Pixley PUD	03-12-090-001	1/21/09	Arsenic	Wells 1,2A & 3: Submit plan, Qtrly prog rept, Qtrly PN (w/proof), continue Qtrly monit.
ATF	5400682	Plainview MWC - Cent	CO 2011-10	5/24/11 by Tulare Co.	Nitrate	Well 01 2012 Permit: Qtrly PN & proof, Qtrly monit for NO3.
CJF	5410033	Pratt PUD	03-12-0100-002	2/1/10	Arsenic	For Well 3 only - Submit Qtrly prog rept, Qtrly PN (w/proof), Qtrly monit.
ATF	5410024	Richgrove CSD	03-12-090-005	5/1/09	Arsenic	For Well 4. Submit Qtrly prog rept, Qtrly PN (w/proof), Qtrly monit.
	1500561	Round Mtn WC	03-19-060-001	3/9/2006	Uranium	
	1500575	San Joaquin Estates MWC	03-19-000-003	12/1/2000	Nitrate	
	1500373	Seventh Standard MW	03-19-070-006	8/13/07	Nitrate	
SS	1510019	Shafter, City of	03-12-110-001	2/10/11	Arsenic	For Well 17 only - Submit Qtrly prog repts (1st report due 4/11/11), Qtrly PN (w/proof), Qtrly monit.
BP	5400747	Sierra Lodge	03-12-120-001	1/18/12	SWTR	Req'd to meet 0.1 NTU in 95%. Notify w/in 24 hrs >0.5 NTU, monthly PN if SWTR req'ts exceeded, submit PNProof, submit Qtrly prog repts starting 4/10/12. Plan & timeline due by 2/17/12.
	1500588	Son Shine Properties	03-19-010-002	8/3/2001	Nitrate & DBCP	For Well 1 (Standby). Submit Qtrly PN (w/proof), Qtrly monit.
	1500588	Son Shine Properties	03-19-080-007	10/10/2008	DBCP	For Well 2. Submit Qtrly PN (w/proof), Qtrly monit.
	1500588	Son Shine Properties	03-19-120-007	7/3/2012	Nitrate	For Well 2. Submit Qtrly prog repts, Qtrly PN (w/proof), Qtrly monit.
BP	5410503	NPS-Wolverton	03-12-070-001	1/24/07	TTHM/HAA5 MCL Exc	Submit Improvement plans, Qtrly prog repts, Qtrly PN (w/proof).
BP	5401006	UC Davis School of Ve	03-12-090-004	4/17/09	Nitrate	For Well 2. Submit Qtrly prog repts (1st report due 6/1/09), Qtrly PN (w/proof), Qtrly monit.
	1502017	Wheeler Farms	03-12-950-004 Amended	1/12/1995	Nitrate	For Well 1. Submit Qtrly PN (w/proof), Qtrly monit, Ok to provide bottled water, moratorium on add'l hses & facilities.
	1500494	Wilson Road Water Community	03-19-090-042	2/24/2009	Nitrate	
	5400108	Burnett Road Water S	03-12-050-009	10/17/05	No water for 2 wk 7/01	*No data in the Tipton file for this system.
INACTIVE SOURCES						
SS	5410006	Lindsay, City of	03-12-080-001	1/24/08	Perchlorate MCL	For Well 11-INACTIVE No Power supplied: Submit plan, Qtrly PN (w/proof), min use.
SS	5410026	Poplar CSD	03-12-0100-003	7/23/10	Nitrate	For Well 1 (South) - Made inactive, submit prod repts monthly, conduct Qtrly NO3 & coliform monit (flush to waste), submit Qtrly prog repts, notify Dept & public of planned use.

APPENDIX E
COUNTY GOALS AND POLICIES
FRESNO COUNTY
KERN COUNTY
KINGS COUNTY
TULARE COUNTY

Fresno County

The County of Fresno is expected to adopt an update to its current *Fresno County 2000 General Plan* (hereafter Fresno County General Plan) in early 2014. The update will consist of recommended modifications to existing policies only. A brief summary synopsis of the pertinent implications of proposed policy changes pertaining to water resources and services, if adopted, is provided in Section 1.5.5 below. In the meantime, the current 2000 Fresno County General Plan contains the following Goals, Policies and Implementation Programs relevant to water resources and services:

General Public Facilities and Services

Goal PF-A To ensure the timely development of public facilities and to maintain an adequate level of service to meet the needs of existing and future development.

Policies

Policy PF-A.1 The County shall ensure through the development review process that public facilities and services will be developed, operational, and available to serve new development. The County shall not approve new development where existing facilities are inadequate unless the applicant can demonstrate that all necessary public facilities will be installed or adequately financed and maintained (through fees or other means).

Policy PF-A.2 The County shall require new industrial development to be served by community sewer, stormwater, and water systems where such systems are available or can feasibly be provided.

Policy PF-A.3 The County shall require new urban commercial and urban-density residential development to be served by community sewer, stormwater, and water systems.

Policy PF-A.4 The County shall encourage the placement of irrigation canals and utility lines underground as urban residential, commercial, and industrial development takes place.

Policy PF-A.5 The County shall oppose the creation of new governmental entities within cities and their spheres of influence and will support efforts to consolidate existing special purpose districts.

Policy PF-A.6 The County shall encourage the cities to consult the County on policy changes which may have an impact on growth or the provision of urban services.

Implementation Programs

Program PF-A.A. The County shall ensure that infrastructure plans or area facilities plans are prepared in conjunction with any new or expanded community or specific plans and are reviewed and updated as needed. Such plans shall contain phasing and facility improvement time lines.

FUNDING

GOAL PF-B To ensure that adopted facility and service standards are achieved and maintained through the use of equitable funding methods.

Policy PF-B.1 The County shall require that new development pays its fair share of the cost of developing new facilities and services and upgrading existing public facilities and services; exceptions may be made when new development generates significant public benefits (e.g., low income housing) and when alternative sources of funding can be identified to offset foregone revenues.

Policy PF-B.2 The County shall seek broad-based funding sources for public facilities and services that benefit current and future residents of the county.

Policy PF-B.3 The County shall require that new development pays the costs of mitigating impacts on existing County facilities to the extent capacity is provided through existing infrastructure networks.

Policy PF-B.4 The County shall require a public financing plan be in place prior to the start of construction of new development to ensure that all required public improvements are adequately funded and provided in a timely manner.

Policy PF-B.5 The County shall ensure that public financing be equitable, financially feasible, and consistent with County guidelines, policies, and existing fee programs.

Policy PF-B.6 If the County forms public financing districts, the County shall efficiently utilize bond proceeds, subject to the requirements of the County's policy for use of public financing for private development projects.

Policy PF-B.7 The County shall allocate the cost of public improvements to all benefiting properties and, to the extent that a landowner is required to pay for facility over sizing, the County shall utilize reimbursement mechanisms to maintain equity among all benefiting property owners.

Implementation Programs

Program PF-B.A The County shall prepare and adopt a Capital Improvement Program (CIP) for designing and constructing County facilities. Roadways shall be included in the separate Roadway Improvement Plan (RIP). The CIP should be updated at least every five (5) years, or concurrently with the approval of any significant amendments to the General Plan.

Program PF-B.B The County shall develop and adopt ordinances specifying acceptable methods for new development to pay for new capital facilities and expanded services. Possible mechanisms include development fees, assessment districts, land/facility dedications, county service areas, and community facilities districts. (See Policies PF-B.1 and PF-B.3)

WATER SUPPLY AND DELIVERY

Goal PF-C To ensure the availability of an adequate and safe water supply for domestic and agricultural consumption.

General

- Policy PF-C.1 The County shall actively engage in efforts and support the efforts of others to retain existing water supplies within Fresno County.
- Policy PF-C.2 The County shall actively engage in efforts and support the efforts of others to import flood, surplus, and other available waters for use in Fresno County.
- Policy PF-C.3 To reduce demand on the county's groundwater resources, the County shall encourage the use of surface water to the maximum extent feasible.
- Policy PF-C.4 The County shall support efforts to expand groundwater and/or surface water storage that benefits Fresno County.
- Policy PF-C.5 The County shall develop a County water budget to determine long-term needs and to determine whether existing and planned water resource enhancements will meet the county's needs over the twenty (20) year General Plan horizon.
- Policy PF-C.6 The County shall support water banking when the program has local sponsorship and involvement and provides new benefits to the County.
- Policy PF-C.7 The County shall recommend to all cities and urban areas within the county that they adopt the most cost-effective urban best management practices (BMPs) published and updated by the California Urban Water Agencies, California Department of Water Resources, or other appropriate agencies as a means of meeting some of the future water supply needs.
- Policy PF-C.8 The County shall require preparation of water master plans for areas undergoing urban growth.
- Policy PF-C.9 The County shall work with local irrigation districts to preserve local water rights and supply.
- Policy PF-C.10 The County shall require any community water system in new residential subdivisions to be owned and operated by a public entity.
- Policy PF-C.11 The County shall assure an on-going water supply to help sustain agriculture and accommodate future growth by allocation of resources necessary to carry out the water resource management programs.

Domestic Water Supply

- Policy PF-C.12 The County shall approve new development only if an adequate sustainable water supply to serve such development is demonstrated.
- Policy PF-C.13 In those areas identified as having severe groundwater level declines or limited groundwater availability, the County shall limit development to uses that do not have high water usage or that can be served by a surface water supply.
- Policy PF-C.14 The County shall require that water supplies serving new development meet US Environmental Protection Agency and California Department of Health Services and other water quality and quantity standards.

- Policy PF-C.15 The County shall require that surface water used to serve new development be treated in accordance with the requirements of the California Surface Water Treatment Rule (California Code of Regulations, Title 22, Division 4, Chapter 17).
- Policy PF-C.16 If the cumulative effects of more intensive land use proposals are detrimental to the water supplies of surrounding areas, the County shall require approval of the project to be dependent upon adequate mitigation. The County shall require that costs of mitigating such adverse impacts to water supplies be borne proportionately by all parties to the proposal.
- Policy PF-C.17 The County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following:
- a. A determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made “firm” by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.
 - b. A determination of the impact that use of the proposed water supply will have on other water users in Fresno County. If use of surface water is proposed, its use must not have a significant negative impact on agriculture or other water users within Fresno County. If use of groundwater is proposed, a hydrogeologic investigation may be required. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the property in question, those impacts shall be mitigated.
 - c. A determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability. The plan must be structured such that it is economically, environmentally, and technically feasible. In addition, its implementation must occur prior to long-term and/or irreversible physical impacts, or significant economic hardship, to surrounding water users.
- Policy PF-C.18 In the case of lands entitled to surface water, the County shall approve only land use-related projects that provide for or participate in effective utilization of the surface water entitlement such as:
- a. Constructing facilities for the treatment and delivery of surface water to lands in question;
 - b. Developing facilities for groundwater recharge of the surface water entitlement;

- c. Participating in the activities of a public agency charged with the responsibility for recharge of available water supplies for the beneficial use of the subject lands.

Policy PF-C.19 The County shall discourage the proliferation of small community water systems.

Policy PF-C.20 The County shall not permit new private water wells within areas served by a public water system.

Agricultural Water Supply

Policy PF-C.21 The County shall promote the use of surface water for agricultural use to reduce groundwater table reductions.

Water Transfer Policies

Policy PF-C.22 The County supports short-term water transfers as a means for local water agencies to maintain flexibility in meeting water supply requirements. The County shall support long-term transfer, assignment, or sale of water and/or water entitlements to users outside of the County only under the following circumstances:

- a. The impacts of the transfer on Fresno County are mitigated;
- b. The transfer is part of a long-term solution to the region's water supply shortfall; and
- c. The transfer will not result in a net decrease in the availability of surface and/or groundwater to water users within Fresno County.

Policy PF-C.23 The County shall regulate the transfer of groundwater for use outside of Fresno County. The regulation shall extend to the substitution of groundwater for transferred surface water.

Policy PF-C.24 The County shall encourage the transfer of unused or surplus agricultural water to urban uses within Fresno County.

Water Conservation

Policy PF-C.25 The County shall require that all new development within the County use water conservation technologies, methods, and practices as established by the County.

Policy PF-C.26 The County shall encourage the use of reclaimed water where economically, environmentally, and technically feasible.

Policy PF-C.27 The County shall adopt, and recommend to all cities that they also adopt, the most cost-effective urban best water conservation management practices circulated and updated by the California Urban Water Agencies, California Department of Water Resources, or other appropriate agencies.

Policy PF-C.28 The County shall encourage agricultural water conservation where economically, environmentally, and technically feasible.

Policy PF-C.29 The County shall, in order to reduce excessive water usage, require tiered water pricing within County Service Areas and County Waterworks Districts.

Policy PF-C.30 The County shall generally not approve land use-related projects that incorporate a man-made lake or pond that will be sustained by the use of groundwater.

Implementation Programs

Program PF-C.A The County shall develop a process for resolution of water supply problems and apply the process when areas of need are identified.

Program PF-C.B The County shall adopt a well construction and destruction ordinance that will include among other requirements the mapping of location information on abandoned wells in the County GIS database and which includes a procedure for ensuring that abandoned wells are properly destroyed.

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Program PF-C.C The County shall prepare or cause to be prepared water master plans for water delivery systems for areas undergoing urban growth. The County shall have approved such plans prior to implementation. (See Policy PF-C.8)

Program PF-C.D The County shall develop and implement a tiered water pricing structure for County Service Areas and Waterworks Districts. (See Policy PF-C.29)
Program PF-C.E The County shall establish water demand standards based on types and sizes of uses to serve as a basis for determining the adequacy of a proposed water supply for new development. (See Policy PF-C.14)

Program PF-C.F The County shall establish a review and/or regulatory process for proposed transfers of surface water to areas outside of the county and for substitution of groundwater for transferred surface water. (See Policy PF-C.23)

Program PF-C.G The County shall develop a list of water conservation technologies, methods, and practices that maximize the beneficial use of water resources. The County shall review and update the list periodically to eliminate practices that no longer prove beneficial and add new technologies that become available. (See Policy PF-C.28)

WASTEWATER COLLECTION, TREATMENT, AND DISPOSAL

Goal PF-D To ensure adequate wastewater collection and treatment and the safe disposal of wastewater.

Policies

Policy PF-D.1 The County shall encourage the installation of public wastewater treatment facilities in existing communities that are experiencing repeated septic system failures and lack sufficient area for septic system repair or replacement and/or are posing a potential threat to groundwater.

- Policy PF-D.2 The County shall require that any new community sewer and wastewater treatment facilities serving residential subdivisions be owned and maintained by a County Service Area or other public entity approved by the County.
- Policy PF-D.3 The County shall require that any new community wastewater treatment facility meet the policy standard of Policy OS-A.28.
- Policy PF-D.4 The County shall limit the expansion of unincorporated, urban density communities to areas where community wastewater treatment facilities can be provided.
- Policy PF-D.5 The County shall promote efficient water use and reduced wastewater system demand by:
- a. Requiring water-conserving design and equipment in new construction;
 - b. Encouraging retrofitting with water-conserving devices; and
 - c. Designing wastewater systems to minimize inflow and infiltration, to the extent economically feasible.
- Policy PF-D.6 The County shall permit individual on-site sewage disposal systems on parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be provided.
- Policy PF-D.7 The County shall require preparation of sewer master plans for wastewater treatment facilities for areas experiencing urban growth.

Implementation Programs

- Program PF-D.A The County shall prepare or cause to be prepared a sewer master plan for wastewater treatment facilities for areas experiencing urban growth. The County shall have approved such plans prior to implementation. (See Policy PF-D.7)

STORM DRAINAGE AND FLOOD CONTROL

Goal PF-E To provide efficient, cost-effective, and environmentally-sound storm drainage and flood control facilities that protect both life and property and to divert and retain stormwater runoff for groundwater replenishment.

Policies

- Policy PF-E.1 The County shall coordinate with the agencies responsible for flood control or storm drainage to assure that construction and acquisition of flood control and drainage facilities are adequate for future urban growth authorized by the County General Plan and city general plans.
- Policy PF-E.2 The County shall encourage the agencies responsible for flood control of storm drainage to coordinate the multiple use of flood control and drainage facilities with other public agencies.
- Policy PF-E.3 The County shall encourage the Fresno Metropolitan Flood Control District to spread the cost of construction and acquisition of flood control and drainage facilities in the most equitable manner consistent with the growth and needs of this area.

- Policy PF-E.4 The County shall encourage the local agencies responsible for flood control or storm drainage to require that storm drainage systems be developed and expanded to meet the needs of existing and planned development.
- Policy PF-E.5 The County shall only approve land use-related projects that will not render inoperative any existing canal, encroach upon natural channels, and/or restrict natural channels in such a way as to increase potential flooding damage.
- Policy PF-E.6 The County shall require that drainage facilities be installed concurrently with and as a condition of development activity to ensure the protection of the new improvements as well as existing development that might exist within the watershed.
- Policy PF-E.7 The County shall require new development to pay its fair share of the costs of Fresno County storm drainage and flood control improvements within unincorporated areas.
- Policy PF-E.8 The County shall encourage the local agencies responsible for flood control or storm drainage to precisely locate drainage facilities well in advance of anticipated construction, thereby facilitating timely installation and encouraging multiple construction projects to be combined, reducing the incidence of disruption of existing facilities.
- Policy PF-E.9 The County shall require new development to provide protection from the 100-year flood as a minimum.
- Policy PF-E.10 In growth areas within the jurisdiction of a local agency responsible for flood control or storm drainage, the County shall encourage that agency to design drainage facilities as if the entire areas of service were developed to the pattern reflected in the adopted General Plans to assure that the facilities will be adequate as the land use intensifies.
- Policy PF-E.11 The County shall encourage project designs that minimize drainage concentrations and maintain, to the extent feasible, natural site drainage patterns.
- Policy PF-E.12 The County shall coordinate with the local agencies responsible for flood control or storm drainage to ensure that future drainage system discharges comply with applicable State and Federal pollutant discharge requirements.
- Policy PF-E.13 The County shall encourage the use of natural storm water drainage systems to preserve and enhance natural drainage features.
- Policy PF-E.14 The County shall encourage the use of retention-recharge basins for the conservation of water and the recharging of the groundwater supply.
- Policy PF-E.15 The County should require that retention-recharge basins be suitably landscaped to complement adjacent areas and should, wherever possible, be made available to the community to augment open space and recreation needs.
- Policy PF-E.16 The County shall minimize sedimentation and erosion through control of grading, cutting of trees, removal of vegetation, placement of roads and bridges, and use of off-road vehicles. The County shall discourage grading activities during the rainy season, unless adequately mitigated, to avoid sedimentation of creeks and damage to riparian habitat.

- Policy PF-E.17 The County shall encourage the local agencies responsible for flood control or storm drainage retention-recharge basins located in soil strata strongly conducive to groundwater recharge to develop and operate those basins in such a way as to facilitate year-round groundwater recharge.
- Policy PF-E.18 The County shall encourage the local agencies responsible for flood control or storm drainage to plan retention-recharge basins on the principle that the minimum number will be the most economical to acquire, develop, operate, and maintain.
- Policy PF-E.19 In areas where urbanization or drainage conditions preclude the acquisition and use of retention-recharge basins, the County shall encourage the local agencies responsible for flood control or storm water drainage to discharge storm or drainage water into major canals and other natural water courses subject to the following conditions:
- a. The volume of discharge is within the limits of the capacity of the canal or natural water course to carry the water.
 - b. The discharge complies with the requirements of applicable state and federal regulations (e.g., National Pollution Discharge Elimination System).
 - c. The agency responsible for ownership, operation, or maintenance of the canal or natural water course approves of the discharge.
- Policy PF-E.20 The County shall require new development of facilities near rivers, creeks, reservoirs, or substantial aquifer recharge areas to mitigate any potential impacts of release of pollutants in flood waters, flowing rivers, streams, creeks, or reservoir waters.
- Policy PF-E.21 The County shall require the use of feasible and practical best management practices (BMPs) to protect streams from the adverse effects of construction activities, and shall encourage the urban storm drainage systems and agricultural activities to use BMPs.
- Policy PF-E.22 The County shall encourage the local agencies responsible for flood control or storm drainage to control obnoxious odors or mosquito breeding conditions connected with any agency facility by appropriate measures.

Implementation Programs

- Program PF-E.A The County shall work with responsible flood control agencies to pursue adoption of appropriate regulations and programs as necessary and appropriate to implement required actions under State and Federal stormwater quality programs. (See Policy PF-E.13)

FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

- Goal PF-H** To ensure the prompt and efficient provision of fire and emergency medical facility and service needs, to protect residents of and visitors to Fresno County from injury and loss of life, and to protect property from fire.

Policies

- Policy PF-H.1 The County shall work cooperatively with local fire protection districts to ensure the provision of effective fire and emergency medical services to unincorporated areas within the county.

- Policy PF-H.2 Prior to the approval of development projects, the County shall determine the need for fire protection services. New development in unincorporated areas of the County shall not be approved unless adequate fire protection facilities are provided.
- Policy PF-H.5 The County shall require that new development be designed to maximize safety and minimize fire hazard risks to life and property.
- Policy PF-H.6 The County shall limit development to very low densities in areas where emergency response times will be more than 20 minutes.
- Policy PF-H.8 The County shall encourage local fire protection agencies in the county to maintain the following as minimum standards for average first alarm response times to emergency calls:
- a. 5 minutes in urban areas;
 - b. 15 minutes in suburban areas; and
 - c. 20 minutes in rural areas.
- Policy PF-H.9 The County shall require new development to develop or to pay its fair share of the costs to fund fire protection facilities that, at a minimum, maintain the service level standards in the preceding policies.

Implementation Programs

- Program PF-H.A If a Fire Protection Master Plan has not been prepared for the area and the County Director of Planning & Resource Management Department determines that additional fire protection facilities are needed, the County shall not approve discretionary development until such time as a Master Plan has been adopted or other facilities acceptable to the Director are provided, with appeal rights as provided by County Ordinance. The Fire Protection Master Plan must contain the following information: identification of water supply; delineation of the service area boundary; designation of an appropriate fire protection entity; determination of structural, equipment, and personnel needs and costs; and a financing plan based on shared benefit. (See Policy PF-H.2)

Agriculture and Land Use

AGRICULTURE

- Goal LU-A** To promote the long-term conservation of productive and potentially-productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that support the viability of agriculture and further the County's economic development goals.

WESTSIDE RANGELANDS

- Goal LU-B** To preserve the unique character of the Westside Rangelands, which includes distinctive geologic and topographic landforms, watersheds, important agricultural activities, and significant biological resources, while accommodating agriculture, grazing, recreation, resource recovery, and other limited uses that recognize the sensitive character of the area.

RIVER INFLUENCE AREAS

Goal LU-C To preserve and enhance the value of the river environment as a multiple use, open space resource; maintain the environmental and aesthetic qualities of the area; protect the quality and quantity of the surface and groundwater resources; provide for long term preservation of productive agricultural land; conserve and enhance natural wildlife habitat; and maintain the flood-carrying capacity of the channel at a level equal to the one (1) percent flood event (100-year flood).

WESTSIDE FREEWAY CORRIDOR

Goal LU-D To promote continued agricultural uses along Interstate 5, protect scenic views along the freeway, promote the safe and efficient use of the freeway as a traffic carrier, discourage the establishment of incompatible and hazardous uses along the freeway, and provide for attractive, coordinated development of commercial and service uses that cater specifically to highway travelers, and of agriculture related uses at key interchanges along Interstate 5.

NON-AGRICULTURAL RURAL DEVELOPMENT

Goal LU-E To provide for the continued development of areas already designated for nonagricultural rural-residential development in a manner that minimizes environmental impacts and public infrastructure and service costs while restricting designation of new areas for such development.

Rural Residential Development

Policy LU-E.1 The County shall allow by right in areas designated Rural Residential single family dwellings and limited agricultural uses related to the production of food and fiber. The County may allow by discretionary permit certain other agricultural on-agricultural uses, including rural commercial centers. For proposed rural commercial centers, the following criteria shall apply:

- a. Commercial uses should be clustered in centers instead of single uses.
- b. The use shall provide a needed service to the surrounding rural residential community which cannot be provided more efficiently within urban centers.
- c. To minimize proliferation of commercial centers and overlapping of trade areas, commercial centers should be located a minimum of two (2) miles from any existing or approved commercial use.
- d. New commercial uses should be located within or adjacent to existing centers.
- e. Commercial centers should not encompass more than one quarter (1/4) mile of road frontage, or one eighth (1/8) mile if both sides of the road are involved, and should not provide potential for development exceeding ten (10) separate business activities, exclusive of caretakers' residences.
- f. The center should be a minimum of two (2) miles from any agricultural commercial center, or designated rural settlement area, or the nearest existing or designated commercial area of any

city or community, or newly established rural residential commercial centers.

- g. The center should be located at the corner of an intersection where at least one of the roads is classified as an arterial road on the Transportation and Circulation Element of the General Plan.
- h. Distance from other existing commercial zoning and uses should be considered when siting commercial centers.

Policy LU-E.2 The County shall permit the Rural Commercial (RCC) zone district to remain in areas designated Rural Residential if the land was so zoned prior to September 20, 1990. Commercial uses legally established prior to that date shall be deemed conforming, but expansion or addition of new commercial uses shall require a discretionary permit subject to the criteria in Policy LU-E.1.

Policy LU-E.3 The County shall maintain two (2) acres as the minimum permitted lot size, exclusive of all road and canal rights-of-way, recreation easements, permanent water bodies, and public or quasi-public common use areas, except as provided for in policies LU-E.6 and LU-E.7.

Policy LU-E.4 The County shall recognize legal lots of less than two (2) acres that existed under separate ownership at the time of zone adoption within the rural residential zone districts.

Policy LU-E.5 The County may allow planned residential developments in areas designated Rural Residential subject to Policies LU-H.6 and LU-H.7b (for developments permitted under Policy LU-E.7), and Policies LU-H.7e through LU-H.7k.

Special Commercial Development in Rural Residential Areas

Rural Residential Development Restrictions

Policy LU-E.16 The County shall not designate additional land for Rural Residential or Foothill Rural Residential development, except for unique circumstances to be determined by the Board of Supervisors.

Policy LU-E.17 The County shall consider the current inventory of undeveloped parcels when reviewing rezoning and subdivision proposals involving lands currently designated Rural Residential or Foothill Rural Residential. Such proposals shall generally not be considered appropriate until such time as at least sixty (60) percent of the available lots in the area have been developed.

Policy LU-E.18 The County shall consider redesignating undeveloped parcels ten (10) acres or larger in size to the Reserve designation if such parcels are located within the sphere of influence of a city and designated for future urban use on the city's general plan.

Foothill Rural Residential

Planned Rural Community

URBAN DEVELOPMENT

Pedestrian and Transit-Oriented Development

Urban Residential Development Standards

Urban Commercial Development

Urban Industrial Development

Planned Urban Village

INCORPORATED CITY, CITY FRINGE AREA, AND UNINCORPORATED COMMUNITY DEVELOPMENT

Goal LU-G To direct urban development within city spheres of influence to existing incorporated cities and to ensure that all development in city fringe areas is well planned and adequately served by necessary public facilities and infrastructure and furthers countywide economic development goals.

Incorporated City and City Fringe Areas

Unincorporated Communities

Friant-Millerton Regional Plan

Policy LU-H.8 The County shall prepare a regional plan for the Friant-Millerton area. The preliminary study area boundaries for the new regional plan depicted in Figure LU-5 are designed to encompass the area's major recreation facilities and open space resources, include the area's existing and potential residential growth areas, but exclude most productive agricultural land. In the near-to-mid-term, planning and development in the area should focus on expanding and enhancing the area's recreational activities and resources. In the long-term, the area may be suitable for urban development as the unincorporated county's largest remaining area without productive agricultural soils near the Fresno-Clovis Metropolitan Area and recreational and scenic resources.

The new regional plan shall at a minimum address the following key issues:

- a. Expansion and enhancement of recreation activities and facilities centered on Millerton Lake and the San Joaquin River.
- b. Open space and natural resource protection.
- c. Implementation of appropriate policies of the San Joaquin River Parkway Master Plan.
- d. Groundwater and surface water availability.
- e. Wastewater disposal limitations and options.
- f. Development of affordable housing, particularly for workers at recreational and related tourist facilities in the area.
- g. Suitability of the area for future long term urbanization and options for how this might occur (e.g., County specific plan, city annexation, or city incorporation).
- h. Provision of an adequate circulation/transportation systems, including mass transit.

Goal LU-F To encourage mixed-use pedestrian and transit-oriented development and to establish development standards for residential, commercial, and industrial development in urban and urbanizing areas.

- Policy LU-A.1 **Agricultural Land Conservation.** The County shall maintain agriculturally designated areas for agriculture use and shall direct urban growth away from valuable agricultural lands to cities, unincorporated communities, and other areas planned for such development where public facilities and infrastructure are planned for and/or available. (RDR)
- Policy LU-A.2 **Agriculture-Related Uses.** The County shall allow by right in areas designated Agriculture activities related to the production of food and fiber and support uses incidental and secondary to the on-site agricultural operation. (RDR)
- Policy LU-A.3 **Special Agricultural Uses.** The County may allow by discretionary permit in areas designated Agriculture, special agricultural uses and agriculturally-related activities, including value-added processing facilities, and certain non-agricultural uses. Approval of these and similar uses in areas designated Agriculture shall be subject to the following criteria:
- a. The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics;
 - b. The use should not be sited on productive agricultural lands if less productive land is available in the vicinity;
 - c. The operational or physical characteristics of the use shall not have a detrimental impact on water resources or the use or management of surrounding properties within at least one-quarter (1/4) mile radius;
 - d. A probable workforce should be located nearby or be readily available;
 - e. For proposed agricultural commercial center uses the following additional criteria shall apply:
 1. Commercial uses should be clustered in centers instead of single uses.
 2. To minimize proliferation of commercial centers and overlapping of trade areas, commercial centers should be located a minimum of four (4) miles from any existing or approved agricultural or rural residential commercial center or designated commercial area of any city or unincorporated community.
 3. New commercial uses should be located within or adjacent to existing centers.
 4. Sites should be located on a major road serving the surrounding area.
 5. Commercial centers should not encompass more than one-quarter (1/4) mile of road frontage, or one eighth (1/8) mile if both sides of the road are involved, and should not provide potential for developments exceeding ten (10)

separate business activities, exclusive of caretakers' residences;

- f. For proposed value-added agricultural processing facilities, the evaluation under criteria "a" above, shall consider the service requirements of the use and the capability and capacity of cities and unincorporated communities to provide the required services; and
- g. For proposed churches and schools, the evaluation under criteria LU-A.3a above shall include consideration of the size of the facility. Such facilities should be no larger than needed to serve the surrounding agricultural community.
- h. When approving a discretionary permit for an existing commercial use, the criteria listed above shall apply except for LUA.3b, e2, e4, and e5. (RDR)

Policy LU-A.11 **Agricultural Protection.** In adopting land uses policies, regulations, and programs, the County shall seek to protect agricultural activities from encroachment of incompatible land uses. (RDR)

Policy LU-A.132 **Agricultural Buffers.** The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed nonagricultural uses and adjacent agricultural operations. (RDR)

Policy LU-A.143 **Agricultural Land Conversion Review.** The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate. (RDR)

Policy LU-A.2019 **Water Resources.** The County shall adopt and support policies and programs that seek to protect and enhance surface water and groundwater resources critical to agriculture. (See Section OS-A, Water Resources; and Section PF-C, Water Supply and Delivery) (PSP)

Kern County

Arvin, City of
Buttonwillow
Delano, City of
Edmundson Acres
Frazier Park
Lamont
Maple School
Maricopa, City of Lost Hills
Mettler

McFarland, City of
Pond
San Joaquin Estates
Shafter North
Shafter South
South Fork School

Wasco, City of
Weldon

The Kern County General Plan, Part II, includes the following county-wide goals, policies, and implementation measures related to water service requirements for new development.

LAND USE / CONSERVATION/OPEN SPACE ELEMENT

1.4 Public Facilities and Services:

GOALS: PUBLIC FACILITIES AND SERVICES

1. Kern County residents and businesses should receive adequate and cost effective public services and facilities. The County will compare new urban development proposals and land use changes to the required public services and facilities needed for the proposed project.
2. Promote an urban growth pattern in areas where adequate public service infrastructure exists or can be provided.
3. Distribute the cost of new services or facilities equitably among the beneficiaries.
4. Provide coordination between public entities to ensure infrastructure standards and equitable fiscal support.
5. Ensure that adequate supplies of quality (appropriate for intended use) water are available to residential, industrial, and agricultural users within Kern County.
6. Provide a healthful and sanitary means of collecting, treating, and disposing of sewage and refuse for the residents and industries of Kern County.
7. Facilitate the provision of reliable and cost effective utility services to residents of Kern County.
8. Serve the needs of industries and Kern County residents in a manner that does not degrade the water supply and the environment and protect the public health and safety by avoiding surface and subsurface nuisances resulting from the disposal of hazardous wastes, irrespective of the geographic origin of the waste.

9. Reduce residential contamination of groundwater by encouraging sanitary sewer systems.

POLICIES: PUBLIC FACILITIES AND SERVICES

1. New discretionary development will be required to pay its proportional share of the local costs of infrastructure improvements required to service such development.
2. The efficient and cost-effective delivery of public services and facilities will be promoted by designating areas for urban development which occur within or adjacent to areas with adequate public service and facility capacity.
 - a. Ensure that water quality standards are met for existing users and future development.
 - b. Ensure that adequate storage, treatment, and transmission facilities are constructed concurrently with planned growth.
 - c. Ensure the maintenance and repair of existing water systems.
 - d. Encourage the utilization of wastewater treatment facilities which provide for the reuse of wastewater.
 - e. Encourage the consolidation or elimination of small water systems.
 - f. Encourage the conversion of private sewer systems (septic tanks) to public systems.
 - g. Ensure that adequate collection, treatment, and disposal facilities are constructed concurrently with planned growth.
 - h. Ensure that appropriate funding mechanisms are in place to fund the needed improvements which result from development and subsequent growth.
3. Individual projects will provide availability of public utility service as per approved guidelines of the serving utility.

IMPLEMENTATION MEASURES: PUBLIC FACILITIES AND SERVICES

- A. Continue to administer the Capital Improvement Program (CIP) and coordinate with public utility providers listing the necessary improvements to Kern County's public services and facilities in collaboration with key service providing agencies and the County Administrative Office as a first step toward the preparation of a long-term Public Services Plan for Kern County. This plan addresses the projected demand for public services throughout the County in comparison with projected revenues and identifies long-term financial trends for the major public service providers. The CIP and General Plan can assure compliance with the provisions of Government Code Sections 65401 and 65402 which require review of all capital facility decisions for consistency with this General Plan.
- B. Determine local costs of County facility and infrastructure improvements and expansion which are necessitated by new development of any type and

prepare Final Map. This implementation can be effectuated by the formation of a County work group.

- C. Amend the County's EIR Procedures to include consideration of fiscal impacts of development proposals, so that the character and extent of possible public service or facility deficiencies can be identified during the course of the normal project review process.

The County of Kern General Plan also contains a Chapter 1.5 devoted to "Special Treatment Areas". This section defines "Land Projects" as:

1. The subdivision contains 50 or more parcels of which any 50 are both (a) not improved with residential, industrial, commercial, or institutional buildings; and (b) offered for sale, lease, or financing for purposes other than industrial commercial, institutional, or commercial agricultural uses, and
2. The subdivision is located in an area in which less than 1,500 registered voters reside within the subdivision or within two miles of the proposed project boundary, and
3. The subdivision does not constitute a community apartment project as defined in Business and Professions Code Section 11004, a project consisting of condominiums as defined in Section 783 of the Civil Code, or a stock cooperative as defined in Business and Professions Code Section 11003.2.

This provision of the Kern County General Plan indicates that these types of projects benefit from the preparation of Specific Plans or Community Plans in order to individualize land use policy solutions to more localized opportunities and constraints. Further, the General Plan recognizes the validity of *existing* Specific Plan and Community Plan decisions.

1.10 General Provisions:

The County of Kern General Plan also contains Chapter 1.10 devoted to "General Provisions" which contains the following county-wide goals, policies and implementation strategies to address future development and growth within the County.

GOALS: GENERAL PROVISIONS

1. Ensure that the County can accommodate anticipated future growth and development while maintaining a safe and healthful environment and a prosperous economy by preserving valuable natural resources, guiding development away from hazardous areas, and assuring the provision of adequate public services.

POLICIES: GENERAL PROVISIONS

5. Higher density development and in-filling should be encouraged within urbanized and built-up areas of the County.

Implementation Measures

- A. The Kern Council of Governments (Kern COG) will monitor population growth and its subsequent developmental effects to identify the distribution of population increases and the capabilities of governmental and public agencies to provide new development with adequate services and facilities in a fiscally acceptable manner.
- B. The County shall develop fiscal impact guidelines and shall be responsible for reviewing fiscal impact analysis to identify the cost to the County of services, facilities, and infrastructure expansion which new discretionary development necessitates.

1.10.1 Public Services and Facilities

Policies:

- 9. New development should pay its pro rata share of the local cost of expansions in services, facilities, and infrastructure which it generates and upon which it is dependent.
- 12. All methods of sewage disposal and water supply shall meet the requirements of the Kern County Environmental Health Services Department and the California Regional Water Quality Control Board. The Environmental Health Department shall periodically review and modify, as necessary, its requirements for sewage disposal and water supply, and shall comply with any new standards adopted by the State for implementation of Government Code Division 7 of the Water Code, Chapter 4.5 (Section 13290-13291.7). (Assembly Bill 885)(2000).
- 13. A compact and orderly urban expansion pattern adjacent to established communities will be encouraged in order to avoid uneconomic investment by the public sector for excessive or premature extension of public facilities and services.
- 15. Prior to approval of any discretionary permit, the County shall make the finding, based on information provided by California Environmental Quality Act (CEQA) documents, staff analysis, and the applicant, that adequate public or private services and resources are available to serve the proposed development.
- 17. The extent of community-type public services and facilities required for urban densities in the Mountain, Valley and Desert regions vary according to the following criteria:
 - a. Within the Valley and Desert regions, new residential development sites less than or equal to one acre net lot size density, commercial, and industrial land uses shall be serviced by necessary and appropriate sewer and water systems.

Implementation Measures

- D. The appropriate agency should develop sewer and water master plans in areas where these services are lacking or deficient and in areas where urban development exists or is designated. Seek non-local sources of funding for implementing capital improvement plans.
- E. All new discretionary development projects shall be subject to the Standards for Sewage, Water Supply and Preservation of Environmental Health Rules and Regulations administered by the Environmental Health Services Department. Those projects having percolation rates of less than five minutes per inch shall provide a preliminary soils study and site specific documentation that characterizes the quality of upper groundwater in the project vicinity and evaluation of the extent to which, if any, the proposed use of alternative septic systems will adversely impact groundwater quality. If the evaluation indicates that the uppermost groundwater at the proposed site already exceeds groundwater quality objectives of the Regional Water Quality Control Board or would if the alternative septic system is installed, the applicant shall be required to supply sewage collection, treatment and disposal facilities.

1.10.6 Surface Water and Groundwater

- 33. Water related infrastructure shall be provided in an efficient and cost effective manner.
- 34. Ensure that water quality standards are met for existing users and future development.
- 35. Ensure that adequate water storage, treatment, and transmission facilities are constructed concurrently with planned growth.
- 36. Ensure that appropriate funding mechanisms for water are in place to fund the needed improvements resulting from growth and subsequent development.
- 37. Ensure maintenance and repair of existing water systems.
- 38. Encourage utilization of wastewater treatment facilities which provide for the reuse of wastewater.
- 39. Encourage the development of the County's groundwater supply to sustain and ensure water quality and quantity for existing users, planned growth, and maintenance of the natural environment.
- 40. Encourage utilization of community water systems rather than the reliance on individual wells.
- 41. Review development proposals to ensure adequate water is available to accommodate projected growth.
- 42. Encourage water supply purveyors to prepare master water plans for those areas of the County approaching existing design thresholds,

including documentation of areas in need of system maintenance and repair.

43. Drainage shall conform to the Kern County Development Standards and the Grading Ordinance.
44. Discretionary projects shall analyze watershed impacts and mitigate for construction-related and urban pollutants, as well as alterations of flow patterns and introduction of impervious surfaces as required by the California Environmental Quality Act (CEQA), to prevent the degradation of the watershed to the extent practical.
45. New high consumptive water uses, such as lakes and golf courses, should require evidence of additional verified sources of water other than local groundwater. Other sources may include recycled stormwater or wastewater.
46. In accordance with the Kern County Development Standards tank-truck hauling of domestic water for land developments or lots within new land developments is not permitted.

Implementation Measures

- T. The Kern County Environmental Health Services Department will develop guidelines which will establish criteria for development of proposed new water systems when an existing water system, within a reasonable distance, is able to supply water.
- U. The Kern County Environmental Health Services Department will develop guidelines for the protection of groundwater quality which will include comprehensive well construction standards and the promotion of groundwater protection for identified degraded watersheds.
- V. Water and sewer purveying agencies should develop long-term sewer and water master plans in areas where these services are lacking or deficient and in areas where urban development exists or is designated.
- W. Applications for General or Specific Plan Amendments will include sufficient data for review to facilitate desirable new development proposals consistent with General Plan policies, using the following criteria and guidelines:
 - i. The provision of adequate water, sewer, and other public services to be used.
 - ii. The provision of adequate on-site nonpublic water supply and sewage disposal if no public systems are available or used.
- X. Encourage effective groundwater resource management for the long-term benefit of the County through the following:
 - i. Promote groundwater recharge activities in various zone districts.

- ii. Support for the development of Urban Water Management Plans and promote Department of Water Resources grant funding for all water providers.
 - iii. Support the development of Groundwater Management Plans.
 - iv. Support the development of future sources of additional surface water and groundwater, including conjunctive use, recycled water, conservation, additional storage of surface water, and groundwater and desalination.
- Y. Promote efficient water use by utilizing measures such as:
- i. Requiring water-conserving design and equipment in new construction.
 - ii. Encouraging water-conserving landscaping and irrigation methods.
 - iii. Encouraging the retrofitting of existing development with water conserving devices.
- Z. General Plan Amendments subject to environmental review and not otherwise subject to California Water Code Section 10910 shall demonstrate through a water supply assessment that a long-term water supply for a 20-year timeframe is available. The water assessment shall include, but not limited to, the following:
- i. Source and quantity of historical water use on the site.
 - ii. Estimated water consumption of the proposed development.
 - iii. Estimated storage, if any, in meeting the projected need.
 - iv. Recommendations for additional sources of water to address demand shortage. Such measures may include, but not limited to, development of future sources of additional surface water and groundwater, including water transfers, conjunctive use, recycled water, conservation, and additional storage of surface water, groundwater, and desalination.

Written acknowledgement that water will be provided by a community or public water system with an adopted Urban Water Management Plan shall constitute compliance with this requirement.

1.10.8 Smart Growth

49. Discretionary development projects should be encouraged to incorporate innovative or “smart growth” land use planning techniques as design features, as follows:
- f. Adequate infrastructure (i.e. roads, sewer, water, parks, etc.) is provided as a condition of development approval by the project proponent.

Implementation Measures

BB. Wherever feasible accommodate new growth by infilling development, redeveloping existing sites, reusing vacant buildings and using under-utilized sites more efficiently before developing peripheral agricultural or resource lands.

Kings County

Hardwick
Kettleman City

Stratford

The *County of Kings 2035 General Plan* contains among others, the Land Use Element and Resource Conservation Element (RCE) which deal with public services and infrastructure county-wide. According to the Part I Introduction for the RCE, Part II of the RCE contains an inventory of natural resources in the County, including water, Part III contains policies related to water conservation and management, and Part IV contains Implementation Programs for water conservation and management. The goals, policies and implementation programs germane to this Water Study are provided below.

A. Water Resources

RC GOAL A1 Beneficially use, efficiently manage, and protect water resources while developing strategies to capture additional water sources that may become available to ensure long term sustainable water supplies for the region.

RC OBJECTIVE A1.1

Maintain and Protect Existing Water Supplies.

RC Policy A1.1.2: Review new discretionary development proposals, including new or expanded uses within agricultural zone districts, to ensure that there are adequate water supplies to accommodate such uses. Projects should provide evidence of adequate and sustainable water availability prior to approval of a tentative map or other land use approval.

RC Policy A1.1.5: Encourage and support regional groundwater management strategies such as an Integrated Regional Water Management Plan.

RC Policy A1.1.6: Support expansion of joint management of surface water and groundwater supplies that contributes to the protection, reliability and sustainability of local and regional water supplies.

RC OBJECTIVE A1.2

Conserve and reuse water to provide for the efficient use of water resources.

RC Policy A1.2.1: Encourage and support the development of educational programs by water purveyors and public agencies, in order to increase public awareness of water conservation opportunities and the potential benefits of implementing water-saving measures and programs.

- RC Policy A1.2.2:** Require the use of low water consuming, drought-tolerant and native landscaping and other water conserving techniques, such as mulching, drip irrigation and moisture sensors, for new development.
- RC Policy A1.2.3:** Continue to support efforts and educational programs intended to reduce water consumption on agricultural lands and enhance groundwater recharge.
- RC Policy A1.2.4:** Encourage and support the development of recycled water systems in Kings County.
- RC Policy A1.2.5:** Encourage and support the safe use of gray water for landscaping, agriculture, recreation and open space areas.
- RC Policy A1.2.6:** Future development shall incorporate Low Impact Development (LID) principles to minimize long-term stormwater runoff. Such principles shall include:
- Permeable paving, such as pavers, porous concrete, or pathway comprised of decomposed granite that is effective in stormwater infiltration to help prevent excess runoff.
 - Use of “urban bio-swales” to redirect stormwater into planter strips, rather than capturing runoff in pipes and diverting it to a remote location.
 - Use of water efficient irrigation (e.g., drip irrigation system) to water trees, shrub beds, and areas of groundcover to eliminate evaporation losses and minimize runoff.
 - Use of Predominately (75 percent) native plants and drought-tolerant landscaping wherever possible.

In addition, the General Plan embodies Community Plans for Armona, Home Garden, Kettleman City and Stratford which deal separately with services for these communities.

Tulare County

Allensworth
Alpaugh
Beverly-Grand
Cameron Creek
Citrus South Tule School
Culter
Delft Colony
Ducor
Earlimart
East Oroshi
East Porterville
El Rancho
Fairways Tract
Farmersville, City of
Goshen
Grandview Gardens
Hypericum
Ivanhoe
Lemon Cove and Sequoia Union School
Lindcove
Lindsay
London
Lovell School
Matheny Tract
Monson
Oakieville
Orosi
Orosi High School
Palo Verde School

Porterville, City of
Pixley
Plainview
Poplar
Richgrove
Rodriguez Labor Camp
Sausalito Elementary School

Seville
Seville
Sierra View Junior Academy
Souls Mutual Water Company
Springville
Strathmore
Sultana
Terra Bella
Teviston
Tipton
Tipton CSD-Burnett Rd.
Tonyville
Tooleville
Tract 92
Traver
Traver
Waukena Elementary School
West Goshen
Woodlake
Woodville
Yettem
Yettem Water System

The recently adopted *Tulare County General Plan 2030 Update* (hereafter Tulare County General Plan, adopted in 2012) contains three basic parts:

- **Part I, “Goals and Policies Report”** includes fourteen “elements” that apply countywide. Of these, the Land Use Element, the Public Facilities and Services Element, Economic Development Element and the Water Resources Element are most germane to this Water Study. Unique to this Goals and Policies Report, is a “preamble” chapter, called General Plan Framework Component. This section of the General Plan “sets the table” for the Goals and Policies that follow by laying out five (5) governing Value Statements, four (4) Central Framework Concepts (Agriculture,

Land Use, Scenic Landscapes, and Natural and Cultural Resources) and six (6) Guiding Principles of the Plan.

The Value Statements below provided the overarching direction during the development of the Plan:

1. The beauty of the County and the health and safety of its residents will be protected and enhanced.
2. The County will create and facilitate opportunities to improve the lives of all County residents.
3. The County will protect its agricultural economy while diversifying employment opportunities.
4. Every community will have the opportunity to prosper from economic growth.
5. Growth will pay its own way providing sustainable, high quality infrastructure and services.

The four Central Framework Concepts mentioned above are described as follows:

Concept 1: Agriculture

One of the most identifiable assets in Tulare County is the rich agricultural land on the valley floor and in the foothills. The General Plan identifies agriculture not only as an economic asset to the County but also as a cultural, scenic, and environmental element to be protected and to insure that the utilization of these resources may continue to economically succeed.

Concept 2: Land Use

Tulare County has a number of unincorporated communities that will grow and develop and natural resource lands (agriculture, mineral extraction, and open space) that will be preserved and permitted to expand. It is anticipated that much of the projected population growth will require a range of housing choices, neighborhood support services, and employment producing uses that are centrally located in cities and unincorporated communities. The County will also utilize its goals and policies to guide the conversion of agricultural and natural resource lands to urban uses.

Concept 4: Natural and Cultural Resources

As Tulare County develops its unincorporated communities, the County will ensure that development occurs in a manner that limits impacts to natural and cultural resources through the implementation of its Goals and Policies and through proper site planning and design techniques.

The six (6) Guiding Principles are:

Principle 1: Opportunities

Provide opportunities for small unincorporated communities to grow or improve quality of life and their economic viability.

Principle 2: Reinvestment

Promote reinvestment in existing unincorporated communities in a way that enhances the quality of life and their economic viability in these locations.

Principle 3: Protection of Resources

Protect the County's important agricultural resources and scenic natural lands from urban encroachment through the implementation of Goals and Policies of the General Plan.

Principle 4: Limit Rural Residential Development

Strictly limit rural residential development potential in important agricultural areas outside of unincorporated communities, hamlets and city Urban Area Boundaries¹ (UABs) and Urban Development Boundaries² (UDBs) (i.e., avoid rural residential sprawl).

Principle 5: Agricultural Facilities

Allow existing and outdated agricultural facilities in rural areas to be retrofitted and used for new agricultural related businesses (including non-agricultural uses) if they provide employment.

Principle 6: Planning Coordination and Cooperation

Enhance planning coordination and cooperation with the agencies and organizations with land management responsibilities in and adjacent to Tulare County.

Part II, "Area Plans", includes one guiding plan document for each of the three major geographic areas of the County; the valley floor, the foothills, and the mountains. The Rural Valley Lands Plan (RVLP) applies to the valley floor geography of the County (below the 600 ft. elevation contour) and is most germane to this Water Study. Part II also contains a *Corridor Framework Plan* which establishes policies that will guide the adoption of potential future Corridor Plans with the County. (At the time of preparation of this Water Study, only one such corridor plan has been undertaken by the County; the *State Route 99 Sustainable Corridor Plan* is in the very earliest stages of preparation, and is not expected to be available as a Public Review Draft until sometime in FY 2014/15.)

Part III consists of a number of existing planning documents: Sub-Area Plans (for the clusters of private in-holdings within the mountainous geography of the County encircled primarily by the Sequoia and Kings Canyon National Parks and the Sequoia National Forest), County-adopted City Area General Plans (for County lands within City Urban

¹ As defined in the Tulare County General Plan: This is an officially adopted and mapped County line around incorporated cities. The hierarchy is as follows: incorporated city limits, Urban Development Boundary (may be coterminous with the Sphere of Influence adopted by LAFCo), and the Urban Area Boundary of an incorporated city. The UABs establish areas (the area between the UDB and UAB) around incorporated cities where the County and cities may coordinate plans and policies relating to street and highway construction, public utility systems, and future right of way preservation, affecting the orderly development of urban fringe areas.

² As defined in the Tulare County General Plan: For cities, the County Adopted City UDB is an officially adopted and mapped County line delineating the area expected for urban growth over a 20-year period. This line may be coterminous to the Local Agency Formation Commissions Sphere of Influence. Land within a County Adopted City UDB may be appropriate for development.

Growth Boundaries and Spheres of Influence), and Community Plans for various autonomous unincorporated communities throughout the County. The plans most germane to this Water Study are:

- ✓ Adopted Community Plans for the unincorporated communities of Cutler/Orosi, Earlimart, Goshen, Ivanhoe, Pixley, Poplar/Cotton Center, Richgrove, Strathmore, and Traver;
- ✓ City Area Plans for, Delano (bisected by Kern/Tulare County line), Dinuba, Exeter, Farmerville, Kingsburg (bisected by Fresno/Tulare County line), Lindsay, Porterville, Tulare, Visalia, and Woodlake(?).

The Tulare County General Plan, Part I, includes the following county-wide policies related to water service requirements for new development.

Land Use

LU-2.1 Agricultural Lands

The County shall maintain agriculturally-designated areas for agriculture use and by directing urban development away from valuable agricultural lands to cities, unincorporated communities, hamlets, and planned community areas where public facilities and infrastructure are available.

LU-2.4 Residential Agriculture Uses

The County shall limit, to the extent allowed by law, residential development of lands designated for agricultural use. Only residences needed to support farming operations, agriculture, tourism, and agricultural support services shall be allowed.

LU-2.7 Timing of Conversion from Urban Reserve

The following three criteria shall be used to determine when conversion of Urban Reserve designated properties to urban uses is appropriate:

1. The property is not subject to an agricultural preserve contract;
2. Full urban services, schools, and infrastructure sufficient to serve urban development either are available or can be made available; and
3. At least 30 percent of the property boundaries are contiguous to existing urban development.

LU-3.1 Residential Developments

The County shall encourage new major residential development to locate near existing infrastructure for employment centers, services, and recreation.

LU-3.5 Rural Residential Designations

The County shall not re-zone any new areas for residential development in the RVLP area, unless it can be shown that other objectives, such as buffers and the relationship of the development to surrounding uses, can be achieved.

LU-7.16 Water Conservation

The County shall encourage the inclusion of “extra-ordinary” water conservation and demand management measures for residential, commercial, and industrial indoor and outdoor water uses in all new urban development.

Implementation Measures:

12. The County shall amend the Zoning Ordinance to increase the length of time that must lapse before existing homes qualify for divisions of land to create homesites in agricultural areas. *(LU-2.4)*

13. The County shall, in cooperation with property owners, reinstitute Open Space and Land Conservation contracts for all parcels on prime agricultural land meeting the minimum land area as required under State law. *(LU-2.1)*

24. The County shall review LEED and LEED-ND certification requirements and develop an implementation program. *(LU-7.16)*

Public Facilities and Services

PFS-1.1 Existing Development

The County shall generally give priority for the maintenance and upgrading of County-owned and operated facilities and services to existing development in order to prevent the deterioration of existing levels-of-service.

PFS-1.2 Maintain Existing Levels of Services

The County shall ensure new growth and developments do not create significant adverse impacts on existing County-owned and operated facilities.

PFS-1.3 Impact Mitigation

The County shall review development proposals for their impacts on infrastructure (for example, sewer, water, fire stations, libraries, streets, etc). New development shall be required to pay its proportionate share of the costs of infrastructure improvements required to serve the project to the extent permitted by State law. The lack of available public or private services or adequate infrastructure to serve a project, which cannot be satisfactorily mitigated by the project, may be grounds for denial of a project or cause for the modification of size, density, and/or intensity of the project.

PFS-1.4 Standards of Approval

The County should not approve any development unless the following conditions are met:

1. The applicant can demonstrate all necessary infrastructure will be installed and adequately financed,
2. Infrastructure improvements are consistent with adopted County infrastructure plans and standards, and
3. Funding mechanisms are provided to maintain, operate, and upgrade the facilities throughout the life of the project.

PFS-1.5 Funding for Public Facilities

The County shall implement programs and/or procedures to ensure that funding mechanisms necessary to adequately cover the costs related to planning, capital improvements, maintenance, and operations of necessary public facilities and services are in place, whether provided by the County or another entity.

PFS-1.6 Funding Mechanisms

The County shall use a wide range of funding mechanisms, such as the following, to adequately fund capital improvements, maintenance, and on-going operations for publicly-owned and/or operated facilities:

1. Establishing appropriate development impact fees,
2. Establishing assessment districts, and
3. Pursuing grant funding.

PFS-1.7 Coordination with Service Providers

The County shall work with special districts, community service districts, public utility districts, mutual water companies, private water purveyors, sanitary districts, and sewer maintenance districts to provide adequate public facilities and to plan/coordinate, as appropriate, future utility corridors in an effort to minimize future land use conflicts.

PFS-1.8 Funding for Service Providers

The County shall encourage special districts, including community service districts and public utility districts to:

1. Institute impact fees and assessment districts to finance improvements,
2. Take on additional responsibilities for services and facilities within their jurisdictional boundaries up to the full extent allowed under State law, and
3. Investigate feasibility of consolidating services with other districts and annexing systems in proximity to promote economies of scale, such as annexation to city systems and regional wastewater treatment systems.

PFS-1.9 New Special Districts

When feasible, the County shall support the establishment of new special districts, including community service districts and public utility districts, to assume responsibility for public facilities and services.

PFS-1.10 Homeowner Associations

The County shall support the creation of homeowner associations, condominium associations, or other equivalent organizations to assume responsibility for specific public facilities and services.

PFS-1.11 Facility Sizing

The County shall ensure that publicly-owned and operated facilities are designed to meet the projected capacity needed in their service area to avoid the need for future replacement to achieve upsizing. For facilities subject to incremental sizing, the initial design shall include adequate land area and any other elements to easily expand in the future.

PFS-1.12 Security

The County shall seek to minimize vulnerability of public facilities to natural and man-made hazards and threats.

PFS-1.13 Municipal Service Reviews (MSRs)

The County shall use MSRs adopted by LAFCo and Urban Water Management Plans, as tools to assess the capacity, condition, and financing of various public utility services provided by special districts and cities, most commonly, domestic water and sanitary sewer.

PFS-1.14 Capital Improvement Plans

Pursuant to California Government Code §65401, annually, the County shall receive and review all proposed public works projects proposed by the County, its departments, boards, and commissions, and any school or special district in the County, and shall prepare a coordinated program of proposed public works for the ensuing fiscal year, for review by the Planning Commission as to conformity with the County General Plan.

PFS-1.15 Efficient Expansion

The County shall provide incentives for infill projects where an efficient expansion of the infrastructure delivery system is fully funded.

PFS-1.16 Joint Planning Efforts

The County will promote joint planning efforts between communities, hamlets, and cities within proximity of each other so that services and infrastructure planning can be complementary.

Implementation Measures:

1. The County shall prepare capital improvement programs for all County-owned and operated facilities and services to ensure consistency with the General Plan in order to maintain an adequate level of service. *(PFS-1.2)*
2. The County shall annually review fees related to County-owned and operated facilities and County provided services to ensure funding levels are both affordable and adequate to sustain these facilities/services long-term. *(PFS-1.5, PFS-1.6)*
3. The County shall develop and adopt an impact fee program for new development to provide financing mechanisms to ensure the provision, operation, and ongoing maintenance of appropriate public facilities and services (including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreational and library facilities). *(PFS-1.6)*
4. For infill projects which include improvements to infrastructure, the County shall offer incentives including but not limited to density bonuses, CEQA exemptions, and financial assistance through redevelopment or Community Development Block Grants. *(PFS-1.15)*

Economic Development

ED-1.8 Adequate Facilities and Services

The County shall encourage new industries to locate within communities that have or can acquire adequate infrastructure capacity to meet the needs of new development.

Water Supply

The Tulare County General Plan, Part I, includes the following policies related to water service if a compliant water source is not available.

PFS-2.1 Water Supply

The County shall work with agencies providing water service to ensure that there is an adequate quantity and quality of water for all uses, including water for fire protection, by, at a minimum, requiring a demonstration by the agency providing water service of sufficient and reliable water supplies and water management measures for proposed urban development.

PFS-2.2 Adequate Systems

The County shall review new development proposals to ensure that the intensity and timing of growth will be consistent with the availability of adequate production and delivery systems. Projects must provide evidence of adequate system capacity prior to approval.

PFS-2.3 Well Testing

The County shall require new development that includes the use of water wells to be accompanied by evidence that the site can produce the required volume of water without impacting the ability of existing wells to meet their needs.

PFS-2.4 Water Connections

The County shall require all new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing water district service areas, or zones of benefit, to connect to the community water system, where such system exists. The County may grant exceptions in extraordinary circumstances, but in these cases, the new development shall be required to connect to the water system when service becomes readily available.

PFS-2.5 New Systems or Individual Wells

Where connection to a community water system is not feasible per PFS-2.4: Water Connections, service by individual wells or new community systems may be allowed if the water source meets standards for quality and quantity.

The Tulare County General Plan, Part I, includes the following policies to minimize construction of new water systems if there is an existing water system nearby that could be connected to.

The Tulare County General Plan, Part I, includes the following policies related to development efforts necessary to sustain long-range water demand in the County and to protect the quality and quantity of surface and groundwater resources and supplies.

Water Resources

WR-1.1 Groundwater Withdrawal

The County shall cooperate with water agencies and management agencies during land development processes to help promote an adequate, safe, and economically viable groundwater supply for existing and future development within the County. These actions shall be intended to help the County mitigate the potential impact on ground water resources identified during planning and approval processes.

WR-1.2 Groundwater Monitoring

The County shall support the collection of monitoring data for facilities or uses that are potential sources of groundwater pollution as part of project approvals, including residential and industrial development.

WR-1.3 Water Export Outside County

The County shall regulate the permanent export of groundwater and surface water resources allocated to users within the County to cities and service providers outside the County to the extent necessary to protect the public health, safety and welfare. The County shall strive for a “no net loss” where there may be water exchanges serving a public purpose.

WR-1.4 Conversion of Agricultural Water Resources

For new urban development, the County shall discourage the transfer of water used for agricultural purposes (within the prior ten years) for domestic consumption except in the following circumstances:

1. The water remaining for the agricultural operation is sufficient to maintain the land as an economically viable agricultural use,
2. The reduction in infiltration from agricultural activities as a source of groundwater recharge will not significantly impact the groundwater basin.

WR-1.5 Expand Use of Reclaimed Wastewater

To augment groundwater supplies and to conserve potable water for domestic purposes, the County shall seek opportunities to expand groundwater recharge efforts

WR-1.6 Expand Use of Reclaimed Water

The County shall encourage the use of tertiary treated wastewater and household gray water for irrigation of agricultural lands, recreation and open space areas, and large landscaped areas as a means of reducing demand for groundwater resources.

WR-1.7 Collection of Additional Groundwater Information

The County shall support additional studies focused on furthering the understanding of individual groundwater source areas and basins.

WR-1.8 Groundwater Basin Management

The County shall take an active role in cooperating in the management of the County's groundwater resources.

WR-1.9 Collection of Additional Surface Water Information

The County shall support the additional collection of water quality and flow information for the County's major drainages as part of project approvals.

WR-1.10 Channel Modification

Channel modification shall be discouraged in streams and rivers where it increases the rate of flow, rate of sediment transport, erosive capacity, have adverse effect on aquatic life or modify necessary groundwater recharge.

WR-1.11 Groundwater Overdraft

The County shall consult with water agencies within those areas of the County where groundwater extraction exceeds groundwater recharge, with the goal of reducing and ultimately reversing groundwater overdraft conditions in the County.

WR-2.1 Protect Water Quality

All major land use and development plans shall be evaluated as to their potential to create surface and groundwater contamination hazards from point and non-point sources. The County shall confer with other appropriate agencies, as necessary, to assure adequate water quality review to prevent soil erosion; direct discharge of potentially harmful substances; ground leaching from storage of raw materials, petroleum products, or wastes; floating debris; and runoff from the site.

WR-2.2 National Pollutant Discharge Elimination System (NPDES) Enforcement

The County shall continue to support the State in monitoring and enforcing provisions to control non-point source water pollution contained in the U.S. EPA NPDES program as implemented by the Water Quality Control Board.

WR-2.3 Best Management Practices (BMPs)

The County shall continue to require the use of feasible BMPs and other mitigation measures designed to protect surface water and groundwater from the adverse effects of construction activities, agricultural operations requiring a County Permit and urban runoff in coordination with the Water Quality Control Board.

WR-2.4 Construction Site Sediment Control

The County shall continue to enforce provisions to control erosion and sediment from construction sites.

WR-2.5 Major Drainage Management

The County shall continue to promote protection of each individual drainage basin within the County based on the basins unique hydrologic and use characteristics.

WR-2.6 Degraded Water Resources

The County shall encourage and support the identification of degraded surface water and groundwater resources and promote restoration where appropriate.

WR-2.7 Industrial and Agricultural Sources

The County shall work with agricultural and industrial concerns to ensure that water contaminants and waste products are handled in a manner that protects the long-term viability of water resources in the County.

WR-2.8 Point Source Control

The County shall work with the Regional Water Quality Control Board to ensure that all point source pollutants are adequately mitigated (as part of the California Environmental Quality Act review and project approval process) and monitored to ensure long-term compliance.

WR-2.9 Private Wells

The County shall ensure that private wells are adequately constructed to provide protection from bacteriological and chemical contamination and do not provide a hazard as to contaminate the aquifer.

WR-3.1 Develop Additional Water Sources

The County shall encourage, support and, as warranted, require the identification and development of additional water sources through the expansion of water storage reservoirs, development of groundwater banking for recharge and infiltration, and promotion of water conservation programs, and support of other projects and programs that intend to increase the water resources available to the County and reduce the individual demands of urban and agricultural users.

WR-3.2 Develop an Integrated Regional Water Management Plan

The County will participate with other agencies and organizations that share water management responsibilities in the County to enhance modeling, data collection, reporting and public outreach efforts to support the development and implementation of appropriate Integrated Regional Water Management Plans (IRWMP) within the County.

WR-3.3 Adequate Water Availability

The County shall review new development proposals to ensure the intensity and timing of growth will be consistent with the availability of adequate water supplies. Projects must submit a Will-Serve letter as part of the application

process, and provide evidence of adequate and sustainable water availability prior to approval of the tentative map or other urban development entitlement.

WR-3.4 Water Resource Planning

The County shall continue participation in State, regional, and local water resource planning efforts affecting water resource supply and quality.

WR-3.5 Use of Native and Drought Tolerant Landscaping

The County shall encourage the use of low water consuming, drought-tolerant and native landscaping and emphasize the importance of utilizing water conserving techniques, such as night watering, mulching, and drip irrigation.

WR-3.6 Water Use Efficiency

The County shall support educational programs targeted at reducing water consumption and enhancing groundwater recharge.

WR-3.7 Emergency Water Conservation Plan

The County shall develop an emergency water conservation plan for County operated water systems to identify appropriate conservation policies that can be implemented during times of water shortages caused by drought, loss of one or more major sources of supply, contamination of one or more sources of supply, or other natural or man-made events.

WR-3.8 Educational Programs

The County shall encourage the development of educational programs, both by water purveyors and public agencies, in order to increase public awareness of water conservation opportunities and the potential benefits of implementing conservation measures and programs including water quality.

WR-3.9 Establish Critical Water Supply Areas

The County shall designate Critical Water Supply Areas to include the specific areas used by a municipality or community for its water supply system, areas critical to groundwater recharge, and other areas possessing a vital role in the management of the water resources in the County, including those areas with degraded groundwater quality.

WR-3.10 Diversion of Surface Water

Diversions of surface water or runoff from precipitation should be prevented where such diversions may cause a reduction in water available for groundwater recharge.

WR-3.11 Policy Impacts to Water Resources

The County shall monitor actions taken at the federal and State level which impact water resources in order to evaluate the effects of these actions on the County's resources.

WR-3.12 Joint Water Projects with Neighboring Counties

Tulare County will work with neighboring counties to promote development of joint water projects, such as a cross-valley canal, and other efforts to expand water supply.

WR-3.13 Coordination of Watershed Management on Public Land

The County shall work cooperatively with State and federal land managers to coordinate watershed management on public land.

Implementation Measures:

1. County staff shall develop an ordinance that will regulate the permanent extraction and exportation of groundwater from Tulare County. The ordinance will set up a permit process for groundwater export. Conditions considered for this permit will include:
 - a. Find and determine that the extraction will not substantially increase the overdraft of the groundwater underlying the County;
 - b. Will not adversely affect the long-term ability for storage or transmission of groundwater within the aquifer;
 - c. Will not (together with other extractions) exceed the safe yield of the groundwater underlying the County unless the safe yield is exceeded only by extractions in connection with a conjunctive use program approved by the County;
 - d. Will not otherwise operate to the injury of the reasonable and beneficial uses of overlying groundwater users;
 - e. Will not result in an injury to a water replenishment, storage, or restoration project operating in accordance with statutory authorization; and
 - f. Find that the applicant has provided for mitigation which will offset any adverse effect that is determined to exist. (*WR-1.1, WR-1.2, WR-1.3*)
2. Solid waste disposal areas shall not be located where there is possibility of ground or surface water contamination. Solid waste facilities shall be sited in accordance with the Tulare County Siting Element and California Code of Regulations Titles 14 & 27, Division 2. (*WR-1.1, WR-1.2, WR-1.8*)
3. The County shall assure that all watershed planning is done on a complete regional and watershed basis, and that such planning considers a balance between urban and agricultural demands. (*WR-1.1, WR-1.7, WR-2.5, WR-3.2, WR-3.4, WR-3.7, WR-3.13*)
4. Where feasible, the County shall participate in coordinated local, regional, and Statewide groundwater monitoring and planning programs. (*WR-1.2, WR-3.13*)
5. The County shall encourage active participation by local stakeholders and develop groundwater-monitoring partnerships with local groundwater users and developers. (*WR-1.2*)
6. The County shall avoid destruction of established recharge sites through such means as clustering development to leave such areas in open space, avoidance of lining channels and streams, alteration of existing agricultural practices, or substitutions made of drainage methods that will transport polluted waters away from such sites. (*WR-1.10, WR-2.5, WR-2.7, WR-2.8, WR-3.10*)
7. The County shall work with federal, State, local and regional agencies to improve local groundwater pollution detection and monitoring. (*WR-1.2, WR-1.7*)
8. The County shall encourage responsible agencies and organizations to install and monitor additional groundwater monitoring wells in areas where data gaps exist. (*WR-1.2, WR-1.7*)
9. The County will research the development of an education program to inform homeowners in the Valley and Mountain areas regarding water quality concerns. (*WR-1.7*)
10. The County shall incorporate provisions, including evaluating incentives, for the use of reclaimed wastewater, water conserving appliances, drought tolerant landscaping, and other water conservation techniques into the County's building, zoning, and subdivision ordinances. (*WR-1.5, WR-3.1, WR-3.5, WR-3.6, WR-3.8*)
11. The County shall identify and evaluate conditions within established watersheds which are causing deterioration of the water quality, water supply, or declining water yields. The County shall institute the necessary revisions to regulatory documents (Zoning Ordinance, Subdivision Ordinance, etc.) to mitigate these issues. (*WR-1.7, WR-1.8*)

12. Development projects involving drainage alterations shall be constructed to minimize soil erosion and silt transport. *(WR-1.10, WR-2.1, WR-2.2, WR-2.3, WR-2.4)*
13. During preliminary and final road location surveys, roads (excluding bridges and culverts) shall be planned away from natural drainage channels. Stream crossing points should involve a minimum disturbance to banks and existing channels and excessive cuts and accumulations of waste soil near natural drainages avoided. *(WR-1.10)*
14. Groundwater and soil conditions shall be identified prior to subdividing or road and building construction and such development properly engineered to control or avoid potential land slides in areas of unstable soil, as well as to prevent unnecessary substantial amounts of soil erosion. *(WR-2.1, WR-2.2, WR-2.3, WR-2.4)*
15. Designs, which respect natural topography and vegetation, can usually achieve effective flood control while retaining the dynamic flow and functional integrity of a natural waterway. Further channeling, straightening and lining waterways should be evaluated until alternative multipurpose modes of treatment such as wider berms and landscaped levees in combination with recreation amenities are provided. *(WR-1.10)*
16. The County shall consider expanding the role of the Water Commission to examine contaminant management in cooperation with the agricultural community and industrial interests. *(WR-2.7)*
17. The County shall amend the well ordinance to require deeper seals in areas of known contaminants. The County shall also oversee the proper abandonment of unused wells. *(WR-1.2, WR-2.6, WR-2.9, WR-3.1, WR-3.2, WR-3.4, WR-3.9, WR-3.12, WR-3.13)*
18. The County will participate in Integrated Regional Water Management Plans. *(WR-3.2, WR-3.4)*
19. The County shall adopt an ordinance to require new development proposals to provide a Will-Serve letter as part of the application process and suitable evidence of long-term water availability prior to approval of the tentative map or other entitlement. For subdivisions proposing to use well water, the new ordinance shall evaluate current waiver provisions and evaluate well pump test requirements to demonstrate water supply capabilities. *(WR-3.3)*
20. The County will support TCAG's Regional Blueprint efforts to provide an adequate, costefficient, and realizable water supply to sustain a high quality of life. *(WR-3.4)*
21. The County shall maintain and implement its water efficient landscape ordinance consistent with the Department of Water Resources Model Water Efficient Landscape Ordinance. *(WR-3.5)*
22. As part of the County's Emergency Water Conservation Plan, a priority of consumptive uses for various water sources shall be developed to ensure availability of adequate supplies to meet public health and safety needs, and for resource protection. Suggested priority:
 - a. Potable water supply, fire protection, domestic uses,
 - b. Resource protection and preservation,
 - c. Industrial, irrigation, and commercial uses,
 - d. Water oriented or water enhanced recreation, and
 - e. Air conditioning. *(WR-3.7)*
23. The County shall develop an education program to inform residents of water conservation techniques and the importance of water quality and adequate water supplies. Programs may include informational flyers, community workshops, technology transfer fairs, and other various means of education and information dissemination. *(WR-3.6, WR-3.8)*
24. The County shall protect groundwater recharge areas (including those identified as Critical Water Supply Areas) in the County by carefully regulating the type of development within these areas. Regulations may include, but are not limited to, the limitation of structural coverage and impervious surfaces and prohibition of uses with the potential to discharge harmful pollutants, increase erosion, or create other impacts degrading water quality or affecting groundwater supply. *(WR-2.1, WR-3.9)*
25. The County shall amend County ordinances to include development standards which protect groundwater basins and surface water drainage areas and provide incentives for use of conservation techniques. *(WR-3.9)*
26. The County shall establish development or design standards for the protection of groundwater recharge areas, such as placing limitation on the amount of impervious surfaces, or other planning and zoning techniques. *(WR-3.9)*
27. The County shall identify a system of critically inadequate water supply, water transfer facilities, and groundwater recharge areas on a map, incorporating existing canals, creeks and rivers, groundwater recharge basins; proposed sites for regional recharge basins; and needed water transfer facilities.

The County shall, in conjunction with stakeholders, draft an ordinance relating to the care and maintenance of this system, such as: discouragement of piping or alteration; encouraging of multiuse as trails and recreational facilities, etc., wherever feasible. (WR-3.9)

28. The County shall work with other local/regional agencies, water purveyors, and interest groups to seek funding sources to implement a variety of surface and groundwater restoration activities. (WR-3.4)

The Tulare County General Plan, Part II, Rural Valley Lands Plan (RVLP) is a specific land use tool applicable only on the valley floor (generally below the 600 ft. elevation contour line along the foothills of the Sierra Nevada mountain range) for the purpose of judging the relative agricultural or non-agricultural suitability of “rural” county lands. The RVLP employs a weighted point value system for fifteen (15) factors from Agricultural Preserve status under the Williamson Act to groundwater level, soil permeability, and soils’ capabilities for cultivation and land-applied wastewater disposal, to surrounding land uses and parcel sizes, environmental sensitivity including whether prone to flooding, and proximity to available urban services. The tool is generally applied to change of zone and certain conditional use permit requests. The RVLP emphasizes that land to be developed for non-agricultural uses be programmed in a gradual outward and concentric extension of present non-agricultural areas such that agricultural lands will not become unnecessarily fragmented and that municipal service extension costs will be kept at an economically affordable level. In addition to directing growth as much as possible to less agriculturally desirable soils, development is also to be directed to areas where groundwater level and soil capability ratings permit building without substantial public safety hazards or critical environmental disturbances.

The Tulare County General Plan, Part II, Corridors Framework Plan establishes the County’s intent to recognize existing regional, urban and scenic transportation routes as opportunities for supporting viable and balanced economic development. Such development is to be more fully characterized in future corridor plans to be prepared for adoption. Until such plans are formulated and approved, the Corridors Framework Plan contains the following interim policy:

C-1.6. Regional Growth Corridor Opportunity Areas – Interim Policy

Pending adoption of regional growth corridor plans, the County may approve highway oriented commercial, industrial, and mixed use development if all the following criteria are met:

1. The development runs along a major collector within one-quarter mile of a rail stop or intersection (ingress/egress) of State Highways 65 and 99. The development must have access to a publicly maintained road and be located within 1/8 mile of the major collector,
2. More than 50% of the site has soils with an agricultural capability of Class III or lower,
3. Under the RVLP point evaluation, the property is determined to not meet values that would render the property “restricted to agriculture”, and
4. The property must not have been used for commercial agriculture for the last five years.

Implementation Measures:

1. 2. When preparing regional growth corridor plans or an interim development proposal in accordance with Policy-1.6: Regional Growth Corridors Opportunity Areas-Interim Policy, the following shall be considered and addressed:

- a. Corridors may be identified as part of existing community plans or be qualified exceptions to the RVLP,
- b. Urban separators between communities will be maintained,
- c. Corridors shall be located at or near highway interchanges that meet specified criteria. These criteria could be met with new investment,
- d. A Special Use Permit would be required,
- e. Address any infrastructure that is lacking in a corridor area,
- f. Prohibit new frontage roads, like the Golden State Highway in Fresno, within half a mile of freeways,
- g. Establish separation criteria for appropriate spacing of gas stations and other uses at commercial interchanges,
- h. Provide a circulation plan demonstrating arterial road access, a cohesive and integrated access road network, and the potential for future transit service,
- i. Ensure reasonable proximity to police and fire protection,
- j. Corridors will run perpendicular, not parallel to the adjacent highway,
- k. Maintain nodal concentrations as part of existing communities and include open space and agriculture community separators,
- l. Build on valley-wide efforts by Caltrans and the Great Valley Center,
- m. Implement best management practices for highway oriented development,
- n. Ensure quality development,
- o. Ensure that business frontages are showing; not backyard storage areas, and
- p. Develop outdoor storage and landscaping requirements.

3. A proposal submitted under C-1.6: Regional Growth Corridor Opportunity Areas – Interim Policy, may be submitted in the form of an application for a specific plan, change of zone, use permit, tentative subdivision map, or the necessary entitlement for use. The proposal should be subject to appropriate environmental and fiscal review; and before making a decision on the proposal, the County should solicit and consider the input of any affected public entities.

The Tulare County General Plan, Part III, is the compilation of all existing Community Plans, County-adopted City Area General Plans, and Valley, Foothill and Mountain Sub-Area Plans each of which the County intends to update or adopt in the near future. As well, Part III will include additional Mountain Area Service Center Plans, Hamlet Plans and Corridor Plans as they are prepared and adopted in the future. The currently adopted components of Part III of the Tulare County General Plan that are germane to this Water Study are:

✓ Adopted Community Plans for the unincorporated communities of:

- Cutler/Orosi
- Earlimart
- Goshen
- Ivanhoe
- Pixley
- Poplar/Cotton Center
- Richgrove
- Strathmore

- Terra Bella/Ducor
- Traver
- ✓ County-adopted City Area Plans for;
 - Delano (bisected by Kern/Tulare County line)
 - Dinuba
 - Exeter
 - Farmerville
 - Kingsburg (bisected by Fresno/Tulare County line)
 - Lindsay
 - Porterville
 - Tulare
 - Visalia
 - Woodlake

Unincorporated Communities of concern in this Water Study for which future Community Plans will be prepared by Tulare County include:

- Alpaugh
- East Orosi
- Lemon Cove
- London
- Plainview
- Sultana
- Tipton
- Woodville

Unincorporated Hamlets (as defined by the Tulare County General Plan) of concern in this Water Study for which future Hamlet Plans will be prepared by Tulare County include:

- Allensworth
- Delft Colony
- East Tulare Villa
- Lindcove
- Monson
- Seville
- Teviston

- Tonyville
- Waukena
- West Goshen
- Yettem

It is anticipated that land development policies written into these future Community and Hamlet Plans will be reflective of, and internally consistent with, the overall County 2030 Update General Plan, as required by State law.

APPENDIX F

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APPENDIX G

STAKEHOLDER OVERSIGHT COMMITTEE INFORMATION

SOAC BYLAWS

TULARE LAKE BASIN DAC WATER STUDY FACTSHEET

SOAC MEMBERS



**COUNTY ADMINISTRATION
OFFICE
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One
PETE VANDER POEL
District Two
PHILLIP A. COX
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: August 16, 2011

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
CONTACT PERSON: Denise Akins PHONE: 636-5005				

SUBJECT: Create Stakeholder Oversight Committee

REQUEST(S):

That the Board of Supervisors:

1. Approve creation of a Stakeholder Oversight Committee for the County of Tulare Disadvantaged Community Water Study
2. Approve the Bylaws for the Stakeholder Oversight Committee

SUMMARY:

On April 26, 2011 the Tulare County Board of Supervisors passed Resolution 2011-0243 which approved an agreement with the California Department of Water Resources to accept grant funding for the County of Tulare Disadvantaged Community Water Study Project.

The Work Plan in the grant agreement requires the formation of a Stakeholder Oversight Committee to provide guidance and feedback for the selection of pilot projects and studies. The recommended composition of the committee and the appointment process are described in the attached Bylaws.

FISCAL IMPACT/FINANCING:

There is no net county cost for the committee.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The Strategic Business Plan includes a goal of providing an adequate and safe water supply under the Safety and Security initiative. The study will contribute to this goal by identifying water supply and quality issues in disadvantaged

SUBJECT: Create Stakeholder Oversight Committee

DATE: August 16, 2011

communities and working towards the development of regional solutions to these issues.

ADMINISTRATIVE SIGN-OFF:



Denise Akins
Administrative Analyst- Water Resources

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment Stakeholder Oversight Committee Bylaws

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF CREATE)
STAKEHOLDER OVERSIGHT COMMITTEE) Resolution No. _____
) Agreement No. _____
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approved creation of a Stakeholder Oversight Committee for the County of Tulare Disadvantaged Community Water Study
2. Approved the Bylaws for the Stakeholder Oversight Committee

**COUNTY OF TULARE
STAKEHOLDER OVERSIGHT COMMITTEE
FOR THE TULARE LAKE BASIN DISADVANTAGED COMMUNITY
WATER STUDY**

BYLAWS

I. COMMITTEE

A. Composition and Qualifications

The Committee shall be composed of 22 members. The committee will be comprised of community representatives, regulatory and funding agency representatives, and other organizations' representatives working on disadvantaged community water and wastewater needs.

B. Selection

The Committee shall be selected as follows:

1. Applicants must complete the general application form available from the County of Tulare Administrative Office. In addition to the usual information requested on the form, applicants must identify the county in which they reside, any disadvantaged community they are affiliated with and the nature of that affiliation.
2. The application period shall end on September 13, 2011. Applications must be received by the County of Tulare Administrative Office before the close of business on September 13, 2011 in order to be considered timely.
3. The County of Tulare Board of Supervisors will appoint the Committee based on the following criteria: Voting members will include: Four (4) county representatives, one (1) from each of the following counties- Tulare, Kings, Kern, and Fresno. Nine (9) representatives of disadvantaged community water or wastewater boards and/or committees, and/or residents. Ex--officio members will consist of: Four (4) representatives from different funding sources- ie. Department of Public Health, State Water Resources Control Board, Department of Water Resources, United States Department of Agriculture, and/or Housing and Urban Development. One (1) member from a Tulare Lake Basin Integrated Regional Water Management Planning group. Four (4) representatives from different non-profit, academic and/or community-based organizations. The County of Tulare Administrative Office will make a recommendation for Committee membership to the Board at the County of Tulare Board of Supervisors meeting on September 20, 2011.
4. The County of Tulare Board of Supervisors shall make the final appointments to the Committee on September 27, 2011.

C. Vacancies

The occurrence of any of the following events shall cause a vacancy in a position on the Committee:

1. The member's death.

**COUNTY OF TULARE
STAKEHOLDER OVERSIGHT COMMITTEE
FOR THE TULARE LAKE BASIN DISADVANTAGED COMMUNITY
WATER STUDY**

BYLAWS

2. The member's resignation. A resignation shall be in writing and shall be effective when submitted to the Committee or to the Clerk of the County of Tulare Board of Supervisors. A resignation may not be rescinded.
3. The member's ceasing to meet the criteria upon which the member was appointed.
4. The member's failure to attend two (2) consecutive meetings of the Committee, unless good cause for each absence is approved by the Committee. Committee members shall notify staff or the Chair in advance if they are unable to attend a meeting.
5. The member's removal from the position by the County of Tulare Board of Supervisors.

If a position on the Committee becomes vacant, the County of Tulare Board of Supervisors may appoint a replacement as allowed by the Maddy Act (Gov. Code, § 54970 et seq.), or may leave the position vacant.

D. Compensation

Members of the Committee shall not receive a per diem for serving on the Committee, and shall not be entitled to reimbursement for expenses on behalf of the Committee.

E. Officers and Staff

1. The Committee will be chaired by the representative from the County of Tulare. The Committee shall, at its first meeting or as soon thereafter as convenient, elect a Vice Chair and a Secretary. The Chair shall preside over all meetings, and shall be entitled to vote on all matters. The Vice Chair shall preside in the absence of the Chair. If both the Chair and the Vice Chair are absent, the members present shall elect a Chair pro tem for the meeting. The Secretary shall take and prepare the minutes.
2. The County of Tulare Administrative Officer or designee shall be the staff contact for the Committee. Other County employees and consultants working on the project shall assist the CAO or designee. Staff shall prepare, post, and distribute agendas, minutes, and other materials for meetings.

**COUNTY OF TULARE
STAKEHOLDER OVERSIGHT COMMITTEE
FOR THE TULARE LAKE BASIN DISADVANTAGED COMMUNITY
WATER STUDY**

BYLAWS

II. MEETINGS OF COMMITTEE

A. Quorum

A quorum shall consist of a majority of current members. Vacant positions shall not be counted for the purpose of determining a quorum.

B. Vote

The following are voting members: The four (4) representatives from Tulare, Kings, Kern, and Fresno counties and the eight (8) representatives from disadvantaged community boards, committees, and/or residents. All actions require a majority of current voting members, not just a majority of the quorum present. Vacant positions shall not be counted for the purpose of determining the number of current members.

C. Conduct of Business

Business shall be conducted in accordance with the usual semi-formal procedures for a committee, with a motion, second, and vote. Members must be present to vote.

D. Brown Act

1. Meetings of the Committee shall be subject to the open meetings law for local legislative bodies, the Ralph M. Brown Act (Gov. Code, § 54950 et seq.).
2. As an advisory committee, the Committee is not required to set the time and place for regular meetings. Even if a meeting is scheduled elsewhere, the agenda shall be posted at the Board of Supervisors building.
3. Meetings of the Committee shall generally be treated as special meetings under the Brown Act. The rules for a special meeting include rules that the agenda must be posted at least 24 hours ahead of time, that items may not be added to the agenda, and that no separate public comment time is included. However, as permitted by the Brown Act, if the Committee posts an agenda at least 72 hours ahead of time, the meeting may be treated as a regular meeting.

E. Recording or broadcasting

Any person attending a meeting of the Committee may record or broadcast the meeting through an audio or video recording, a still or video camera, or other recording or broadcasting device. However, recording or broadcasting of a Committee meeting may be prohibited if the Committee makes a reasonable finding that the recording or broadcasting cannot continue without noise, illumination, or obstruction of view that would constitute a persistent disruption of the proceedings. To this end, the presiding officer, staff, or the Committee may direct a person regarding the manner and/or positioning of recording or

**COUNTY OF TULARE
STAKEHOLDER OVERSIGHT COMMITTEE
FOR THE TULARE LAKE BASIN DISADVANTAGED COMMUNITY
WATER STUDY**

BYLAWS

broadcasting so as to minimize the impacts of such activity. If a person persists in disrupting a meeting, the presiding officer may order him/her removed from the meeting.

F. Public Comment

1. Time restrictions

- (a) The Committee shall include a separate public comment time on any agenda posted at least 72 hours ahead of time. This time shall be for comments by the public on items not on the agenda but within the Committee's jurisdiction. The public comment item shall be limited to three minutes per speaker and to a total of 15 minutes for the item.
- (b) The Committee shall permit public comment on all agenda items, before any Committee vote on the item. Public comments on individual items shall be limited to three minutes per speaker, and to a total of 15 minutes for the item.
- (c) If it appears that all members of the public desiring to comment cannot be accommodated during the allotted times, the presiding officer may shorten the individual comment time, or may extend the time allotted for the item.

2. Manner of addressing Committee

(a) Individual speakers

Each person addressing the Committee shall stand at the location indicated and shall give his/her name and address for the record in an audible tone of voice. All remarks shall be addressed to the Committee as a body and not to any individual member. No person, other than the Committee, staff, and the person addressing the Committee, shall be permitted to enter into any discussion, either directly or through a member of the Committee, without the permission of the presiding officer. No question shall be asked of a member of the Committee or of staff except through the presiding officer.

(b) Groups

Whenever a group wishes to address the Committee, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group. In addition, the presiding officer may limit the number of persons from a particular group who are allowed to speak, if it appears to the presiding officer that additional data or argument would result in unnecessary repetition.

**COUNTY OF TULARE
STAKEHOLDER OVERSIGHT COMMITTEE
FOR THE TULARE LAKE BASIN DISADVANTAGED COMMUNITY
WATER STUDY**

BYLAWS

G. Decorum

1. By Committee members

While the Committee is in session, the members must preserve order and decorum. A member shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Committee. A member shall not disturb any other member, nor refuse to obey the orders of the Committee, or the presiding officer, except as otherwise provided herein.

2. By other persons

No member of the public shall approach the Committee while the Committee is in session, unless specifically allowed to do so by the presiding officer. Any message to be presented to, or contact with, a member of the Committee while the Committee is in session shall be presented through staff or the presiding officer. Unruly conduct, such as undue noise, hissing, profanity, insults, derogatory racial, sexual, ethnic and similar slurs, or physical disturbance, shall not be permitted. The presiding officer may order any person who engages in such conduct removed from the meeting.

3. Communication devices

The ring or other audible features on private electronic communication devices shall be turned off in the meeting room while the Committee is in session. In addition, use of such devices in a manner which is audible or visible to the Committee, Committee staff, or other members of the public in the meeting room while the Committee is in session is prohibited. The presiding officer may order any offender removed from the meeting.

III. DUTIES OF COMMITTEE

The Committee shall have the duty of advising the County of Tulare Board of Supervisors on the selection of pilot project(s) or study for the Tulare Lake Basin Disadvantaged Community Water Study.

Recommending Criteria for Selecting Pilot Projects and/or Studies

1. Background

On April 26, 2011 the County of Tulare Board of Supervisors passed Resolution 2011-0243 which approved an agreement with the California Department of Water Resources to accept grant funding for the Tulare Lake Basin Disadvantaged Community Water Study Project.

**COUNTY OF TULARE
STAKEHOLDER OVERSIGHT COMMITTEE
FOR THE TULARE LAKE BASIN DISADVANTAGED COMMUNITY
WATER STUDY**

BYLAWS

The Work Plan in the grant agreement requires the formation of a Stakeholder Oversight Committee to provide guidance and feedback for the selection of pilot projects and studies.

2. Committee's Duties

The Committee shall recommend to the County of Tulare Board of Supervisors which pilot project(s) and/or study will be completed for the Tulare Lake Basin Disadvantaged Community Water Study. The Committee will work with the project consultants to identify plan priorities for the Tulare Lake Basin pilot projects, and review and provide input on draft and final recommendations. The Committee's report shall be advisory only.

3. Deadline for Committee Action

The Committee shall complete this task no later than May 31, 2012, so that the County of Tulare Board of Supervisors may take action on the Committee's recommendations no later than June 26, 2012.

IV. TIMESPAN OF COMMITTEE

While the Committee's formal work will be concluded in May, 2013, Committee members may continue to be involved in the reporting process. In June, 2012 the County of Tulare Board of Supervisors will select the final pilot project(s) and/ or study.

The Committee shall be dissolved effective November 30, 2014, and shall have no power thereafter.

*Bylaws of the Tulare County Stakeholder Oversight Committee for the Tulare Lake
Basin Disadvantaged Community Water Study
Approved by the Board of Supervisors on August 16, 2011.*

Attest:

Deputy Clerk of the Tulare County Board of
Supervisors

Tulare Lake Basin Disadvantaged Community Water Study

Fact Sheet

Background

Disadvantaged communities (DACs) in the Tulare Lake Basin region face widespread drinking water and wastewater challenges. In many cases local counties and Integrated Regional Water Management (IRWM) planning groups have been unable to help DACs within their planning areas to address these challenges. This study will investigate and develop solutions for DACs that can be integrated into IRWM and county planning efforts for the Tulare Lake Basin region.

The California Department of Water Resources (DWR) awarded \$2 million to the County of Tulare to develop a plan for regional water and wastewater solutions for DACs in the Tulare Lake Basin, including areas in Fresno, Kern, Kings and Tulare Counties. The solutions will provide safe, clean and affordable potable water supplies and effective and affordable wastewater treatment and disposal options. They must also address long-term sustainability for operation, management and financing these services. The study will look at a variety of different types of joint and shared solutions, recognizing that there is not a one-size-fits-all solution.

Purpose:

The purpose of this study is to develop a plan that provides rural DACs with a safe, clean and affordable potable water supply and effective and affordable wastewater treatment and disposal options. The final product will be an integrated water quality and wastewater treatment program plan to address the drinking water and wastewater needs of DACs in the Tulare Lake Basin region. While the plan will not solve the water and wastewater challenges in every community, it will identify project recommendations and advance pilot projects that may be replicable models in communities throughout the region and beyond.

The final report will include recommendations for planning, infrastructure, and other water management actions, as well as specific recommendations for regional drinking water treatment facilities, regional wastewater treatment facilities, conjunctive use sites and groundwater recharge, groundwater for surface water exchanges, project sustainability, and cost-sharing mechanisms. The report will identify projects and programs that will create long-term reliability, while optimizing the ongoing operation and maintenance (O&M) and management costs for small water and wastewater systems, as well as identify policy recommendations to address challenges and barriers to implementation of solutions.

The study will focus on DACs that have an annual median household income that is less than 80% of the statewide annual median household income and meet certain connection and population criteria. This will include community water systems, wastewater systems, schools that provide their own drinking water or are served by a local water system, and rural communities with a high density of contaminated private wells and/or septic system problems.

The County of Tulare Administrative Office will manage the study in conjunction with a team of consultants and a Stakeholder Oversight Advisory Committee, composed of representatives from all four counties and members of local DACs. The Committee, which will be appointed in September 2011, will select pilot projects in early 2012 and review the draft report recommendations by December 2013. A final report is due to DWR by August 31, 2014.

Tulare Lake Basin Disadvantaged Community Water Study Stakeholder Oversight Advisory Committee (SOAC)

Responsibility

Oversee implementation of the Tulare Lake Basin Disadvantaged Community Water Study, including:

- Determining priorities in the region
- Developing criteria for evaluating projects
- Selecting individual pilot projects and/ or studies
- Approving final report recommendations

Membership

12 voting members including:

- 1 representative, plus 1 alternate from each County Board of Supervisors (Tulare, Kings, Kern and Fresno)
- 8 representatives (2 from each county), plus 4 alternates (1 from each county) from disadvantaged community (DAC) water or wastewater boards and/or committees and/or residents

9 Ex-Officio (non-voting) members including:

- 4 representatives from funding and regulatory agencies
- 1 representative from a Tulare Lake Basin IRWM group
- 4 representatives from other non-profit, academic, and community-based organizations working on water and wastewater needs in the Tulare Lake Basin

Meetings

All meetings will be open to the public and public participation is greatly encouraged. At least four meetings will be held between October 2011 and June 2013.

Pilot Projects and Studies

The study will not be able to fully develop solutions for every water or wastewater problem in every community in the four-county Tulare Lake Basin region. Therefore, it is important to develop pilot projects and/or studies that can be models for solutions to specific issues that can be replicated in other communities in the region and beyond. The Stakeholder Oversight Advisory Committee will select the specific pilot projects and/or studies and ensure that they address the region's priority issues and model a variety of solutions that can benefit the entire region.

Example: joint treatment plant for x, y, & z communities; joint power structures/agreements for sharing costs and revenue for operation and management.

Each individual pilot project or study will have a Pilot Project Stakeholder Advisory Group to provide input and gain community buy-in throughout the development of specific projects and/or studies. There will be active outreach for involvement in these projects and/or studies.

How to Apply

Complete the application form available from the County of Tulare Administrative Office. Applicants must identify the county in which they reside, any disadvantaged community and/ or non-profit group(s) they are affiliated with and the nature of that affiliation.

Timeline

Applications for the Stakeholder Oversight Advisory Committee must be received by the County of Tulare Administrative Office before the close of business on September 13, 2011. Final appointments will be made on September 27, 2011.

For a copy of the bylaws , see http://www.co.tulare.ca.us/government/county_office/disadvantaged_community_grant/default.asp

Stakeholder Oversight Advisory Committee Members

VOTING

Disadvantage Community Representatives

Tulare County

Denise Kadara- Allensworth, resident

Becky Quintanna- Seville, resident

Alternate: Bill Pensar- Lemon Cove Sanitation District, board member

Kings County

Maricela Mares-Alatorre- Kettleman City, resident

Eugene Patterson- Home Gardens CSD, board member

Alternate: Alicia Jacobo- Kettleman City, resident

Fresno County

Juventino Gonzalez Ramirez- Lanare, resident

Sue Ruiz- Easton CSD, board member

Alternate: Joe Prado, Fresno County Service Areas, administrator

Kern County

Tom Frantz- South Shafter, resident

Maria Alvarez- Arvin CSD, board member

Alternate: Donald Denney- Arvin CSD, board member

County Board Representatives

Tulare County

Supervisor Allen Ishida

Alternate:

Kings County

Supervisor Richard Valle

Alternate: Supervisor Doug Verboon

Fresno County

Supervisor Judith Case

Alternate: Supervisor Phil Larson

Kern County

Supervisor Karen Goh

Alternate: Charles Lackey, Director of Engineering

EX-OFFICIO

IRWMP Group Representative

Michael James- Poso IRWM/ Tulare Lake Basin JPA

Non-profit/ Academic Representatives

Karl Longley- California Water Institute, Fresno State

Beatrice Campos- Delores Huerta Foundation

Esmeralda Soria- California Rural Legal Assistance Foundation

Thomas Harmon- California Rural Water Working Group, UC Merced

Funding/ Regulatory Representatives

Karen McBride- Rural Community Assistance Corporation

Pamela Buford- Regional Water Quality Control Board

Tricia Wathen- California Department of Public Health

Mike Carnes- United States Department of Agriculture

FINAL List of "Common Problems"

SOAC mtg. Jan 9, 2012

Physical Infrastructure

A. Inadequate Existing Infrastructure (Ranked 7th):

Infrastructure that is aging, poorly constructed, or of insufficient capacity to meet current or future community needs

B. Inadequate or Unaffordable Funding or Funding Constraints to Make Improvements (ranked 3rd –tie):

Lack of affordable or accessible funding for system improvements; Inadequate funding to make successful grant applications to get infrastructure improvements (i.e. lack of funding for grantwriters, preliminary engineering, etc.); funding isn't always getting to the communities that need it most

Source Water Quality & Quantity

C. Poor Water Quality (Ranked 2nd):

Existing contamination of drinking water source (acute and chronic contaminants), increasing groundwater pollution, new and emerging contaminants, problems with secondary contaminants (i.e. taste, color, smell, etc.), health impacts

D. Lack of Affordable Interim Solutions (Ranked 9th tied):

Residents either face high cost of having to purchase and haul bottled water or other alternative water supplies, and / or face the health impacts of exposure to contaminated water

E. Insufficient Quantity of Water (Ranked 10th tied):

Insufficient supply or lack of reliable water supply, including surface and groundwater, including groundwater storage capacity, surface water storage and supply

F. A Changing Regulatory Environment (Ranked 9th tied):

Changing water quality and water treatment standards, including more stringent requirements as well as new and emerging contaminants

G. Inability to Address the Source of Pollution

Insufficient information on the source of water pollution and inability to address or protect water supply from existing and continuing sources of pollution

Institutional Capacity

H. Inability to Fund Increasingly Expensive Operations and Maintenance Costs Due in Large Part to Lack of Economies of Scale (Ranked #1):

Small systems serving primarily low-income households and remote locations cannot keep rates affordable and still generate enough revenue to run the system safely over the long term; Lack of funding resources to operate and maintain water or wastewater systems at affordable levels and lack of funding for planning and replacement of infrastructure as it ages

I. Lack of Technical, Managerial and Financial (TMF) Capacity by Water and Wastewater Providers (Ranked 4th):

Lack of adequately trained technical, legal, financial, and managerial professionals, as well as inadequate training and ongoing education and assistance for existing water and wastewater providers; complete lack of institutional capacity for areas without a provider; lack of knowledge of available training, assistance, and educational support to support local employment in these sectors

J. Inadequate Accountability to DAC Residents by Water or Wastewater Providers (Ranked 10th):

Water or wastewater providers that are not accountable to residents, such as being unresponsive or failing to communicate information properly

K. Resistance to Change by Existing Institutions:

Resistance to changing an existing institutional structure, both by water and wastewater providers as well as by residents, professional contractors and technical advisors

Empowered Communities

L. Lack of Informed, Empowered, or Engaged Residents (ranked 3 tied):

Residents lack good information, or do not feel that they have the power or ability to change their situation, or are not engaged in decision-making processes that impact local water or wastewater service, including inadequate or confusing information about water quality and what is safe drinking water, lack of information to residents on grant opportunities available to the community, knowledge about health impacts

M. Lack of Public Support or Political Will to Solve Water & Wastewater Challenges in DACs (Ranked 5th):

Public officials, water policy decision makers, and voters are not prioritizing developing and funding solutions to existing water and wastewater challenges in disadvantaged communities and/or are not responsive or accountable to DAC residents

N. Segregated Community Development (Ranked 10th):

Demographically segregated DACs have historically been and continue to be physically and politically separated from larger water and wastewater systems or cities

O. Lack of Information on DACs (Ranked 8th):

Lack of information about water rates and usage, lack of information about water quality in areas that have no public water provider (i.e., private wells), barriers to accessing information on water quality (i.e., confidentiality requirements), lack of information about wastewater treatment in areas without wastewater system providers, etc. Lack of data on water and

wastewater infrastructure compatible with GIS and online so it can be accessed by the general public

P. Lack of Vision and Integrated Planning to Develop Sustainable Solutions (ranked 6th):

Lack of shared visions of sustainable solutions for DAC water and wastewater needs within community planning documents, water planning documents, individual water and wastewater provider plans, county general plans, and Integrated Regional Water Management Plans (IRWMPs), lack of regional coordination and planning with larger entities in planning efforts.

Potential Pilot Projects / Studies

June 4, 2012

Priority Issues:

- Lack of Funding to Offset Increasingly Expensive Operations and Maintenance Costs in Large Part to Lack of Economies of Scale - *Small systems serving primarily low-income households and remote locations cannot keep rates affordable and still generate enough revenue to run the system safely over the long term; Lack of funding resources to operate and maintain water or wastewater systems at affordable levels and lack of funding for planning and replacement of infrastructure as it ages.*
- Lack of Technical, Managerial and Financial (TMF) Capacity by Water and Wastewater Providers- *Lack of adequately trained technical, legal, financial, and managerial professionals, as well as inadequate training and ongoing education and assistance for existing water and wastewater providers; complete lack of institutional capacity for areas without a provider; lack of knowledge of available training, assistance, and educational support to support local employment in these sectors*

Potential solutions to be analyzed through pilot projects / studies:

1. Management/Non-Infrastructure Solutions To Reduce Costs And Improve Efficiency
 - Personnel / Service / Purchasing Pools (i.e. lab, residual disposal, technical services, financial services, legal services, etc.)
2. Technical Solutions To Improve Efficiency/Reduce Operation & Maintenance
 - Separating potable water from other public water system uses (i.e. dual systems: in-home versus Irrigation or fire flow water)
 - Residual handling and management (on-site and off-site handling, all materials)
 - Water/energy efficiency technology
 - Less expensive water treatment technology & blending
 - Nitrate biological treatment

Priority Issue:

- Poor Water Quality - *Existing contamination of drinking water source (acute and chronic contaminants), increasing groundwater pollution, new and emerging contaminants, problems with secondary contaminants (i.e. taste, color, smell, etc.), and health impacts.*

Potential solutions to be analyzed through pilot projects / studies:

3. New Source Development
 - Physical Consolidation – Both water and waste water facilities
 - Exchanges/contracting for surface water or other source
 - Regional Drinking Water (or Wastewater?) Treatment Plant

4. Individual Household Treatment

- Well Improvements– resealing, deepening or replacing wells.
- POE (appropriate for a water systems or for individual wells)
- POU (appropriate for individual wells, difficult for a system to be required to monitor items within the home)
- Community Septic Systems (i.e. community leach field, cluster systems, package plants, etc.)
- Advanced Septic System

Priority Issues:

- *Inadequate or Unaffordable Funding or Funding Constraints to Make Improvements--Lack of affordable or accessible funding for system improvements; Inadequate funding to make successful grant applications to get infrastructure improvements (i.e. lack of funding for grantwriters, preliminary engineering, etc.); funding isn't always getting to the communities that need it most*
- *Lack of Informed, Empowered, or Engaged Residents--Residents lack good information, or do not feel that they have the power or ability to change their situation, or are not engaged in decision-making processes that impact local water or wastewater service, including inadequate or confusing information about water quality and what is safe drinking water, lack of information to residents on grant opportunities available to the community, knowledge about health impacts*

Potential solutions to be developed through each pilot project / study:

1. Policy Recommendations
2. Implementation Roadmap including:
 - List of promising solutions for each unincorporated DAC in the TLB
 - Leadership development recommendations
 - Financing and governance recommendations
3. Stakeholder Facilitation Tools and Lessons Learned

APPENDIX H
STAKEHOLDER INVOLVEMENT REPORT

STAKEHOLDER INVOLVEMENT REPORT

1 INTRODUCTION

This document provides a brief overview, evaluation, and summary of the lessons learned about each of the three stakeholder processes used in the Tulare Lake Basin Disadvantaged Community Water Study. As described in Chapter 4 of the Tulare Lake Basin Study Final Report (Final Report), the project developed three stakeholder processes: 1) the Stakeholder Oversight Advisory Committee (SOAC), 2) the Pilot Project Stakeholder Advisory Groups (PSAGs), and 3) Community Review Processes. The SOAC was comprised of local government representatives, community representatives, as well as regulatory and funding agency representatives and other organizations that work on and are familiar with disadvantaged community water and wastewater needs. The SOAC worked with the project team to identify priority issues, potential pilot projects, and review project recommendations. SOAC meeting participants included both SOAC members, and members of the public at large.

A Pilot Project Stakeholder Advisory Group (PSAG) was convened for each of the four pilot studies selected through the SOAC process. The PSAGs helped ensure that each pilot project was developed with input from technical and community stakeholders. Each group was comprised of members of impacted communities, regulatory and funding agencies, local water or wastewater providers, and other agencies and organizations as appropriate, in order to provide input and recommendations to the project team on the development of solutions and potential communities to be the focus of the community review process. The community review process entailed the project team conducting outreach to community representatives, including residents and local water board members, who were the subject of selected pilot projects. These community representatives assisted the project team in confirming the viability of the proposed solution alternatives.

2 EVALUATION DESCRIPTION AND OBJECTIVES

An evaluation of each stakeholder process was conducted to assess the lessons learned and the impact of the stakeholder participation processes. This evaluation included a qualitative review of each stakeholder process, a summary of the key results of each stakeholder process, and an assessment of key lessons learned using survey, content review techniques, and one-on-one meetings with key stakeholders. Overall, the evaluation sought to evaluate the effectiveness of the stakeholder processes and provide lessons learned from responses to the evaluation.

Three over-arching questions guided the evaluation for each stakeholder process, as noted below. These were guiding questions used by the project team in evaluating survey results; specific questions asked in the surveys are detailed in Section 2.1.

The general guiding questions included:

- How satisfied were participants with the process?
- Who attended meetings?
- What are key lessons learned?

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

2.1 Methods of Evaluation

In order to answer the guiding questions for each stakeholder process, the following methods of evaluation were used. SOAC surveys were the primary form of evaluation for this process. Surveys were administered to the SOAC at three stages throughout the overall Study, with the same questions throughout. The main exception is that the final survey asked some broader questions about overall satisfaction and lessons learned. Survey questions included satisfaction with the overall SOAC process, with facilitation, and with the pilot study process. Several limitations occurred during the course of the project which impacted these methods. Most importantly, as survey participation was voluntary, rates of participation varied across PSAG and SOAC meetings. In addition, the number of SOAC participants at meetings was not tracked at original meetings, and therefore a full count of participation in surveys is not available. In addition, because the “Final Draft” of the Study documents had to be vetted by the SOAC prior to the conclusion of the project, final surveys were administered at the June 2014 meeting, not the final meeting in August 2014. As such, survey results are meant to be suggestive of key trends, even though statistical significance is not proven.

Table 2.1 provides a summary of the methods used to evaluate each of the stakeholder processes and assess lessons learned.

Table 2.1 Evaluation Methods

Stakeholder Process to Evaluate	Methods to Evaluate Lessons Learned
Overall Process	<ul style="list-style-type: none">• Content review of individual lessons from each stakeholder process• Ongoing “reflection” after each stakeholder process
SOAC	<ul style="list-style-type: none">• Conducted surveys at three points in time (roughly beginning, mid-project, and conclusion: January 2012, July 2012, and June 2014).• Tracking of project participants• One-on-one informal interviews with key stakeholders• Summary of lessons learned
PSAG	<ul style="list-style-type: none">• Survey of PSAG participants for each pilot study at the conclusion of PSAG meeting 2.• Tracking of project participants• Summary of input received• Summary of lessons learned
Community Review	<ul style="list-style-type: none">• Summary of community input received• Summary of lessons learned

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

2.2 Description of Stakeholder Processes

Before delving into an evaluation of each stakeholder process, this section first gives an overview of the components of each of the three (3) processes.

2.2.1 Overview of the SOAC

As described in Chapter 4 of the Final Report, the Stakeholder Oversight Advisory Committee (SOAC) was established to work with the project team to identify priority issues, advise the County of Tulare Board of Supervisors on the selection of pilot studies and provide input on draft and final recommendations for the Tulare Lake Basin Disadvantaged Community Water Study. The SOAC was originally comprised of 21 members and included diverse representation from each of the four counties. Members included representatives from the following organizations: County Board of Supervisors, County staff, water and wastewater providers serving DACs across the basin, community residents, and representatives from the local Integrated Regional Water Management groups, representatives from funding and regulatory agencies (e.g. California Department of Public Health), and non-profit, academic, and community-based organizations working on water and wastewater needs in the Tulare Lake Basin.

Due to a variety of factors, some SOAC members changed with time¹. The composition of the SOAC membership did not change (SOAC By-laws determined membership), but there were vacancies that were not filled. **Table 2.2** lists the original list of SOAC members, in comparison to the list of SOAC members at the end of the project. While a full list of members is included, it should be noted that not all members participated as “actively” as others. Additionally, there were some participants that were very active, but were not formal SOAC members, and are therefore not listed below.

Table 2.2 Organizations Represented by SOAC Members

Organization Name/Type	Original Members	Members at End of Project
2 plus 1 Alternate DAC Representatives from County of Tulare	1 Allensworth resident 1 Seville resident/AGUA member 1 alternate from Lemon Cove Sanitation District Board member	1 Allensworth resident 1 Seville resident/AGUA member 1 Alternate Lemon Cove Sanitation District Board member

¹ The SOAC decreased in number for various reasons including: 1 member having to resign because of a conflict of interest, changes in positions of SOAC members (i.e. moving jobs) (n=3), and unknown reason (n=1).

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Organization Name/Type	Original Members	Members at End of Project
2 plus 1 Alternate DAC Representatives from Kings County	1 Kettleman City resident 1 Home Garden Community Services District Board member 1 Alternate Kettleman City resident	1 Kettleman City resident 1 Home Garden Community Services District Board member 1 Alternate Kettleman City resident
2 plus 1 Alternate DAC Representatives from Fresno County	1 Lanare resident 1 Easton CSD board member and resident 1 Alternate: Fresno County Service Areas Administer	1 Lanare resident 2 Vacant
2 plus 1 Alternate DAC Representatives from Kern County	1 South Shafter resident 1 Arvin CSD board member 1 Alternate: Arvin CSD board member	1 South Shafter resident 1 Arvin CSD board member 1 Alternate: Arvin CSD board member
1 plus 1 Alternate Tulare County Board Supervisors Representative	Supervisor Allen Ishida Alternate: Supervisor Steve Worthley	Supervisor Allen Ishida Alternate: Supervisor Steve Worthley
1 plus 1 Alternate Kings County Board of Supervisors Representative	Supervisor Richard Valle Alternate: Supervisor Dough Verboon	Supervisor Richard Valle Alternate: Supervisor Dough Verboon
1 plus 1 Alternate Fresno County Board of Supervisors Representative	Supervisor Judith Case Alternate: Supervisor Phil Larsen	Supervisor Judith Case Alternate: Supervisor Phil Larsen
1 plus 1 Alternate Kern County Board of Supervisors Representative	Supervisor Karen Goh Alternate: Chuck Lackey Director of Engineering	Supervisor David Couch Alternate: Vacant
1 Ex Officio - IRWM Group Representative	Michael James, Poso IRWM and TLB IRWM JPA	Mark Larsen, Kaweah Delta

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Organization Name/Type	Original Members	Members at End of Project
4 Ex Officio – NGO/Academia	Karl Longley, CA Water Institute at Fresno State Beatrice Campos, Dolores Huerta Foundation Esmeralda Soria, CA Rural Legal Assistance Foundation Thomas Harmon, CA Rural Water Working Group, UC Merced	Karl Longley, CA Water Institute at Fresno State Beatrice Campos, Dolores Huerta Foundation Amparo Cid, CA Rural Legal Assistance Foundation Thomas Harmon, CA Rural Water Working Group, UC Merced
4 Ex Officio-Regulatory/Funding Agency	Karen McBride, Rural Communities Assistance Corporation Pamela Buford, Regional Water Quality Control Board Tricia Wathen, CDPH Mike Carnes, USDA	Karen McBride, Rural Communities Assistance Corporation Anthony Medrano Regional Water Quality Control Board Tricia Wathen, CDPH Lisa Butler, USDA

2.2.2 SOAC Meetings

Over the course of the project, nine (9) regular public SOAC meetings were held, in addition to four (4) supplemental SOAC meetings. Regular SOAC meetings were held to advance and complete the Study. In general, SOAC members were tasked with identifying priority issues within the Tulare Lake Basin Study Area, selecting representative pilot project studies to address the priority issues, and providing overall review and input on the development of draft and final recommendations within the Final Report.

At these meetings, the goals of the project were shared, an original description of DAC challenges in the region was provided, and participants were informed of project goals, and provided input on the purpose of the project, desired products and types of pilot projects. **Table 2.3** describes the topics of each SOAC meeting. Supplemental SOAC meetings (which were funded separately by the County of Tulare) were facilitated to keep the SOAC active and engaged between the regular SOAC meetings. This allowed interested participants to discuss mutual DAC water issues of interest for the region while project SOAC meetings were on hold through the pilot study development. All meetings were open to the public and all were well attended. On average approximately 16 of the 21 members attended the SOAC meetings, as well as more than 30 members of the public.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Table 2.3 SOAC Meetings by Date and Key Topics Discussed

Date	Key Topic Discussed
October 24, 2011 SOAC kick-off meeting	County staff provided information on the Brown Act, AB 1234 training, committee bylaws, mileage reimbursement, and the committee's roles and responsibilities. The consultant team provided information on the Study's background and purpose and goals, including the Scope of Work. The SOAC identified a regular meeting day and time.
December 5, 2011	The project team provided the SOAC with a definition of DAC and what it meant for this Study. A summary presentation of the database was provided and the SOAC members and participants gave feedback on areas they could augment the database. All attendees participated in workgroups to discuss water and wastewater challenges and priorities. The groups recorded their opinions and reported back to the larger group. A broad overview of potential pilot projects was provided to jumpstart the group's thinking, and to help them imagine new models for shared solutions. The SOAC was provided draft scoring criteria that would be used to evaluate pilot projects at future meetings.
January 9, 2012	The list of common problems was finalized. This list was derived from the workgroup sessions at the December 5 th meeting. The SOAC members and interested parties broke into 4 workgroups to discuss the list of common problems and which of those challenges were perceived to be the greatest of most critical in the region. They were asked to answer a series of questions to help further refine the issues. Everyone in attendance cast 3 votes for the highest priority issues. The votes were tallied and the SOAC voting members approved the final prioritized list. The SOAC also considered the scoring criteria that would be used to evaluate pilot projects.
February 6, 2012	The project team provided a recap of the priority issues that were selected at the January 9 th meeting. The project team facilitated brainstorming sessions with the committee. The attendees were broken into four workgroups to discuss different sets of priority issues and brainstorm potential solutions for each of those issues. The input provided by each workgroup was recorded on flip charts that were captured by the project team and reported to the larger group. The attendees also evaluated the pilot project scoring criteria.
May 7, 2012	The project team provided an overview of priority issues approved by the SOAC and supporting database water quality information collected for the region. The project team facilitated four group discussions on potential pilot project topics. At each table (grouped

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Date	Key Topic Discussed
	by County), discussions centered around county-level maps and handouts on potential types of pilot topics. Each of the groups also started generating potential solutions for each of the pilot project topics and they all started to identify particular communities within their county where those types of pilot projects may apply. Feedback provided by the groups was recorded and captured by the project team to use in pilot project development.
June 4, 2012	The consultant team explained that there were five “top priority” issues identified by the SOAC at the January 9 th meeting. It was explained that these issues would become the focus of the pilot projects for the Study. All attendees were encouraged to participate in the pilot project stakeholder process. The SOAC voting members approved the following list of pilot projects: 1) Management/ Non-Infrastructure Solutions to Reduce Costs and Improve Efficiency, 2) Technical Solutions to Improve Efficiency/ Reduce Operation and Maintenance Costs, 3) New Source Development, and 4) Individual Household Treatment. The following elements were also approved by the SOAC to be developed through each of the aforementioned pilot projects: 1) Policy Recommendations, 2) Implementation Roadmap, and 3) Stakeholder Facilitation Tools.
July 30, 2012	The project team provided an overview of the scope of the pilot project topics, the schedule for the development of the topics, as well as the budget for each pilot project. Additionally, the project team provided a summary of the pilot project stakeholder process. All attendees were briefed on the roles of the Pilot Project Stakeholder Advisory Groups. All attendees were asked to suggest people that could contribute to the various pilot project stakeholder processes. Preliminary lists of participants for each of the four Pilot Project Stakeholder Advisory Groups were generated.
June 23, 2014	The project team provided an overview of the draft final report and sought feedback. The project team also reviewed the updated draft recommendations and facilitated a group discussion to seek feedback on recommendations (most important, concerns and missing recommendations). The final SOAC process evaluation survey was also administered at this meeting.
August 11, 2014 Final Meeting	This was the final SOAC meeting. The project team provided a recap of the Tulare Lake Basin Disadvantaged Community Water Study, the various tasks and stakeholder processes involved, and a summary of the Final Report.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

2.2.3 Overview of PSAG

The Pilot Project Stakeholder Advisory Groups aimed to provide input on the development of each pilot study. Pilot Project Stakeholder Advisory Groups were established for each of the four pilot studies. At the June 4, 2012 SOAC meeting, members of the public and SOAC members volunteered to become PSAG members. Each PSAG group was comprised of members of impacted communities, regulatory and funding agencies, local water or wastewater providers, and other agencies and organizations as appropriate. There was no formal membership for the PSAGs, as there was for the SOAC. **Table 2.4** summarizes who participated in PSAG meetings for each pilot study.

Two PSAG meetings were held for each of the four pilot studies. In general, the first PSAG meeting was held within two weeks of the release of the first draft pilot report. The general objectives of the first PSAG meeting were to: 1) discuss the purpose of the PSAG and specific role of the PSAG participants; 2) provide an overview of the draft pilot report and; 3) facilitate a group discussion to seek feedback on the draft report and potential sites to conduct the community review process.

After the first meeting, the project team compiled input from PSAG members and project team members and revised the draft pilot. The second PSAG meeting was held following the completion of the community review process (see Section 2.2.4 below) and the updated draft pilot study. At the second PSAG meeting, the project team provided: 1) an overview of the update draft report, including (in most cases) a summary overview of previous feedback received, the community review process completed, and new sections of the report (e.g. draft Decisions Trees and Draft Recommendations); and 2) a group discussion to seek feedback on the draft report and draft recommendations. A “roadmap” or set of decision trees was developed for each of the four pilot studies to guide communities and funding agencies through some critical steps to selecting an appropriate solution for their specific water issues and situation. The trees include a series of guidance questions and steps to document the process. The decision trees developed are included in each of the respective pilot study documents.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Table 2.4 PSAG Meeting Participants

Pilot	PSAG Meeting Date	Type of Meeting	Total Attendees	DACs	Community	Total Non-DAC	Organization/Agency
Management & Non-Infrastructure	4/16/2013	PSAG 1	9	1	Allensworth	8	DWR, LAFCo, RL Schafer and Associates/Rotary, Pure Water Group, County of Tulare BOS, CDPH, CRLAF and United Way
Management & Non-Infrastructure	10/30/2013	PSAG 2	13	1	Allensworth	12	Reg. Water Board, United Way, USDA, County of Kern, Kaweah IRWM, KBWA (Kings IRWM) and KRCD, LAFCO, CDPH (2), CWC board, CRLAF and ASM Perea.
Technical Solutions	9/11/2013	PSAG 1	15	3	Allensworth and Lemon Cove	12	Angiola WD, CV Reg. Water Board (4), DWR, CA water Inst.(2), Alta ID, Kings IRWM/KRCD, CDPH, Kaweah IRWM
Technical Solutions	5/7/2014	PSAG 2	5	1	Allensworth	4	LAFCO/Southern Sierra IRWM, Pure Water Group, and CDPH (2).
New Source Development	8/22/2013	PSAG 1	4	2	Allensworth	2	DWR and United Way
New Source Development	5/21/2014	PSAG 2	3	1	Allensworth	2	CDPH and Alta Irrigation District
Individual Households	12/5/2013	PSAG 1	7	1	Seville	6	DWR (2), RL Schafer/Rotary, RCAC, Kings IRWM/KRCD and TC GIS.
Individual Households	5/29/2014	PSAG 2	13	6	Seville, Cameron Creek, Easton, Monson and Allensworth	7	CDPH, RL Schafer/Rotary, LAFCO/Southern Sierra IRWM, Pure Water Group, PWQA, Tulare County GIS and CD 22 candidate.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

2.2.4 Overview of the Community Review Process and Related Outreach

A community review process was conducted for each of the four selected pilot studies. The purpose of the community review meetings was to seek input from community leaders, key technical assistance providers and other key organizations working in communities on what type of specific projects would work well in communities that were likely to benefit from the particular type of pilot project. At each community review meeting, participants were asked to identify community water needs and possible solutions, and seek feedback on the proposed alternatives presented within the draft pilot study and recommendations for successful implementation. Participants labeled this process “Trying on the Dress”, where the “dress” were particular solution alternatives for specific types of water problems. For example, the community of Sultana, a community with water quality and water quantity challenges, was asked to consider a number of New Source Development alternatives, including physical consolidation of a water system to a neighboring water system.

Each pilot study followed a slightly different community review process selection, but outreach and facilitation for each generally followed the outline below:

1. Establish selection criteria and develop initial list of eligible communities/sub regions of communities to consider;
2. Present preliminary list to PSAG and seek additional feedback;
3. Discuss feedback received with project team and lead Engineer and select community(ies) or region to focus on;
4. Develop a stakeholder lists and outreach plan;
5. Gauge interest by the community(ies) and or region;
6. Conduct an initial assessment of the community(ies) and or region needs
7. Schedule meeting dates and conduct outreach through email, phone calls and posting or delivery of fliers;
8. Develop meeting materials and facilitate meetings and group discussions; and
9. Present findings of the community review process to area of focus and PSAG members.

Meetings were held in one to three communities or regional areas for each of the pilot studies. Communities were selected to be part of the community review process based on specific criteria. For the most part they had to be a DAC, have a water and/or wastewater challenge and the potential to implement one or more of the identified solutions within the pilot study.

Upon selection of the communities or regional areas of focus, the project team then developed a targeted list of key stakeholders to outreach to within the community. Outreach to each of the identified stakeholders was conducted through a combination of email, phone calls and posting or delivery of fliers. In general, participants of the community review process outreached to included community residents (users and private well owners), water providers (owners, board members, consultants and technical staff, e.g. water system operators, general managers, district secretary and/or district engineers) and other interested parties working with DACs (e.g. Kings Basin

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Integrated Regional Water Management Authority (IRWMA) and Dolores Huerta Foundation).

The number of Community Review meetings varied by pilot study. The Management and Non-Infrastructure pilot study focused its efforts in the greater Porterville area, which includes East Porterville, Poplar and Williams (Cotton Center) and many other small communities surrounding Porterville, and held a total of two community review process meetings within the area. Both the *Technical Solutions Pilot and New Sources Pilot* held one community review process meeting in selected communities and two presentations to the board of directors of the water and/or wastewater providers. The Technical Solutions pilot study held its community review process in the communities of Poplar and Home Garden. The New Source Development pilot study held its community review process in the communities of Ivanhoe, Sultana and Stratford. Lastly, a single regional community review meeting was held with private well owners and/or individuals on septic systems for the Individual Households Solutions pilot study. Several communities were represented in the Individual Households Solutions pilot study community review process, including Easton, Monson, Cameron Creek, and Seville.

More specific details on each meeting are provided below. **Table 2.5** below describes the type of outreach effort conducted for each pilot.

The Management and Non-Infrastructure community review meeting 1 was held to provide participants an overview of the goals and objectives of the TLB study and community review process, seek information about the region's water and wastewater needs and challenges with technical managerial and financial capabilities, discuss potential management solutions presented within the pilot, and to gauge their interest in informing the development of the pilot. Following a brief introductory to the overall goals and objectives of the study, meeting participants were asked a series of questions about their water needs. The project team then provided information about the identified potential solutions and asked participants to share feedback on solutions (which solutions are of interest, have you implemented any of the proposed solutions, what worked well and what did not, what is needed to implement solutions). Lastly, participants were asked if they were interested in participating in a second meeting to further inform the development of the study and solutions with potential in the area.

The goal of meeting 2 was to "try on the dress", or discuss specific solutions and related challenges associated with those solutions. Community members were asked to discuss ways/resources needed to overcome barriers and ensure successful implementation. The project team invited Ralph Gutierrez, the Woodville PUD water operator, to discuss Woodville's local case study example and developed a brief training on the basics of operating a water and wastewater system. Following the brief training and presentation by the local water operator, the group then broke out into two tables to further discuss the potential alternatives presented and seek feedback on the applicability of the solution to their community, what is needed for implementation and to discuss sustainability of the solutions (leadership capacity and development needs).

For both the Technical Solutions and New Source Development Community Review Processes, factsheets were developed and presented before a regular community

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

board meeting for each of the selected community. Once permission by the board was secured, one-on-one meetings with district staff to discuss the district's needs and conduct a water and wastewater assessment. The process also included a single community meeting with multiple stakeholders to discuss and verify water needs, try on solutions and seek feedback (solution preferred, least liked/why, implementation needs and recommendations improve process for DACs), and a final community board presentation to discuss outcomes of the community review process and draft recommendations.

A single regional meeting for the Individual Households pilot study was held to better understand the water and wastewater challenges impacting these individuals and learn about past efforts to solve their challenges (what worked well, what was hard, what could have been improved, and what is needed to better assist them in addressing their challenges).

Table 2.5 Summary of Community Review Process Outreach Efforts

Pilot	Description of Outreach Effort
Management and Non-Infrastructure	Project team developed an outreach list with contact information for more than 20 water providers and community residents/funding agencies from within the focus area.
New Source Development	<p>In Ivanhoe: the project team outreached to 2 district board members, 2 district staff/consultant (Water Operator, District Engineer) and worked with local community leader to encourage community participation. Fliers were also developed, translated and posted at the Water District, community stores and other common community places.</p> <p>In Sultana: the project team outreached to 2 district board members, the water operator, and worked with district board member/community leader/member of AGUA to encourage community participation. Fliers were also developed, translated and posted at the local community post office and distributed by the local community leader/board member/member of AGUA.</p> <p>In Stratford: the project team outreached to 2 district board members, 2 district staff/consultant(s) (Water Operator, District Engineer, General Manager, etc.) and worked with local community leaders to encourage community participation.</p>
Technical Solutions	<p>In Poplar: the project team outreached to 2 district board members, 2 district staff/consultant (Water Operator, District Engineer, General Manager, etc.), contacted the 2 private well owners from Poplar, and worked with local community leader/AGUA member to encourage community participation.</p> <p>In Home Garden: the project team outreached to 2 board members, 2 district staff (Water Operator, District Engineer, General Manager, etc.) and conducted on door-to-door outreach within the community. Additionally, fliers were also developed, translated and posted at the</p>

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Pilot	Description of Outreach Effort
	Home Garden Community Services District Office.
Individual Household Solutions	A regional stakeholder list of private well owners and/or individuals on septic systems was jointly developed for the Individual Households Solutions pilot. The list included close to 200 individuals.

3 EVALUATION RESULTS

3.1 Evaluation of the SOAC Process

On average, approximately 16 of the 21 members attended each SOAC meeting, as well as more than 30 members of the public. A total of 40 surveys were filled out over three SOAC meetings, meaning an average of 13 participants filled out SOAC surveys at each of the three survey points in time (see **Table 3.1**). This suggests an average response rate of less than 30%². As shown in **Figure 3-1**, of those who filled out surveys, the majority were DAC residents. However, DAC residents were not always the largest type of participant at the SOAC meetings. This is another reason that the response rate of participants is limiting to the overall success of the evaluation process. Based on responses of the 12 participants that filled out a survey in June 2014, the average number of SOAC meetings they had previously attended was approximately five (see **Table 3.2**). Based on survey results, attendance at the SOAC meeting varied. In particular, on average, participants made it to roughly 62.5% of all SOAC meetings. **Figure 3-1** summarizes the types of participants by organization or community type. Most notably, the number of DAC residents, water providers and county or city government officials appears to decrease (again, based on the surveys completed).

Table 3.1 Summary of Number of Surveys Filled out at each SOAC Meeting during which a Survey was Administered.

Survey Language	1/2012	7/2012	6/2014	Grand Total
English- Survey	11	12	11	34
Spanish- Survey	4	1	1	6
Grand Total	15	13	12	40

² Specific response rates are not calculated because there was not consistent tracking of total participants at each meeting.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Table 3.2 Number of Participants at June 23rd 2014 (n=12) Meeting that Attended Previous SOAC Meetings.

Number of Previous SOAC meetings June 2014 attendees had attended:	Total
October 24, 2011	6
December 5, 2011	4
January 9, 2012	4
February 6, 2012	6
May 7, 2012	4
June 4, 2012	6
July 30, 2012	5
February 4, 2013	6
None	4
Grand Total	50

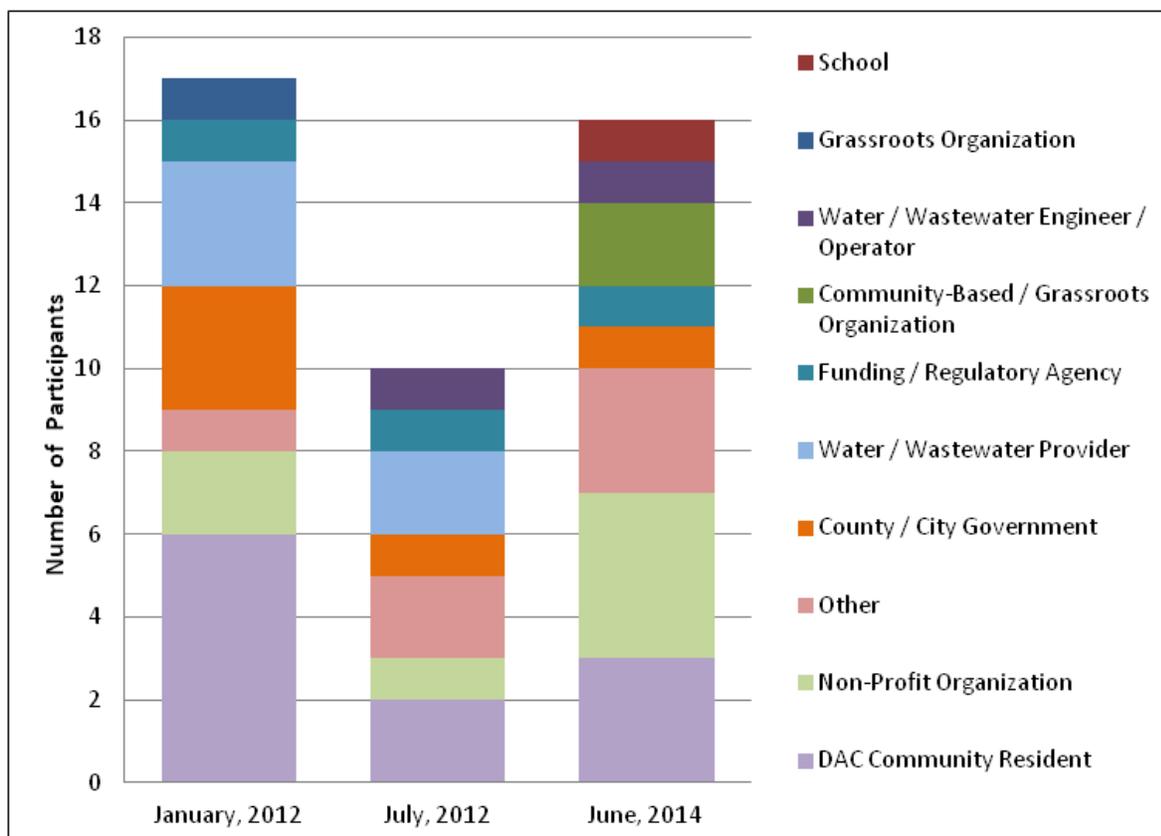


Figure 3-1. Number of participants at SOAC meetings by Type of Organization and meeting date. Note: more than one option can be selected by survey participants.

(January, 2012 meeting; n=17)(July, 2012 meeting; n=10)(June, 2014 meeting; n=16)

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Note: This figure is “representative” in the sense that only those who filled out survey are tracked in the figure. Since only about 30% of participants completed surveys, the actual breakdown of participants by type of organization they represent may be different from what is shown.

Three general areas are assessed in the evaluation: 1) overall satisfaction with the SOAC process, 2) Degree to which SOAC addressed key priorities, 3) Clarity of purpose of the SOAC. Answers from all three surveys are shown in one figure, for ease of comparison. When the question varied, figures are created separately for each survey date.

3.1.1 Satisfaction with SOAC process and Pilots

In terms of this first component, the following trends can be observed. Overall, a majority of participants were satisfied or very satisfied with the study. However, the levels of satisfaction regarding various study components varied. Specifically, approximately 65% of participants were satisfied or very satisfied with different aspects of the overall study (**Figure 3-2**). A remaining 10% were neutral, and approximately 15% were either dissatisfied or did not know how to respond. Overall, of the various components of the SOAC meetings that participants were asked to evaluate (i.e. content, technical content, and facilitation), participants were most satisfied with the facilitation of SOAC meetings (see **Figure 3-2**).

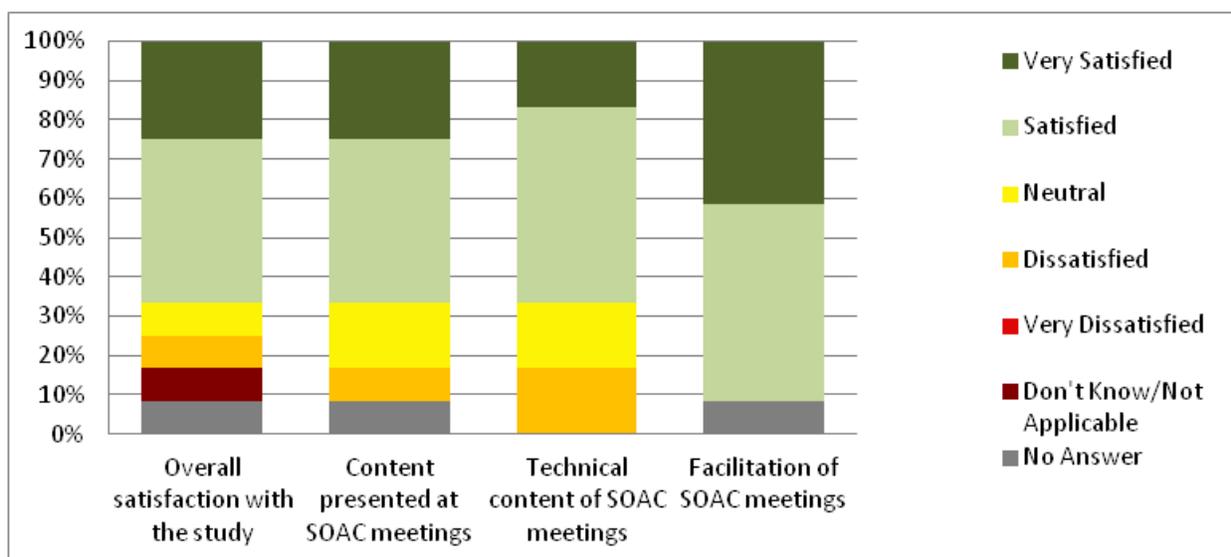


Figure 3-2 - Overall satisfaction with various components of the study (June 2014 meeting; n=12).

Evaluation surveys administered at the June 2014 SOAC meeting aimed to gauge attendees’ general feelings about the pilot projects. These attendees had been part of meetings where the idea of pilot projects was presented and agreed upon, and then heard about report backs. **Figure 3-3** shows that 50% of survey participants were satisfied or very satisfied with the process for *determining* the projects. Nearly 20% of participants were either dissatisfied or very dissatisfied with the process of selecting the

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

pilots. Similarly, 50% of participants were satisfied or very satisfied with the pilots projects developed by the consultants. Here, approximately 45% of participants were either neutral (~35%) or dissatisfied (~10%) with the pilots produced. While PSAG involvement was the most direct way for the public to be informed about details of the pilots, and while SOAC participants may not have been fully involved or knowledgeable about the pilots, these findings are still important to consider. They indicate that while there was some general satisfaction, there were also a fair amount of participants that were not fully satisfied with the process of selecting the pilots or what they perceived to be the pilot outcomes. Part of this could potentially be explained by the following points. In various discussions and informal interviews with study participants and stakeholders, people noted wanting some of the following things: 1) A full needs assessment (beyond what the project team was able to do with the data gathering) of the specific DAC needs, potential solutions available to them and amount of funding needed to address their problem; and 2) Spending project money on advancing solutions (e.g. facilitate solutions between communities and conduct some of the technical analysis or engineering needed to deliver a product that can move things forward). That people expressed these opinions could suggest that they, and others, maybe have had different expectations or desires for what the pilot studies could be, or lead to. Unfortunately with the vast number of DACs in the Study Area (354), it was not feasible to conduct analyses to this level of detail for each specific community.

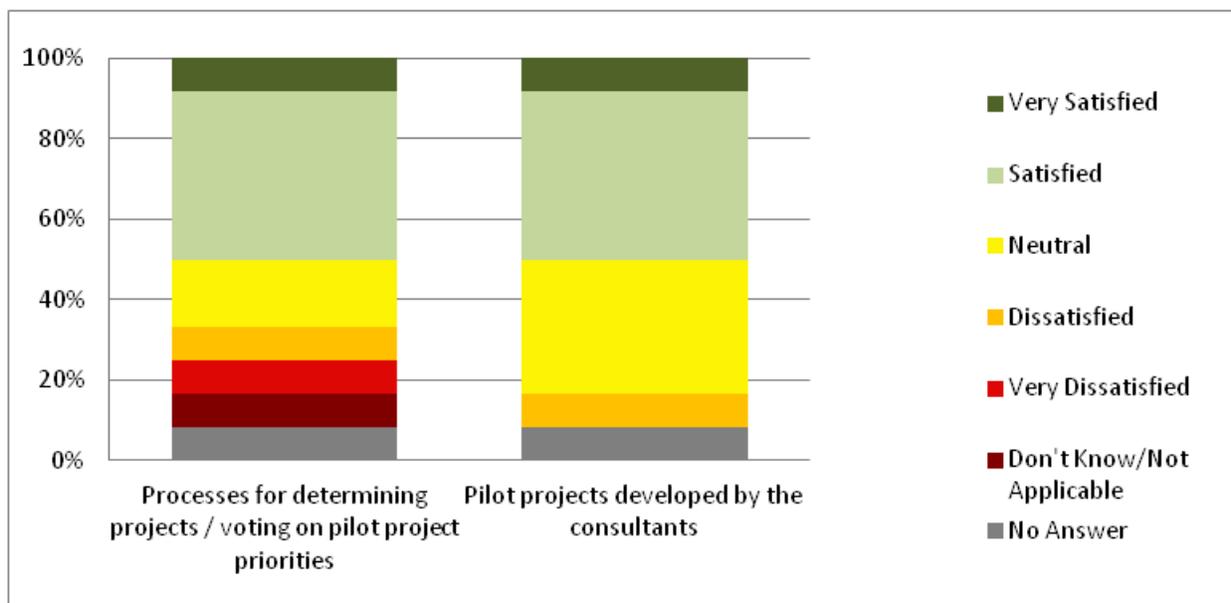


Figure 3-3 - Overall satisfaction with pilot project components (June 2014 meeting; n=12).

3.1.2 Satisfaction with SOAC Priorities and Clarity

While the overall satisfaction with the study varied, in general participants were satisfied with the clarity of the role of the SOAC and the content of information presented. **Figure 3-4** indicates that nearly all respondents felt the presenters were very clear

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

throughout the life of the study. Respondents felt that overall, the goals and responsibility of the SOAC were clear (see **Figure 3-5** and **Figure 3-6**).

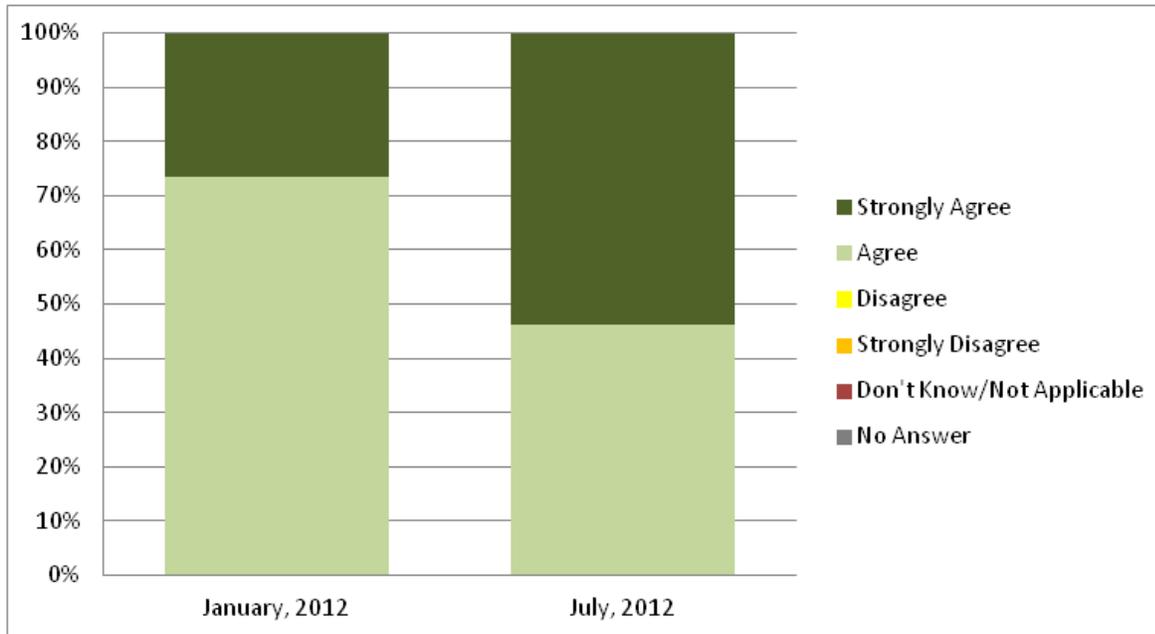


Figure 3-4 - Percentage of respondents indicating whether goals of SOAC were clear (January 2012 meeting; n=15) (July 2012 meeting; n=13)

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

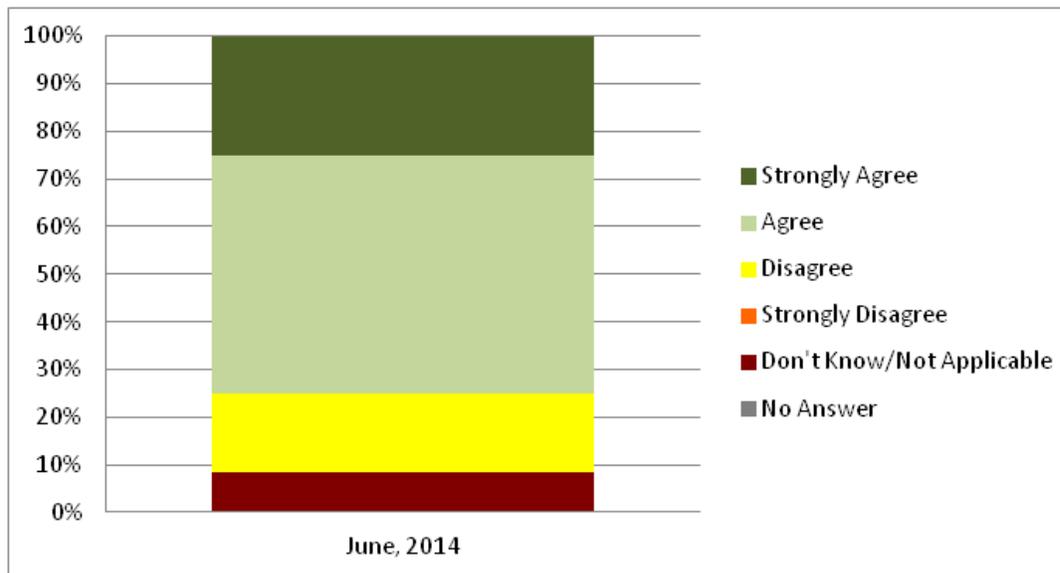


Figure 3-5 - Percentage of respondents indicating that SOAC responsibilities were clear (June 2014 meeting; n=12)

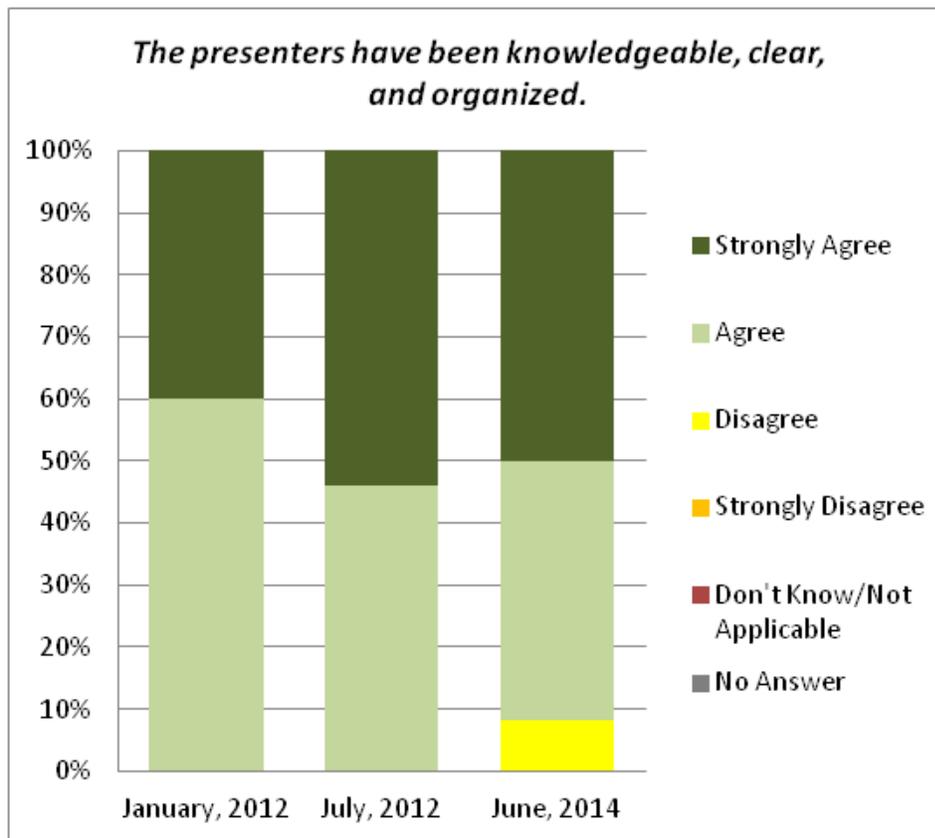


Figure 3-6 - Percentage of respondents indicating whether presenters were knowledgeable, clear, and organized (January 2012 meeting; n=15; July 2012 meeting; n=13; June 2014 meeting; n=14)

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

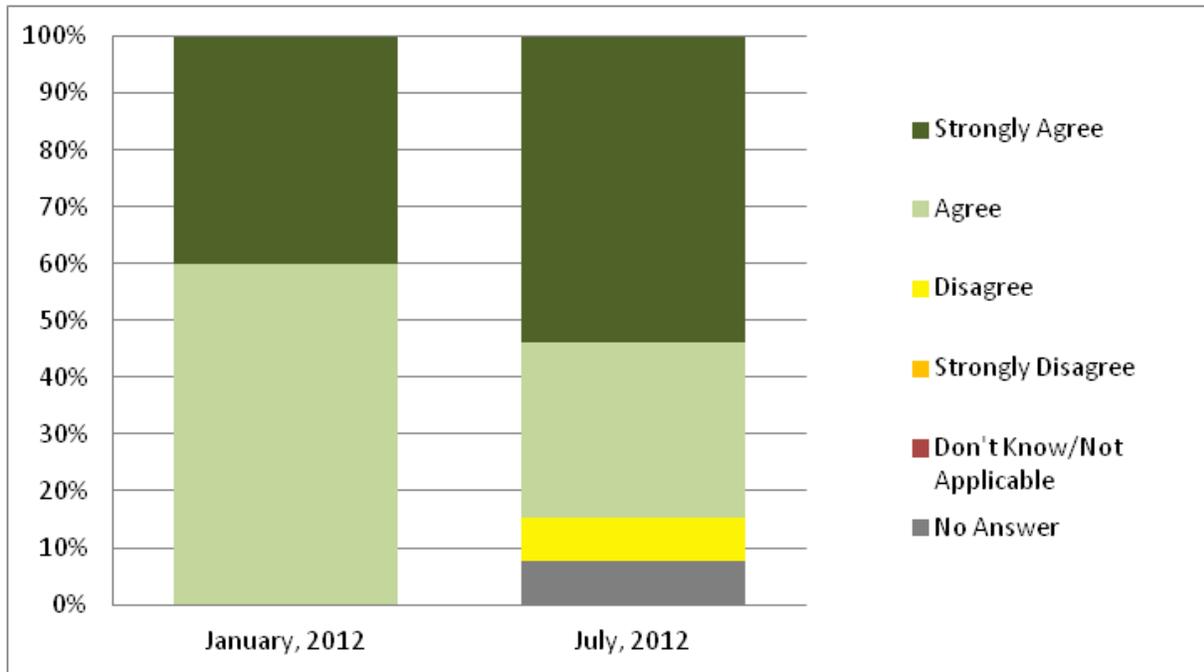


Figure 3-7 - Percentage of SOAC participants indicating satisfaction with the priorities the SOAC was addressing (January 2012 meeting; n=15) (July 2012 meeting; n=13)

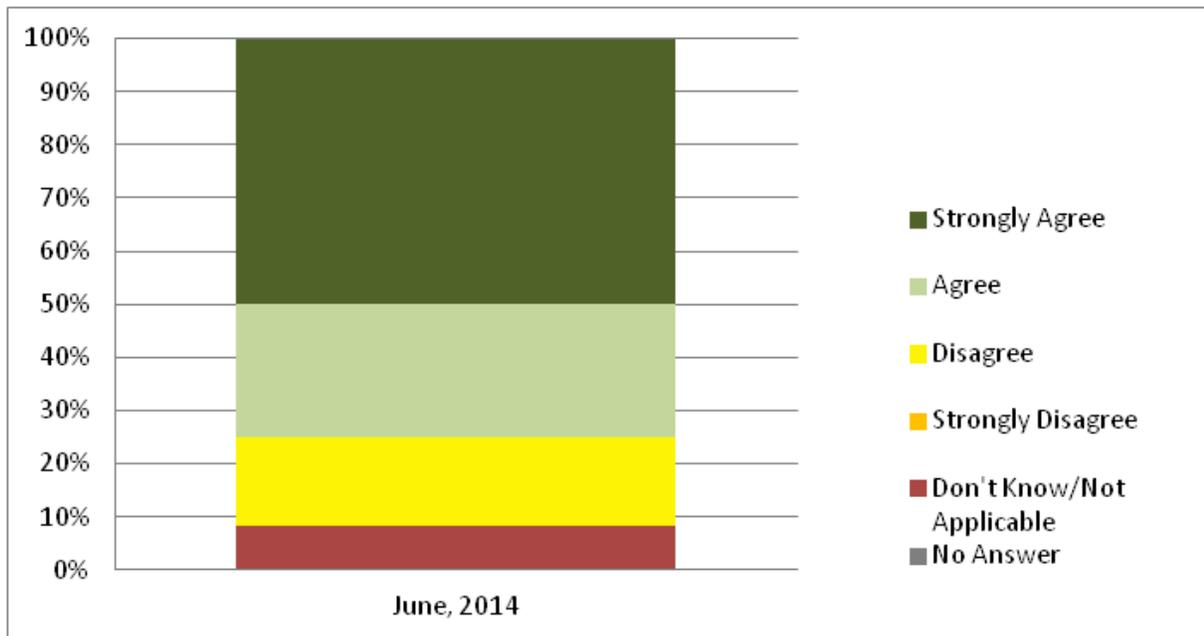


Figure 3-8 - Percentage of SOAC participants indicating satisfaction with the priorities the SOAC focused on (June 2014 meeting; n=12)

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

3.1.3 Impact of the Study

Survey results from the June 2014 meeting indicate that participants were largely split in terms of how valuable they felt the project was. Approximately 50% of survey participants thought the project had a high or very high impact on addressing water needs in DACs, and making people more aware of the issue. The remaining 50% thought the project only had “some impact” (more than 30%), “didn’t know”, or provided no answer. Less than 10% thought that the project had “no impact” on making more people aware of drinking water and wastewater needs in DACs. Apparently, the place where the project seems to have had the largest impact was in terms of bringing people together. Eighty percent (80%) of respondents felt the project had a very high impact or high impact in terms of bringing together a diverse group of stakeholders. These responses suggest something important—the biggest impact of the project seems to be in terms of bringing people together. These results are reinforced by answers from previous SOAC meetings (June and July 2012) where the vast majority of respondents indicated that they felt the SOAC process was bringing together a diverse stakeholder group (Figure 3-9). Similarly, Figure 3-10 shows that throughout the project people generally felt the SOAC allowed for diverse voices to be heard.

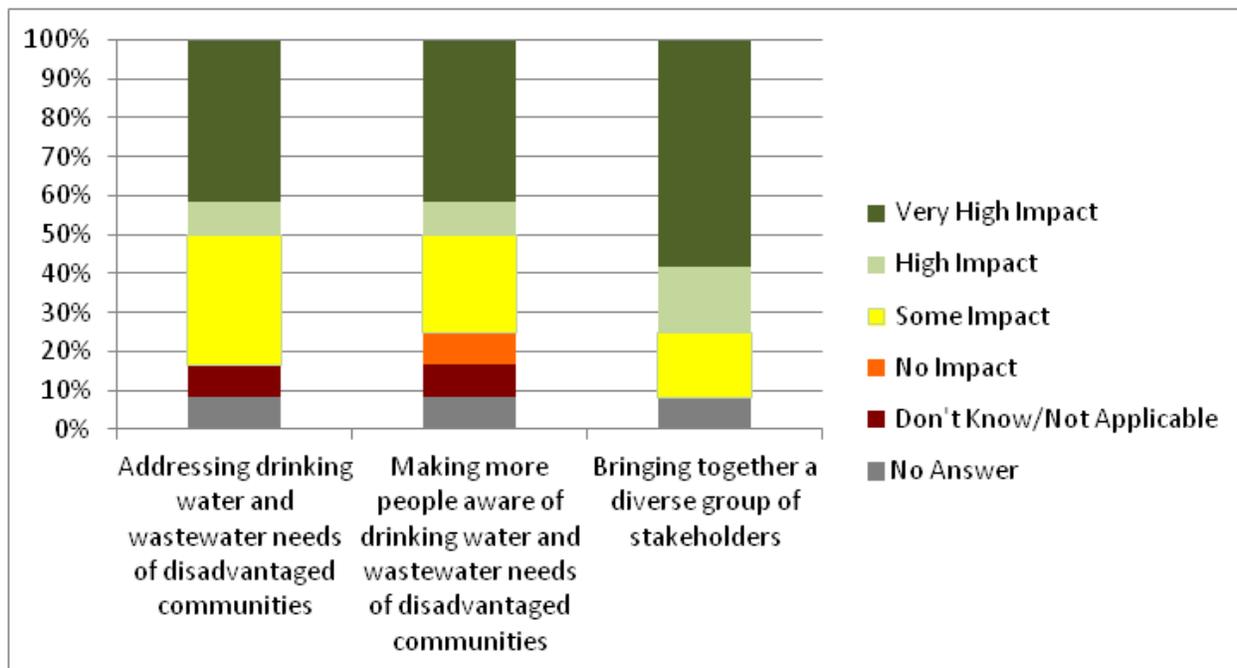


Figure 3-9 - Percentage of respondents indicating the level of impact they think the project had on certain goals (June 2014 meeting; n=12).

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

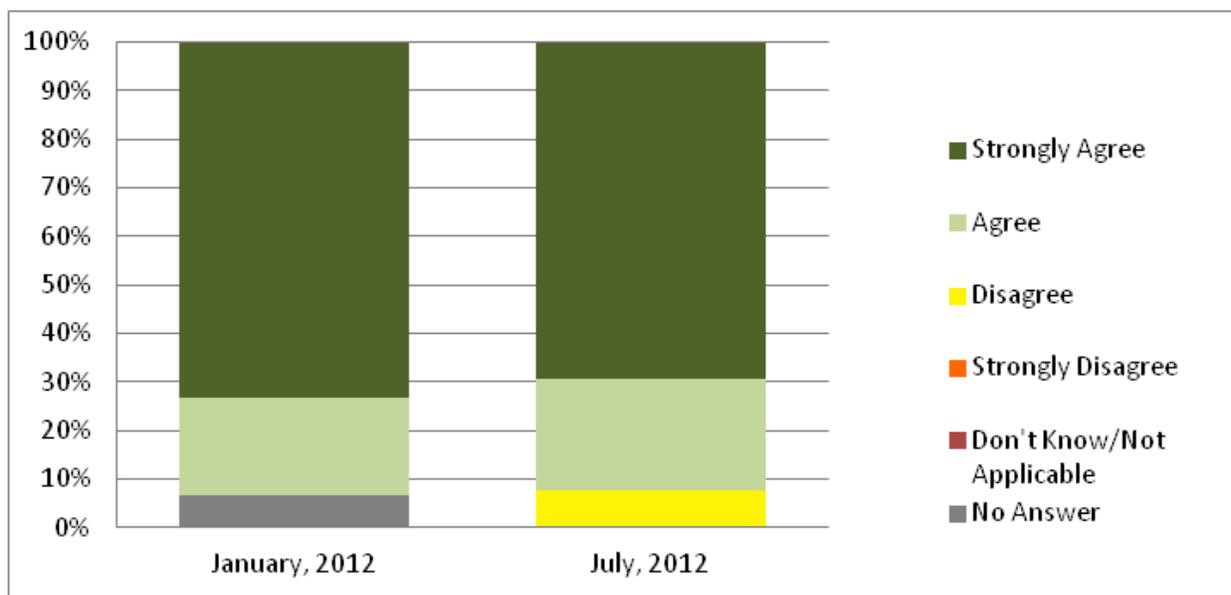


Figure 3-10 - Percentage of respondents indicating whether the group represents diverse perspectives (January 2012 meeting; n=15) (July 2012 meeting; n=13)

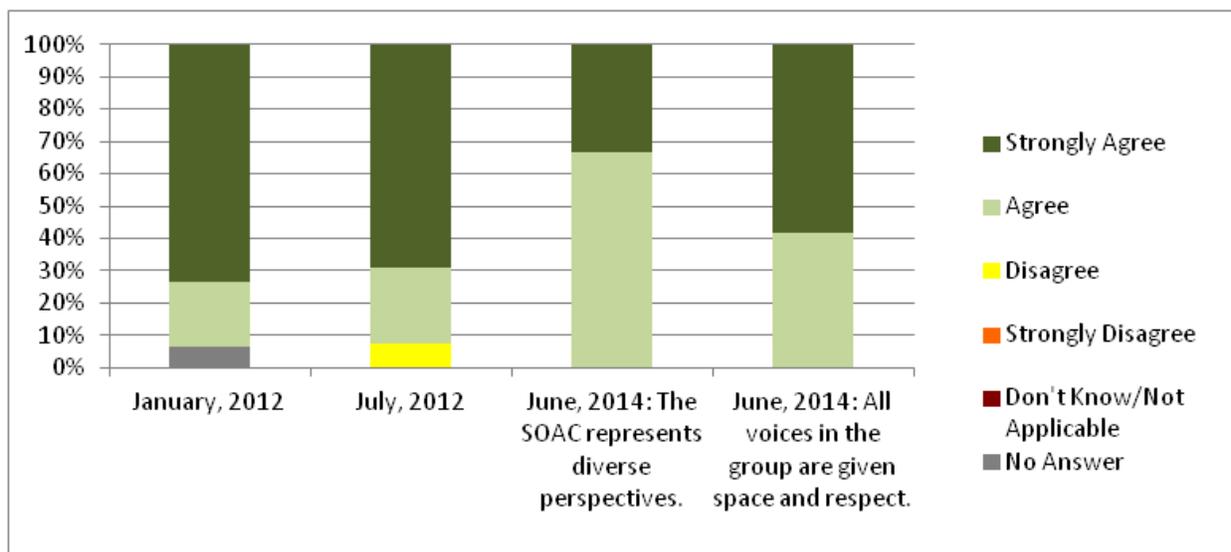


Figure 3-11 - Percentage of respondents indicating whether the SOAC represents diverse perspectives and whether voices are given space (January 2012 meeting; n=15) (July 2012 meeting; n=13) (June 2014 meeting; n=12). Because the 2014 question was split into two par

3.1.4 Interest in Next Steps

At the June 2014 SOAC meeting, participants indicated some key next steps in this work and recommendations of what to do in future efforts. Approximately 90% of respondents (n=11) were interested in continuing their participation (**Figure 3-12**). In

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

open-ended responses regarding what to do next, and/or what general feedback people wanted to give, participants noted a variety of items, including:

- Importance of the venue for supporting needs of DACs:
 - Wish we had started 30 years ago
 - Important venue for DACs
- Better participation for DACs:
 - Their input is very important, would like to see more
- How to make the SOAC meetings more useful:
 - Have speakers be less dry
 - More time needed during meetings
 - Information not always clearly presented:
 - Maps too small sometimes
- Recommendations on what to do next:
 - Produce a short report (4 pages) for the public on key issues and information
 - Continue engaging the community; use “promotora” (community-leader) models
 - Have more meetings to use and build on recommendations
 - Better outreach and communication with communities: “so that they can understand what invitations say and what the information means and the state of the problem”
 - Don’t wait another 30 years
 - Continue to convene the SOAC so that it can play a role in the implementation of recommendations and to ensure momentum established by the study is not lost.
 - Consult with the SOAC when working on specific legislation triggered as part of this study.
 - Develop a shared vision for implementation. Establish goals and objectives for the region. Call for the development of annual or semi-annual reports to show progress of addressing challenges, e.g. updates on who currently remains out of compliance, has received funding, is making progress, etc.
 - The chair of each County Water Commission should be invited.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

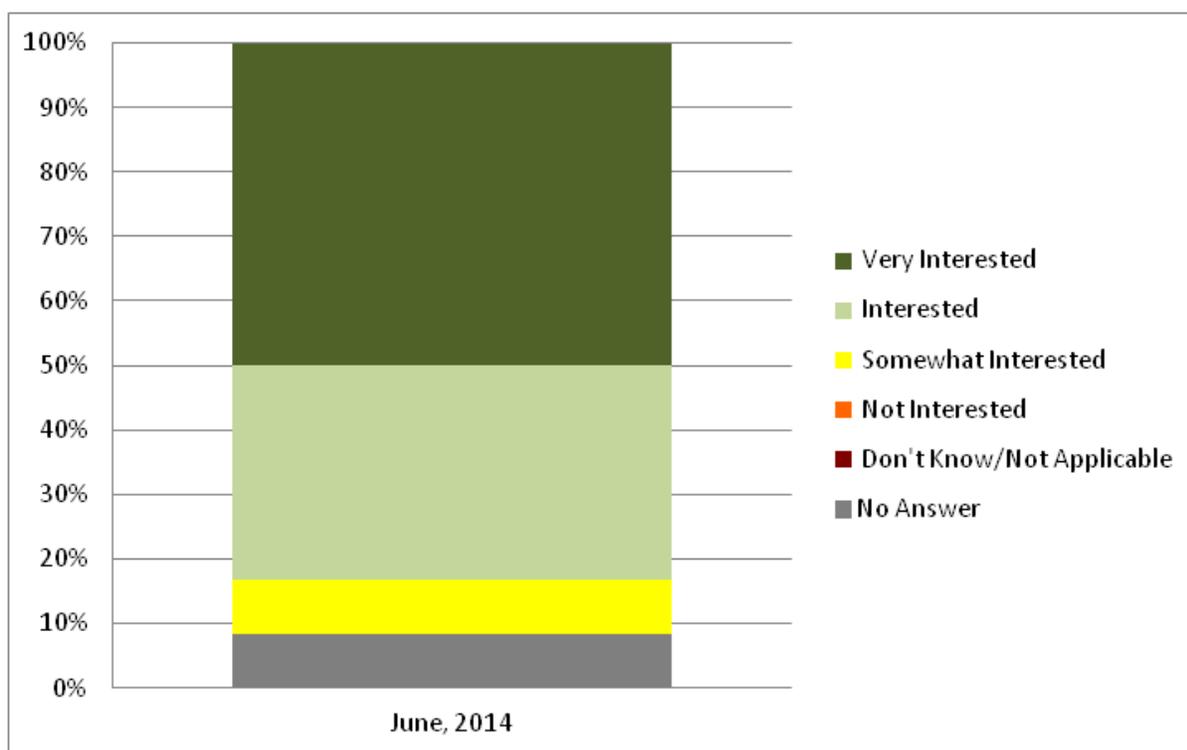


Figure 3-12 - Percentage of participants indicating interest in continued participation in similar future efforts (June 2014 meeting; n=12)

3.2 Evaluation of PSAG Process

3.2.1 Description of Participants

The evaluation of the PSAG survey is based on an assessment of common trends and issues noted at PSAG meetings, attendance at these meetings, and the surveys filled out at the second PSAG meeting for each pilot. Across each pilot study, there was a general spread of organizations or community types represented. **Figure 3-13** through **Figure 3-17** detail the type of participant that attended PSAG meetings, at least in terms of who filled out surveys at the second meeting for each PSAG.

To begin, the Management and Non-Infrastructure PSAG had the most number of participants. Of the 30 surveys filled out across all four pilots, the largest proportion was for this pilot. The project team speculated that this higher level of involvement was because the pilot report came out soon after the last SOAC meeting, so there was still a lot of momentum connected to the SOAC meetings. In addition, meetings for this pilot occurred well before the effects of drought started to be felt (which then limited participation due to other important obligations).

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

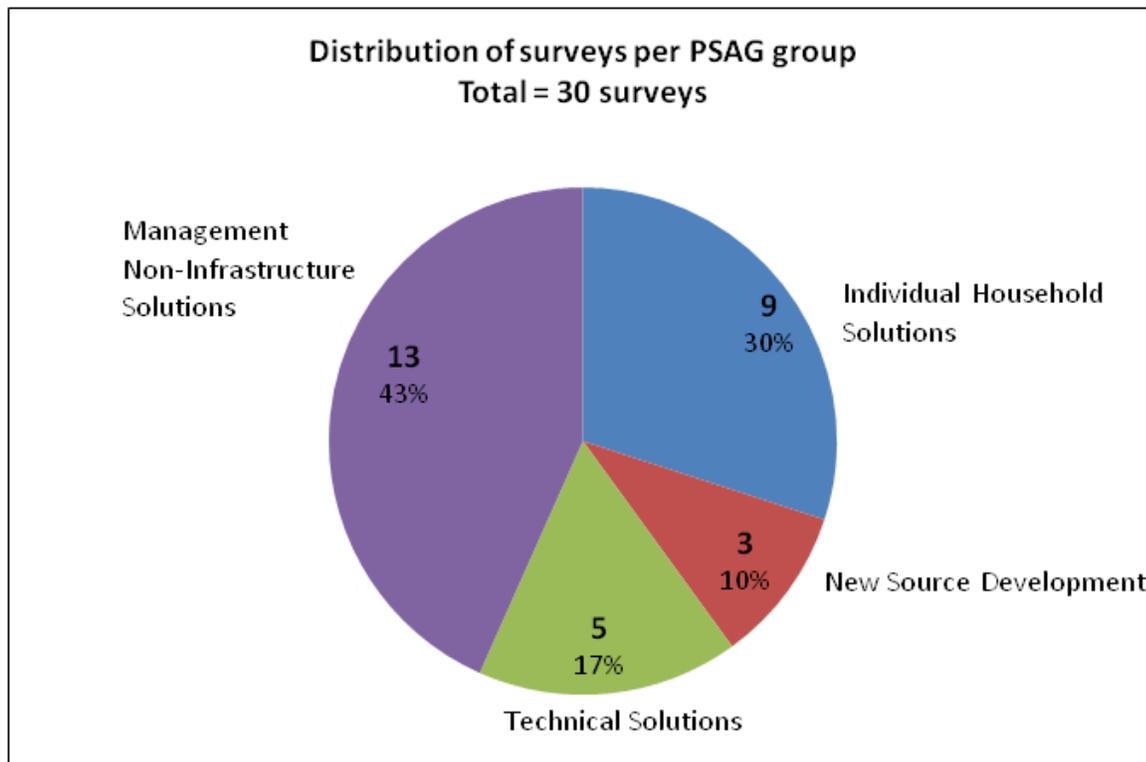


Figure 3-13 - Distribution of survey participants across the PSAG meetings.

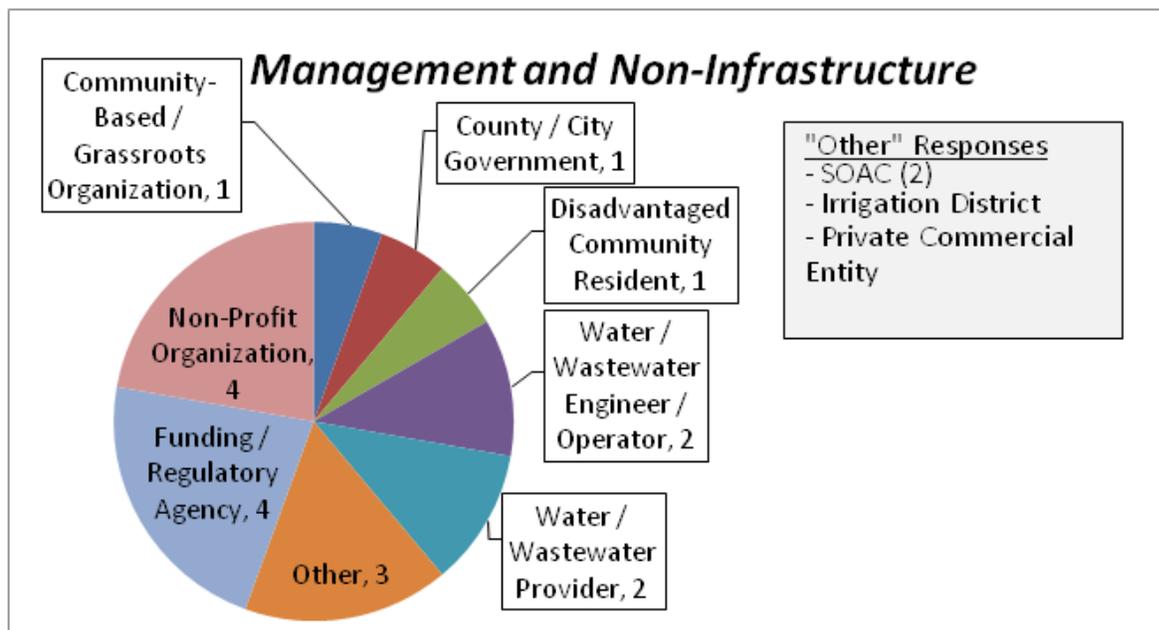


Figure 3-14 - Breakdown of Management and Non-Infrastructure participant representation

Note: Participants were given the option to select more than one response related to the type of organization they represented. The total numbers in this chart may therefore be greater than the number of participants who filled out surveys.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

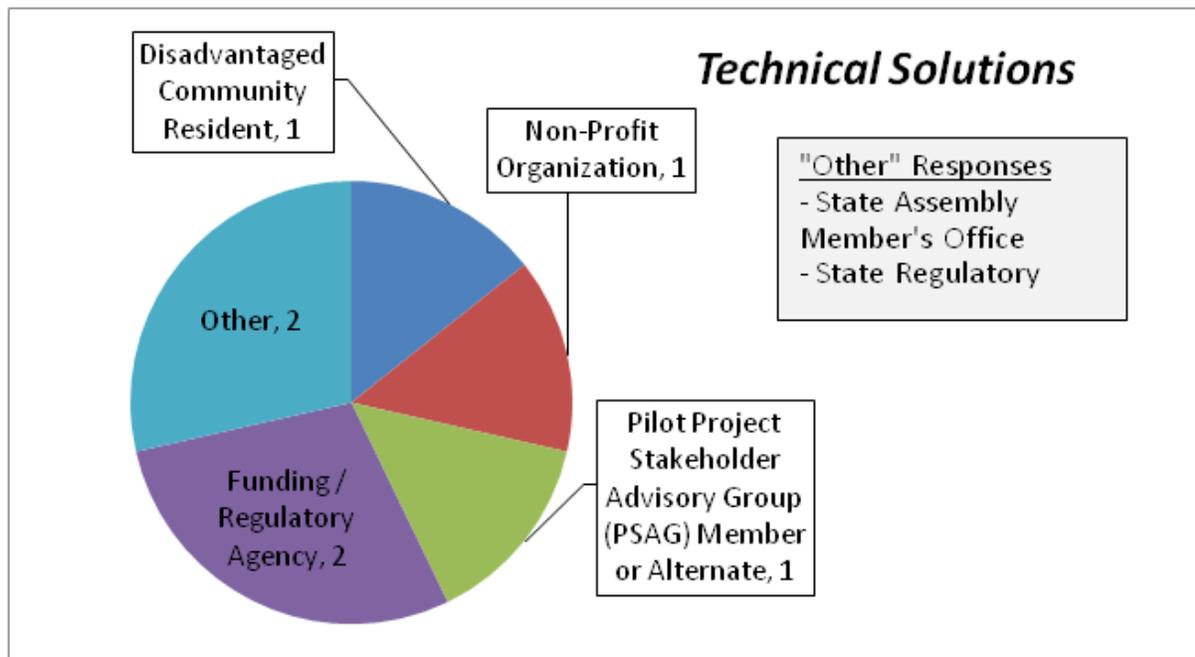


Figure 3-15 - Breakdown of Technical Solutions participant representation

Note: Participants were given the option to select more than one response related to the type of organization they represented. The total numbers in this chart may therefore be greater than the number of participants who filled out surveys.

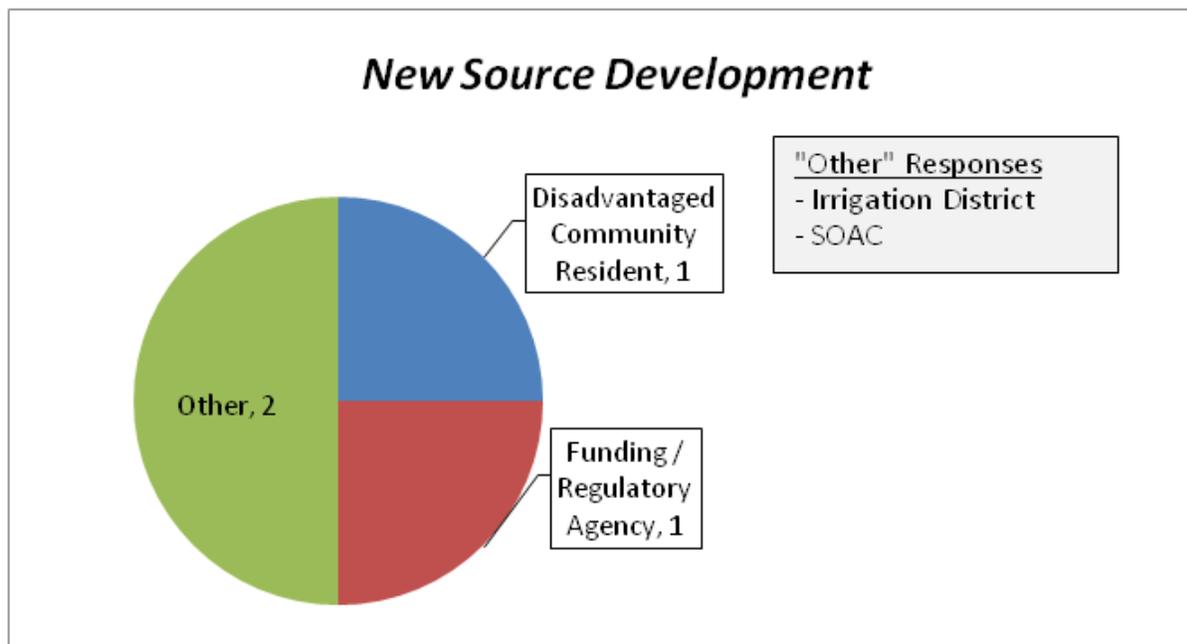


Figure 3-16 - Breakdown of New Source Development Participant Representation

Note: Participants were given the option to select more than one response related to the type of organization they represented. The total numbers in this chart may therefore be greater than the number of participants who filled out surveys.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

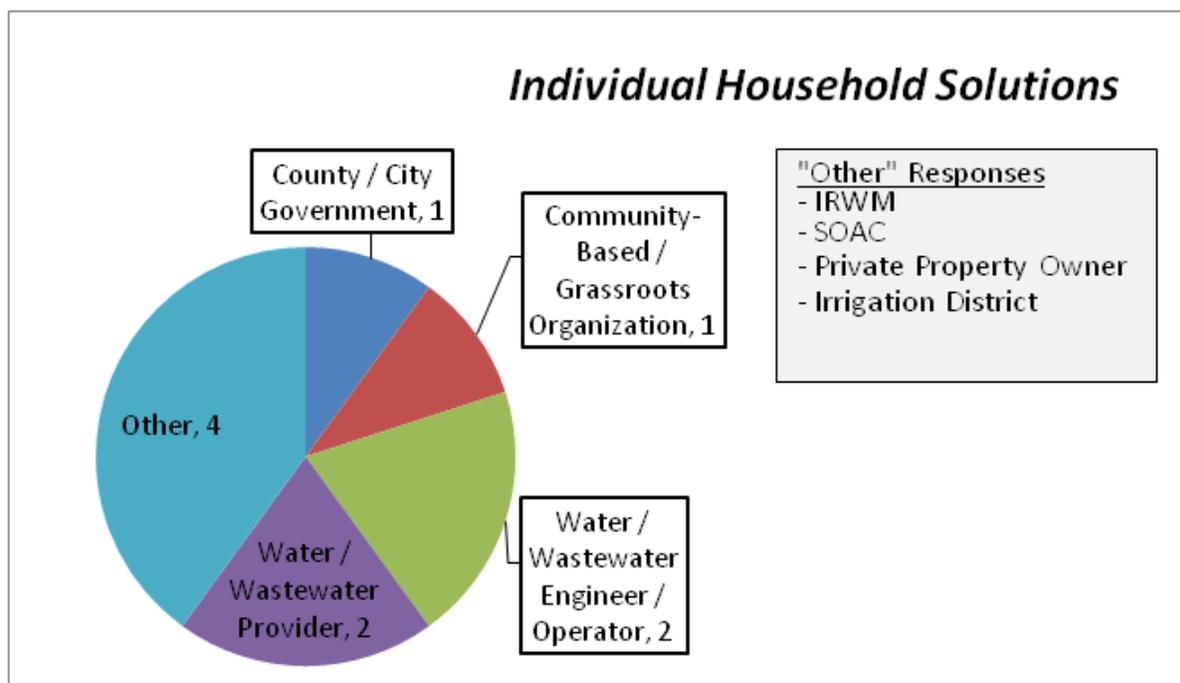


Figure 3-17 - Breakdown of Individual Household Solutions Participant Representation

Note: Participants were given the option to select more than one response related to the type of organization they represented. The total numbers in this chart may therefore be greater than the number of participants who filled out surveys.

3.2.2 Summary of Input provided at PSAG meetings

In general, stakeholders gave important input on the types of problems that exists, potential solutions, and recommendations. Below is a summary of some of the key points of input given by PSAG participants.

Management and Non-Infrastructure Solutions:

For this pilot, PSAG members provided input on the solution alternatives presented and key communities to focus on, and how the process worked for them. Key suggestions included:

- Document and emphasize the existing leadership and capacity development needs and possible ways to address them. As one member noted, "solutions will not go anywhere if there is no one who understands how to operate it, have the wherewithal to implement, manage it, etc";
- Focus more on the 2 problems identified by the SOAC, e.g. lack of economies of scale to offset increasing expensive Operation and Maintenance Cost (O&M);
- Concern that the decision trees presented in the reports were overly technical and not fully appropriate for a lay, non-engineering audience (this was discussed at several meetings);

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

- Provide information and trainings for communities beyond the conclusion of this study; and
- Establish a more formal entity that can work on developing relationships between communities, government, building capacity, mentorships and tutorials for DACs.

Technical Solutions

The first PSAG meeting for the Technical Solutions pilot was held on September 11, 2013. The meeting was attended by representatives from CDPH, Regional Water Quality Control Board, California Water Institute and residents from the community of Allensworth. Meeting two was held on May 7, 2014 and although the number of participants decreased, representation continued to be diverse. For this pilot, PSAG members provided input on existing implementation barriers and ways to overcome them, information on existing and potential new funding sources, highlighted local case studies and the importance of building leadership capacity, and provided feedback on the draft recommendations. Key feedback from PSAG members included:

- Inadequate/poor infrastructure could impact the implementation of energy efficient solutions, e.g. water leaks impacting water rates.
- DACs are already experiencing high operating costs and unaffordable water rates.
- Funding sources are available to replace old and dilapidated infrastructure.
- Supplemental Environmental Projects (SEP) can be a funding sources to advance technical solutions.
- Meters and tiered rate structures are vital to conservation and O&M costs, but DACs worry about being able to pay for them.
- There are several sources of funding for meters now (SRF, DWR, IRWM) , but a recommendation would be to have more funding for meters, so that California water systems can all be able to meet the 2025 mandate to have meters.
- There is a need to better merge and promote technical solutions and management and non-infrastructure solutions to achieve maximize efficiency.
- Need to look at existing pilot projects seeking to address residual management issues and noted the need to develop affordability/cost model.
- The need for developing leadership capacity in DACs continues to be a region-wide necessity. This capacity can be developed by encouraging DACs residents to utilize workshop and training opportunities provided by third party assistance providers and NGOs like RCAC.
- The recommendations seeking to promote the utilization of smart meters and tiered billing rates is important, as well as addressing the lack of water operators by providing more local trainings and licensing services.

New Source Development

This PSAG suffered from poor attendance and lower overall participation. The first PSAG meeting for the New Source Development pilot was held on August 22, 2013.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Most if not all of the participants had not read the report. Feedback provided by PSAG members was almost exclusively on potential funding sources, available resources and need for funding to make repairs. The second PSAG meeting continued to have low attendance in comparison to other pilots. However, a lot of feedback was provided by the participants and project team members that did attend. PSAG members provided information on what is and is not allowed by the Drinking Water Program³ and how to ensure the project team is making recommendations that are in accordance with such. Key comments during this PSAG included:

- Have this report actually “move things”, not just “document things”. For example, in Alpaugh, people didn’t want to just study the problem, they wanted to solve their immediate needs;
- Potential funding sources should be added in the funding section of the report;
- Concern with more theoretical studies when communities need funds now to replace broken pipes, etc⁴;
- Document existing challenges for some communities to join IRWM processes; and
- Funding needs, caps, sources and changes to funding programs needs to be included.

Individual Households Solutions Pilot

For this pilot, key items of feedback included:

- Individual household solutions can also be used as interim solutions for communities working on long-term solutions.
- Discuss programs that work / do not work and give recommendations on how to improve— USDA Revolving fund for private well owners, RCAC circuit rider programs and successful implementation of management of wastewater solutions.
- Document the problem better and discuss challenges that communities face. Add vulnerability maps and areas where clusters of private homes may exist within the region, private wells are going dry and examples in communities working on or with high potential to implement communitywide solutions, such as East Porterville, Monson, Orange Center and Easton.
- Take into account the role of the renters and offer guidance on what to do when water quality is not known.
- Add real life case studies.

3.2.3 Satisfaction with PSAG

In addition to assessing what type of feedback was provided, at the second PSAG meeting participants were asked to indicate their satisfaction with whether the pilot

³ This was noted by CDPH.

⁴ This topic was brought up in relation to the community of Alpaugh.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

document had been improved, and their overall satisfaction with the process. The number of respondents filling out these surveys varied by pilot: (13) for Management and Non-Infrastructure; (5) for Technical Solutions; (3) for New Source Development; and (8) for Individual Household Solutions.

Figure 3-18 through **Figure 3-21** summarize general levels of satisfaction with different components of the PSAG process. Overall, participants felt satisfied or very satisfied with the PSAG process⁵. Specifically, 100% of Individual Household participants, 70% of Management and Non-Infrastructure participants, 78% of New Source Development, and 60% of Technical Solutions participants were satisfied or very satisfied. In terms of specific meeting content (i.e. content, facilitation, etc.), across all four pilots participants also felt satisfied or very satisfied with the purpose and the role of the PSAG, the content presented at meetings, the technical content presented and the facilitation at the meetings.

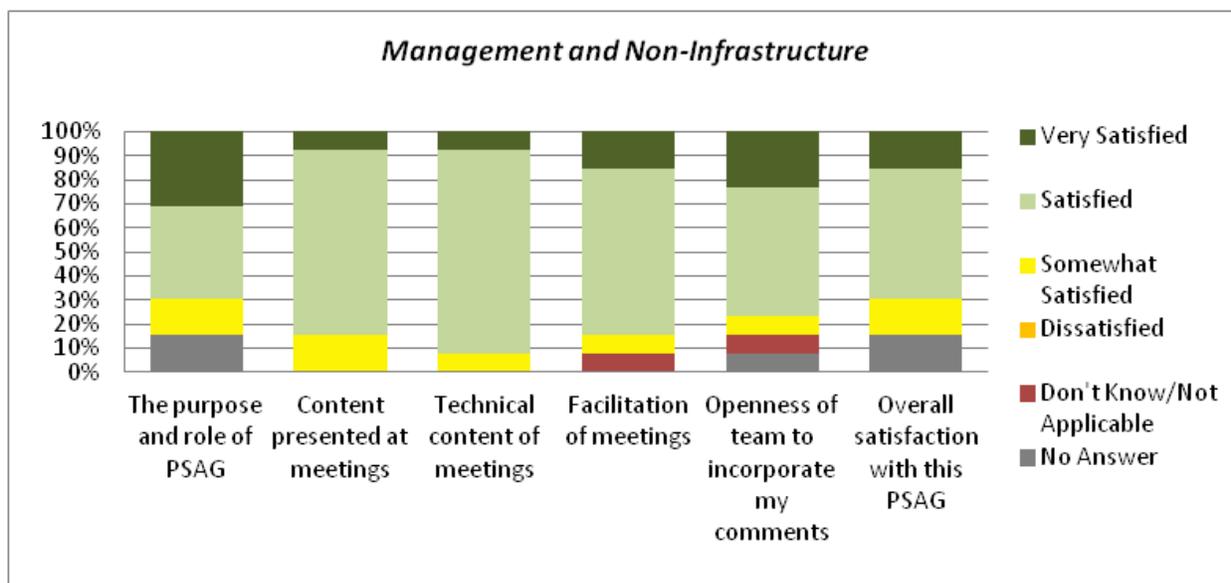


Figure 3-18 - Percentage of participants indicating their satisfaction with the components of the Management and Non-Infrastructure PSAG (n=13)

⁵ Note the small sample size for many of the PSAG surveys.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

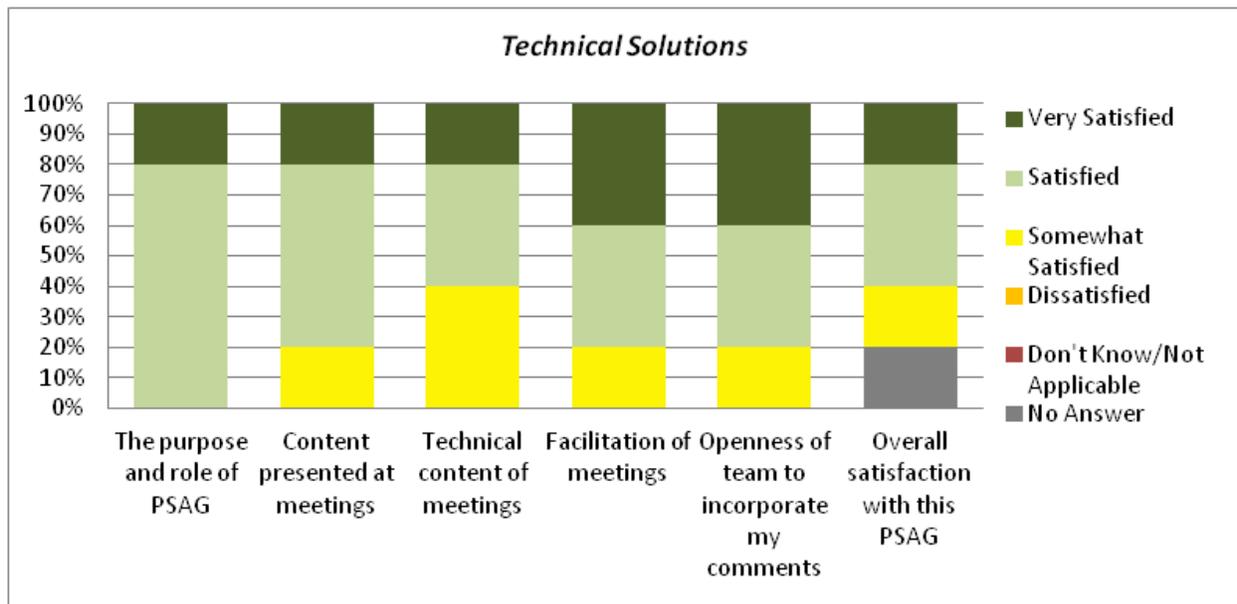


Figure 3-19 - Percentage of participants indicating their satisfaction with the components of the Technical Solutions PSAG (n=5)

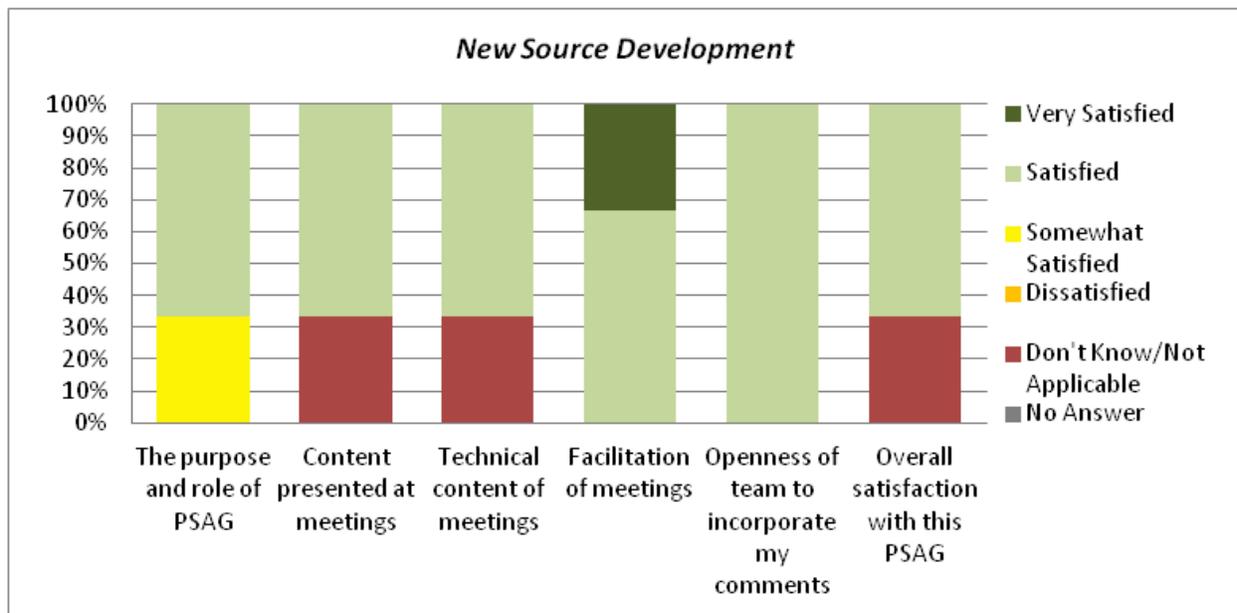


Figure 3-20 - Percentage of participants indicating their satisfaction with the components of the New Source Development PSAG (n=3)

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

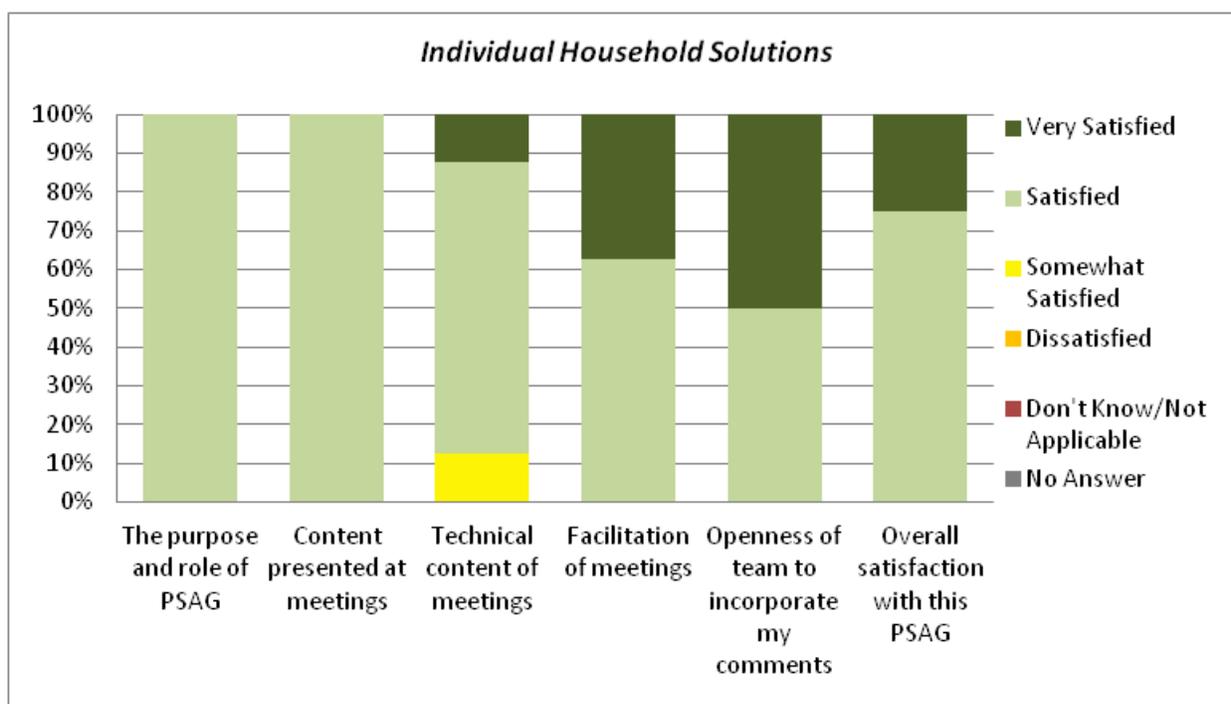


Figure 3-21 - Percentage of participants indicating their satisfaction with the components of the Individual Household Solutions PSAG (n=8)

When looking at responses regarding the pilot document produced for each pilot study, two general trends emerge. First, overall among participants who responded to surveys, the vast majority felt the pilot document had been improved between Meeting 1 and Meeting 2 (**Figure 3-22**). Second, most participants felt the pilot document adequately incorporated their input. Participants of the New Sources and Technical Solutions pilots generally agreed that their input had been adequately incorporated into the final pilot report presented at meeting 2 (**Figure 3-23**). Specifically, approximately 66% agreed for New Source Development and 80% agreed for the Technical Solutions pilot. It should of course be noted, that there were only 3 and 5 survey participants, respectively. For the Individual Households and Management and Non-Infrastructure pilots, 38% and 35%, respectively, agreed with the statement that their input had been adequately incorporated; the remainder said they did not know (**Figure 3-23**). This may be because they were not at the first meeting, or did not know how to answer the question.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

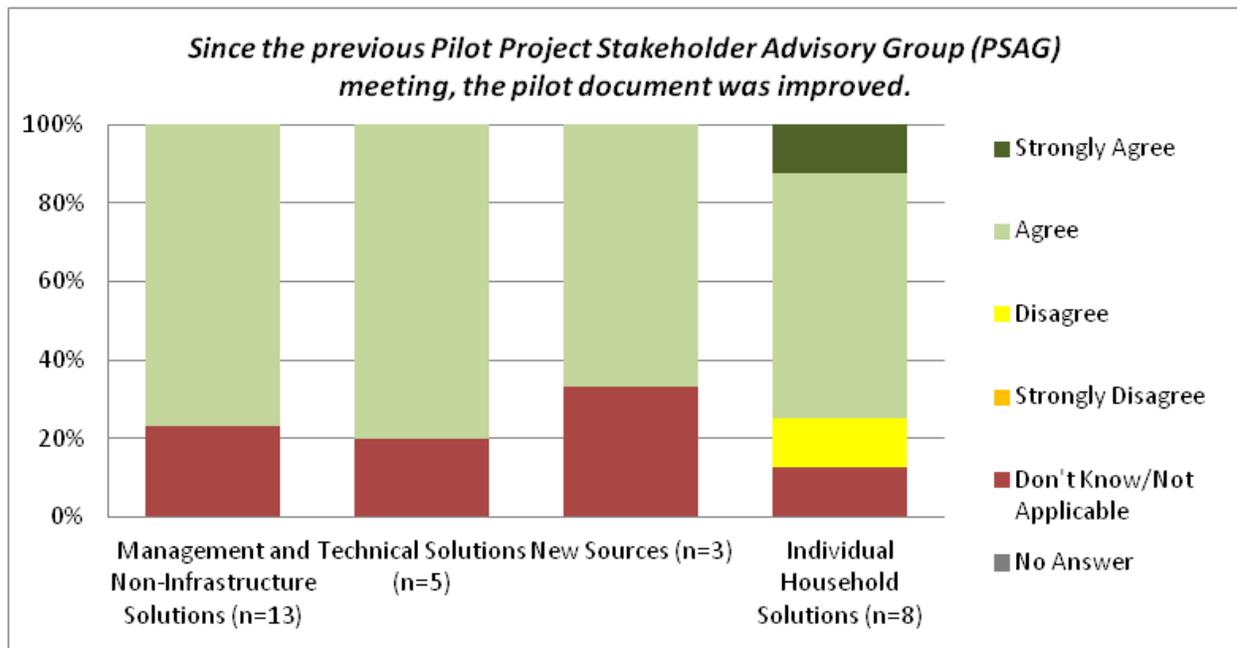


Figure 3-22 - Percentage of respondents indicating whether the pilot document was improved between meetings

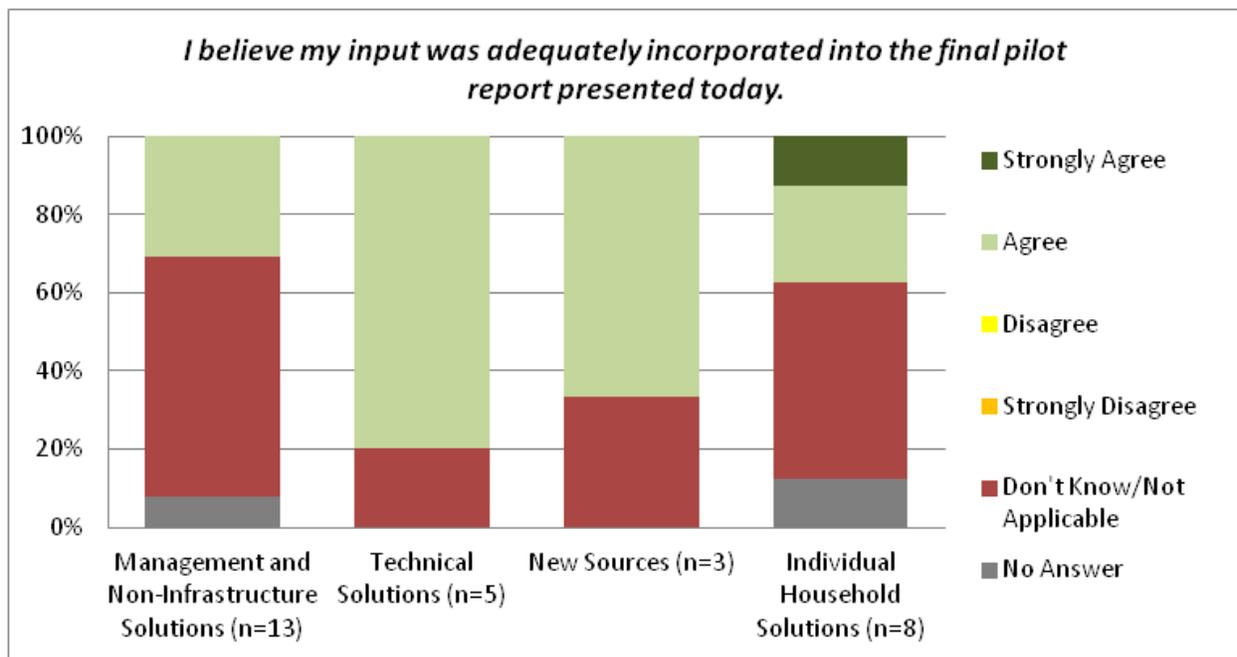


Figure 3-23 - Percentage of respondents indicating level of satisfaction with whether their input was incorporated into the final pilot report.

Across all four pilots, participants noted lower levels of satisfaction around how useful the pilot document is anticipated to be (**Figure 3-24**). This is consistent with the

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

findings from the SOAC survey. The pilot with the greatest overall satisfaction was the Technical Solutions pilot. More than 50% of respondents for all pilot studies felt that the document was very useful or useful. Both the Individual Households and the Management and Non-Infrastructure pilots had a significant percentage of respondents that felt the pilot was somewhat useful; with 38% and 30%, respectively providing this answer. No respondents felt that the pilot would not be useful, for any of the pilot studies.

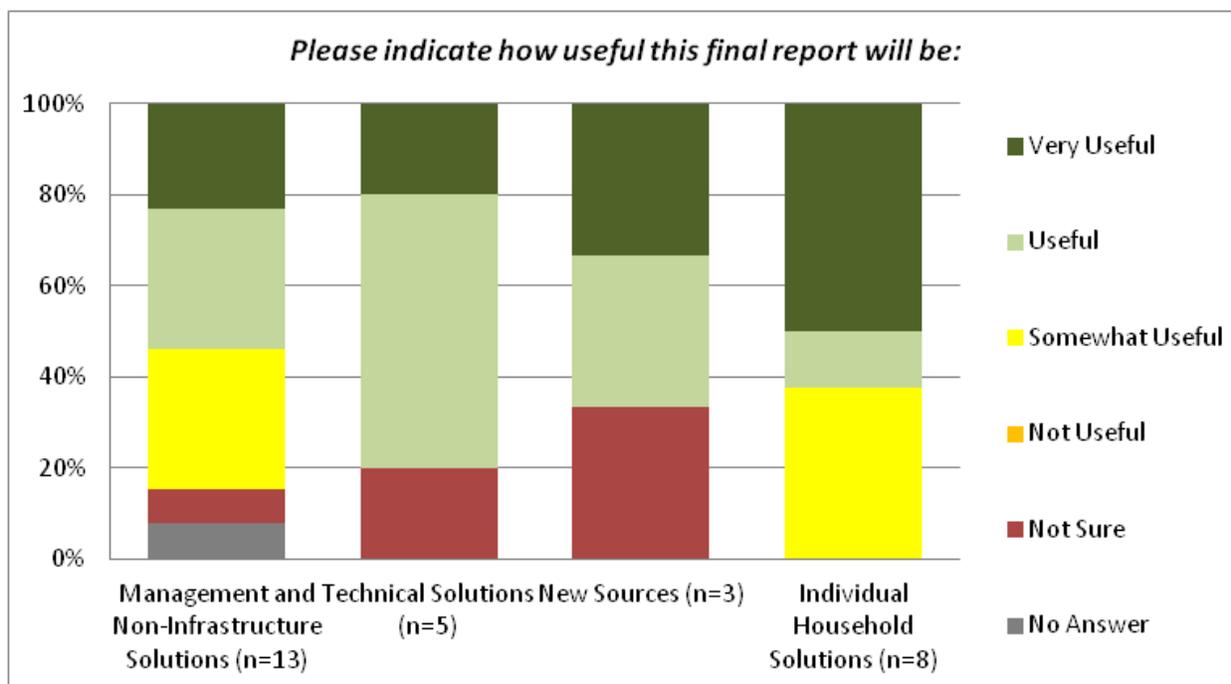


Figure 3-24 - Percentage of participants indicating how useful the final report will be (Survey participants: Management and Non-Infrastructure Solutions n=13; Technical Solutions n=5; New Sources n=3; Individual Household n=8)

3.3 Evaluation of the Community Review Process

In total 94 participants participated in the various community review process meetings (see **Table 3.3** below for more specifics). Given the varying nature of the community participation, evaluation surveys were not issued. Instead, this section relies on participant feedback and observation by the facilitators to discuss the overall success of the community review process. Community members provided important feedback during each meeting, as summarized below.

At most Community Review meetings, the type of feedback given at the meeting can be grouped into three categories: 1) drinking water and wastewater challenges, 2) leadership and capacity development challenges and needs, 3) recommendations on how to address existing challenges.

Key drinking water challenges noted by participants included:

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

- General noting of drinking water and wastewater challenges (water quality, failing systems and high water rates),
- Challenges with managing a water system and language barriers and lack of available translated templates within the drinking water program.
- Challenges engaging community residents to be part of board meetings outside of meetings seeking to increase water rates.
- Challenges engaging with existing governing boards, e.g. board was not used to having community participation and community members felt unwelcomed.
- Challenges with utilizing existing training opportunities, costs, volunteered board and not accessible locally.

When commenting on the pilot as developed key comments were:

- Generally, participants were willing to consider a solution as long as it provided them safe, reliable drinking water.
- Residents seemed interested in the proposed solutions but wanted to know more about actual benefits and how to select from the many available;
- There was concern that the management and non-infrastructure alternatives presented would not directly improve water quality;
- Some concern around joint solutions. In some cases residents noted past unsuccessful and successful efforts to promote shared solutions among communities;
- Local community residents and board members stressed the importance of involving the community, the demographics of the community and need to establish or maintain affordable water rates.

Solutions presented by community members included:

- It was recommended that the drinking water program should make available standard translated Consumer Confidence Report (CCR) templates to water operators/systems serving Spanish speaking communities.
- Some residents and board members discussed opportunities and/or interest in working with other local DACs facing similar challenges and whom they have existing relationships instead of working with larger systems or cities, e.g. Sultana with Monson instead of working with the City of Dinuba and Poplar with Cotton Center but not with the City of Porterville.
- Need to outreach, educate and effectively engage local community residents, water providers and neighboring communities.
- The role existing non-profit organizations can play in strengthening and supporting the development of shared solutions was emphasized. Specifically, it was suggested that these groups could play a role in conducting outreach, educational workshops, developing relationships and facilitating solutions.
- Capacity development and education was consistently brought up as a major need.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Table 3.3 Community Review Process, Outreach and Participation

Pilot	Number of Participants who took part in the Community Review Process	Comments on Outreach & Participation
Management and Non-Infrastructure	<p>Meeting 1 18 representatives from about 8 communities and the City of Porterville</p> <p>Meeting 2 7 representatives from 5 communities/water systems as well as a representative from the City of Porterville, Kings Basin Integrated Regional Water Management Authority (IRWMA) and the United Farmworkers Foundation.</p>	<p>Project team developed an outreach script and divided up outreach tasks based on relationships. CWC was lead in ensuring that all stakeholders received the meeting invitation. Follow up calls were made to ensure invite was received and reminder calls were made the day before each meeting.</p> <p>Turnout was less than that obtained at first meeting. Believed to be due to fact that the agreed upon date for the second meeting had to be changed to ensure DACs could participate. There were also some other scheduling conflicts. Some participants had to attend other meetings.</p>
Technical Solutions	<p>Home Garden: 5 3 community residents and 2 District staff/Consultants (Summers Engineering and Water Dynamics)</p> <p>Poplar: 8 4 community residents, including 1 private well owner, 2 board members and 2 district staff/consultant(s) Keller Wegley Engineering and Poplar CSD Secretary.</p>	<p>Turnout was low due to change over on the Home Garden Community Services District (3 board members resigned during the community review process). Further, securing a meeting location was difficult. Project team had tried once before to hold a meeting in the area unsuccessfully.</p> <p>Participation and discussion at meeting was good. This meeting provided an opportunity to have the board, community residents, and private well owners jointly discuss water and wastewater needs and possible solutions.</p>

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Pilot	Number of Participants who took part in the Community Review Process	Comments on Outreach & Participation
New Source Development	<p>Ivanhoe: 5 2 community residents, 1 board member and 2 district staff (Water Operator and District Manager)</p> <p>Stratford: 16 10 community residents, (9) from Stratford and (1) Kettleman City, 5 from Stratford PUD (staff and board members and consulting Engineer) and representative from ASM Salas</p> <p>Sultana: 21 18 community residents and 2 Sultana CSD Board members*District water operator participated in one-on-one meetings with lead project engineer and District does not have a district general manager or engineer.*</p>	<p>Ivanhoe turnout was lower than anticipated. None of the project team members have previously worked in this community.</p> <p>Great turn out because of outreach done by locally known community leaders.</p> <p>Great turn out because of outreach done by locally known community leaders. Additionally, the Sultana water challenges had been highlighted in the news the day prior to our meeting.</p>
Individual Households	<p>14 Sultana (1), Cameron (3) Creek, Seville (4) Monson (5) and (1) Easton.</p>	<p>Good turnout from diverse stakeholders because of existing relationships and impacts of the drought. Individual wells are going dry and people wanted to make sure their need was documented and were seeking resources. Much more wanted to participate by the commute posed a challenge.</p>

4 SUMMARY OF LESSONS LEARNED

In addition to assessing stakeholder perspectives on the stakeholder processes themselves, the project team undertook a process of self-evaluation, noting key lessons learned. As part of the facilitation process, during the project the project team debriefed most meetings with “what went well”, “what was hard”, and “what would we change”. This section summarizes some of those lessons learned.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

4.1 Successes

The project team identified some general areas that went well about the Study, including:

- Identifying the magnitude of the issues was good.
- Generation of interest and participation from diverse stakeholders within the Study Area.
- The project generated feedback and momentum on this topic. The drinking water program (CDPH) has become extremely active. Most recently, additional staff members began participating in the process. The department also jointly provided written comments on the draft recommendations.
- Diverse stakeholders are now aware of and are addressing DAC needs. The County of Tulare is now coordinating monthly water meetings with CWC and SHE to track DAC water needs and identify solutions and resources to address them. The Water Commission, and local IRWM groups are also seeking and receiving updates on the progress of this study. Further, DACs are now aware of alternative solutions to consider. Specifically, the community of Seville is interested in sharing a water operator and/or billing services with the community of Sultana. Lastly, there is strong support for the continuance of the SOAC committee beyond the conclusion of the study.
- A broader network of individuals became invested in the topic. For example, additional funding from the County of Tulare to hold additional Supplemental SOAC meetings allowed the region to stay engaged and discuss mutual items of interest.
- Despite the big time commitment, the processes showed interested and committed stakeholders, e.g. stakeholders participated in multiple SOAC and pilot PSAG processes.
- The process served as an educational process for everyone, from community members to engineers.
- The project utilized existing relationships and networks: For example, the project utilized existing relationships and community resources to increase participation. The project team was diverse and was therefore able to facilitate the participation of diverse stakeholders. CWC and SHE work directly with DACs and had a number of community contacts. SHE also helped generate the funding contacts lists and encourage their participation. Provost and Pritchard was also able to share contact information for local DACs and water providers. Communities also helped share information. Sultana- board member helped get a lot of community residents at the community review process meeting. Stratford local community leaders also did the same. Home Garden was challenging because project team had not previously worked in this community. For the Management and Non-Infrastructure pilot outreach efforts were split based on existing relationships of the project team.

4.2 Challenges

Some common challenges were also identified, including:

- Evaluating the problem is not enough:
 - It is important to work on developing or advancing solutions because that is what community members really want.
- Continued participation was challenging:
 - Continued engagement by all SOAC members - we lost some members towards the end for various reasons (e.g. job changes, retirement, conflict of interest, etc.), DAC representation and engagement was sometimes low, etc.
 - Keeping track of active members and appointing new ones was also hard. Memberships were not fully tracked and members moving changing jobs or retiring did not necessarily notify the team. Sometimes recruitment of new members was also challenging.
 - Maintaining contact information. Outreach lists had to be regularly updated.
 - Impacts of the drought also impacted participation. Toward the final stages of the study, many participants were busy responding to impacts of the drought. DACs, consultants and funding agencies were working on applications and attending multiple meetings and workshops.
 - Low participation meant input varied: Some pilots received more feedback than others.
- The stakeholder processes required significant investment of time by participants:
 - Long reports require significant investment of time to read; not all participants read the reports.
 - Not always realistic to expect continuous participation in volunteer meetings or other efforts, especially something like this that required a large time commitment.
- Keeping project momentum is important for participation and input:
 - Development of the pilots and full study development process took a long time, and in many ways this slowed the momentum as the process stretched over many years. It made the stakeholder involvement process and the SOAC meetings more disjointed for the broader audience of participants.
 - Timing was a critical factor. Earlier in the process people were trying to understand the process and their role. Feedback became stronger once members were more familiar and invested in the process.
- Various stakeholder processes were good because they drew on various forms of expertise and public participation, but having three (3) processes also made it difficult to coordinate, for the following reasons:
 - While it was good that the PSAG meetings were used to get feedback on the pilot studies, only SOAC members attending PSAG meetings got the

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

full picture of the pilot projects. This may have led to less than ideal understandings of the pilot studies by the SOAC respondents.

- Lack of engagement by all SOAC members during the development of the pilots was hard to manage. Only some SOAC members read the reports and/or participated in the PSAG process. While the role of PSAG members was to fully engage with the pilot, the fact that SOAC members were not all participating in the pilot review process may have created some lack of communication/understanding across project components.
- Technical Components Are Hard for Lay Audience/Hard to Balance Voices in the Room:
 - Getting input from some stakeholders was hard. In the earlier phases DAC SOAC members were not as vocal and process was dominated by elected officials. This improved over time.
 - Some meetings were too technical in nature. Throughout the process DAC representatives noted to CWC colleagues that the process was hard to follow, or was too technical.
 - Most PSAG members were not able to read the reports because they were too long and/or had a lot going on because of the drought. Getting written comments was difficult - project team overcame this by offering 1-1 in person meeting and/or phone calls. During 1-1 meetings the project team members usually walked stakeholders through key sections of the report and received and recorded verbal feedback.
 - Decisions trees were too technical and or long and made seeking feedback challenging.
 - Turn-out low at some meetings, partly because of limited outreach, some possibly to do with changes of venue spaces.
 - Challenge of working across engineer types/different approaches, makes it hard to coordinate/draw lessons.
 - Even though the consulting team wanted community input, it was difficult to obtain input on available solutions because full analysis for a specific community was not performed. Pilots were designed to identify possible options and discuss some of the pros and cons associated with each, but the pilots identified the need to conduct a feasibility study to evaluate the options further as a next step for any community considering a project. However, most participants were often seeking more detailed information about the recommended solutions, costs for implementation, ongoing O&M costs and a way to rank one over the other. This was not feasible within the scope of this Study.
 - There was a variation in approaches for each pilot—this made it hard to present consistently across meetings, and for the process to look the same for each pilot.
 - Some documents were presented at the meeting, with no time translate materials. When this happened, it created challenges during meetings because of the need for simultaneous translation and meeting facilitation.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

- Translation during meeting (some reported echoing and mentioned it was disruptive to other participants) and breakout sessions (hard to maintain everyone updated, participants were speaking too fast not allowing time for translation).

4.3 Lessons for Future Work/Application

Based on these overall successes and challenges, the project team identified some general lessons were learned and what could be done better next time:

- Important to Have Common Vision from the Consulting Team:
 - Working with a diverse team (e.g. organizers, engineers etc) had benefits, but also made it hard to develop common visions for the project. The diverse background is an asset, but needs to be managed thoughtfully so that all voices and perspectives get heard. There needs to be openness to the idea that everyone will learn and grow in the process.
- Make final product useful:
 - Need to identify the purpose of the database and how it will be used.
 - This is also true for the development of recommendations and regional plan. During the development of draft recommendations, the project team identified the need to seek more feedback on the draft recommendations and was able to utilize one of the supplemental SOAC meetings to get more feedback. The team also held a number of one-on-one meetings with key stakeholders to seek additional feedback.
 - Stakeholders and project teams may have different interpretations/visions and uses for a regional plan. Therefore, visions, interest, needs and scope should be clarified with the project team, funding agency, and stakeholders prior to selection and development of final report format.
- Improving participation:
 - Ensure a process that promotes continued participation of stakeholders. Expecting a significant amount of work is a challenge—people were volunteering their time and effort.
 - Hold additional meetings in communities. One meeting was not enough. Example- Management and Non-Infrastructure report received more feedback when we held two meetings. Further, draft decision trees were provided to community residents but there was no follow-up, e.g. New Source Development pilot study and others only had one meeting with each community.
 - Hold meetings in the evenings 5:30 to 7:30 and within the community. Do not go over two hours or you will lose participants. This is true for all stakeholder process meetings.
- Preparation of materials:
 - Make sure to establish clear meeting objectives, develop appropriate meeting agendas, handouts, facilitation plans and hold planning project team calls early in the process and prior to meetings as needed.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

- Continue to provide full draft and final documents well before each meeting.
- Make sure to summarize the main points of the reports and provide guidance on what type of input is needed in order to receive effective feedback. Seek feedback from stakeholders based on their expertise, experience and knowledge.
- Obtaining stakeholder input:
 - This is a technical process, but is meant to include community stakeholders. Stakeholders with specific expertise, experience and commitments are more likely to feel comfortable engaging and providing feedback. Alternates should be identified and encouraged to participate to ensure continued engagement. At the same time, figuring out where community members can insert their voice and participation is key.
 - One-on-one with community members is important because sometimes the other processes were too technical.
 - Offer alternative ways for stakeholders to provide feedback. Utilize meetings and breakout groups to obtain feedback whenever possible.
 - While SOAC members and participants had the opportunity to review pilot documents, anecdotal evidence suggests that in practice, few actually did this. Ideally, the SOAC would have had a better opportunity to review and/or understand the contents of the pilot documents. Or, ideally SOAC members would have been individually briefed on the pilot studies so they had full understanding (in some cases this was done by the project team). This might have helped increase satisfaction levels (as shown in survey results).
 - Despite challenges of outreach, it was very important to go out to actual communities to vet the process. In this process, new relationships were developed and board members and community residents were educated and informed about water issues and potential solutions. These processes also served as an educational entry point on types of solutions.
 - In the process of outreach, other forms of information sharing about available resources and programs occurred.
 - Need to help participants have access to adequate information in order to effectively engage with a discussion of solutions. Example: the project team provided a brief presentation on what it takes to manage a water/wastewater system. This increased understanding of the proposed solutions and therefore triggered additional feedback.
 - Using existing case studies to explain and promote solutions was very helpful. Having local presenters helped. Role playing and modeling how to provide feedback can also increase engagement.

5 CONCLUSIONS

The Tulare Lake Basin Study was one of the first efforts statewide to actively engage members of the public in the identification of water problems, and the development and discussion of solutions. From this perspective, it was both a trial and a model at what works and what can be improved for future efforts. In evaluating the processes, important lessons can be learned about how well this Study did in its various stakeholder processes, and what additional factors can be improved upon for future efforts. Overall, the evaluation indicates that the three stakeholder processes had varying levels of success for different components. Survey results indicated that participants at SOAC meetings were generally satisfied with the overall process. The area where the feedback was the most positive was in terms of the process bringing together a diverse array of stakeholders. This highlights the importance of how the Study was not only about “end products” but also about process; people valued the fact that people were being brought together. Similar findings are generally echoed in the PSAG survey results, where most participants were satisfied with the process and the meetings, but there were lower levels of satisfaction around how useful the final documents would be.

From these responses, we can learn that the forum created by these stakeholder processes was important. Both the PSAG and the community review process highlighted some common key take-away messages, including how to make the reports and products more user-friendly. Many PSAG members noted that the pilots were quite technical. This might mean they are helpful for a more technical audience, but still need clarification and simplification for community members. In addition, from one-on-one interviews, stakeholders noted that while the pilots were helpful in highlighting possible solutions available and general paths to follow for solutions. There is still a need for technical assistance and funding to further evaluate options and implement solutions. This is not a flaw of the pilots themselves, but does indicate the value of producing on-the-ground solutions or pilots, so that stakeholders can observe some movement towards change.

This points to a broader challenge regarding the technical nature of the stakeholder processes. While overall satisfaction levels were high, and people felt the SOAC and PSAG allowed for incorporation of their ideas and questions, the project was challenging in that it was combining multiple disciplines and types of people and organizations. Each pilot contained very technical components, which were often hard to digest by the general public. This was evidenced by numerous discussions about how the Decision Trees were difficult to follow and understand. This does not mean the trees themselves were not useful, it simply highlights how a stakeholder process that is meant to include community but also use technical information must conduct a delicate balance between these items, and be aware of how to present information to different audiences. If future work seeks to continue including community members in the development of solutions, “hard engineering solutions” must continue to be readily translated for a lay audience.

Disadvantaged Community Water Study for the Tulare Lake Basin

Stakeholder Involvement Report

Some recurring challenges regarding the stakeholder processes included uneven participation and difficulties in sustaining participation over the life of the project. The project team suspects this was partly because of the magnitude (it was a four county-wide project) and its uniqueness of the study (feedback obtained throughout indicated that most participants had not previously participated in this type of process). Further, the study took a long time, and therefore sustaining people's interest was challenging. In addition, towards the end of the project the effects of the California drought were being felt in the region, and were requiring attendance at numerous other meetings. This caused attendance at project meetings to dwindle.

In sum, in considering the overall Study and its success in the stakeholder processes, a nuanced perspective must be held. First, this was one of the first large-scale attempts at including DAC stakeholders, government agencies and technical experts in one conversation regarding water provision and related solutions. As such, it necessarily entailed various forms of translation—of language, of technical content, of community perspectives. As a first “model”, the team did the best it could to accommodate these various realities. With future funding and engagement, and a critical incorporation of lessons learned, additional work can build on this important foundation.