

Attachment 10 – UWMP, GWMP, ABI 420, and Water Meter Compliance Information

East Bay Municipal Utility District (EBMUD), the grant applicant, is an urban water supplier. This attachment includes:

ABI 420 Statement of Compliance for EBMUD. (Appendix 10.1)

Water Meter Compliance Self-Certification form for EBMUD. (Appendix 10.2)

UWMP Letter of Completeness. (Appendix 10.3)

The Chabot Dam Seismic Upgrade is not a groundwater project and will not directly affect groundwater levels or quality. As such, the GWMP self-certification document is not required.

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Appendix 10.1: ABI420 Statement of Compliance

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AB 1420 Self-Certification Statement Table 1

Note: Table 1 documents Status of Past and Current BMP implementation.

Self-Certification Statement: The Urban Water Supplier and its authorized representative certifies, under penalty of perjury, that all information and claims, stated in this table, regarding compliance and implementation of the BMPs, including alternative conservation approaches, are true and accurate. This signed AB 1420 Self-Certification Statement Table 1, and Table 2 are the basis for granting funds by the Funding Agency. Falsification and/or inaccuracies in AB 1420 Self Certification Statement Table 1, and Table 2 and in any supporting documents substantiating such claims may, at the discretion of the funding agency, result in loss of all State funds to the applicant. Additionally, the Funding Agency, in its sole discretion, may halt disbursement of grant or loan funds, not pay pending invoices, and/or pursue any other applicable legal remedy and refer the matter to the Attorney General's Office.

Name of Signatory Richard W. Harris Title of Signatory Manager of Water Conservation Signature of signatory  Date 7/11/12

Application Date: 13-Jul-12

Proposal Identification Number: CUWCC Member? Yes/No

Has Urban Water Supplier submitted a 2005 Urban Water Management Plan? Yes/No Is the UWM Plan Deemed Complete by DWR? Yes/No

Applicant Name:

Project Title: South East Bay Plain Data Collection Improvements Program

Applicant's Contact Information: Name: Phone: E-mail:

Participants:

Retailer (List Below)	Wholesaler (List Below)
East Bay Municipal Utility District	

C1	C2	C3	C4	C5	*C6	C7	**C8	**C9	**C10	C11	C12	C13	C14	C15	C16	C17	C18
BMPs required for Wholesale Supplier	BMPs required for Retail Supplier	BMPs	BMP Implemented by Retailers and/or Wholesalers / BMP			Compliance Options/Alternative Conservation Approaches (1)			BMP Is Exempt (2)			BMP Implementation Requirements Met					
			Retailer Yes/No	Wholesaler Yes/No	Regional Yes/No	BMP Checklist	Flex Track	Gallons Per Capita Per Day GPCD	Not Cost Effective	Lack of Funding	Lack of Legal Authority	CUWCC MOU Requirement Met: Retailer Yes/No	CUWCC MOU Requirement Met: Wholesaler Yes/No	Date of BMP Report Submitted to CUWCC for (2009-10) (MOU Signatories)	Date BMP Implementation Data Submitted to DWR in CUWCC Format (Non MOU Signatories) (3)	All Supporting Documents have been Submitted Yes/No	
	✓	BMP 1 Water Survey for Single/Multi-Family Residential Customers	Y			✓	✓						Y		Jun-11		Y
	✓	BMP 2 Residential Plumbing Retrofit	Y			✓							Y		Jun-11		Y
✓	✓	BMP 3 System Water Audits, Leak Detection	Y			✓							Y		Jun-11		Y
✓	✓	BMP 3 Leak Repairs	Y			✓							Y		Jun-11		Y
	✓	BMP 4 Metering with Commodity Rates for All New connections	Y			✓							Y		Jun-11		Y
	✓	BMP 4 Retrofit of Existing Connections	Y			✓							Y		Jun-11		Y

BMPs required for Wholesale Supplier	BMPs required for Retail Supplier	BMPs	BMP Implemented by Retailers and/or Wholesalers / BMP			Compliance Options/Alternative Conservation Approaches (1)			BMP Is Exempt (2)			BMP Implementation Requirements Met					
			Retailer Yes/No	Wholesaler Yes/No	Regional Yes/No	BMP Checklist	Flex Track	Gallons Per Capita Per Day GPCD	Not Cost Effective	Lack of Funding	Lack of Legal Authority	CUWCC MOU Requirement Met: Retailer Yes/No	CUWCC MOU Requirement Met: Wholesaler Yes/No	Date of BMP Report Submitted to CUWCC for (2009-10) (MOU Signatories)	Date BMP Implementation Data Submitted to DWR in CUWCC Format (Non MOU Signatories) (3)	All Supporting Documents have been Submitted Yes/No	
	✓	BMP 5 Large Landscape Conservation Programs and Incentives	Y			✓							Y		Jun-11		Y
	✓	BMP 6 High-Efficiency Washing Machine Rebate Programs	Y			✓							Y		Jun-11		Y
✓	✓	BMP 7 Public Information	Y			✓							Y		Jun-11		Y
✓	✓	BMP 8 School Education	Y			✓							Y		Jun-11		Y
	✓	BMP 9 Conservation programs for Commercial, Industrial, and Institutional (CII) Accounts	Y			✓							Y		Jun-11		Y
✓		BMP 10 Wholesale Agency Assistance Programs													Jun-11		
	✓	BMP 11 Conservation Pricing	Y			✓							Y		Jun-11		Y
✓	✓	BMP 12 Conservation Coordinator	Y			✓							Y		Jun-11		Y
	✓	BMP 13 Water Waste Prohibitions	Y			✓							Y		Jun-11		Y
	✓	BMP 14 Residential ULFT Replacement Programs	Y			✓	✓						Y		Jun-11		Y

*C6: Wholesaler may also be a retailer (supplying water to end water users)

**C8, **C9, **, and C10: Agencies choosing an alternative conservation approach are responsible for achieving water savings equal or greater than that which they would have achieved using only BMP list.

(1) For details, please see: <http://www.cuwcc.org/mou/exhibit-1-bmp-definitions-schedules-requirements.aspx>.

(2) BMP is exempt based on cost-effectiveness, lack of funding, and lack of legal authority criteria as detailed in the CUWCC MOU

(3) Non MOU signatories must submit to DWR reports and supporting documents in the same format as CUWCC.

AB 1420 Self- Certification Statement Table 2

Provide Schedule, Budget, and Finance Plan to Demonstrate Commitment to Implement All BMP's to Become in Compliance with BMP Implementation - Commencing Within 1st Year of Agreement for Which Applicant Receives Funds.

Self-Certification Statement: The Urban Water Supplier and its authorized representative certifies, under penalty of perjury, that all information and claims, stated in this table, regarding compliance and implementation of the BMPs, including alternative conservation approaches, are true and accurate. This signed AB 1420 Self-Certification Statement Table 1 and Table 2 are the basis for granting funds by the Funding Agency. Falsification and/or inaccuracies in AB 1420 Self Certification Statement Table 1 and Table 2, and in any supporting documents substantiating such claims may, at the discretion of the funding agency, result in loss of all State funds to the applicant. Additionally, the Funding Agency, in its sole discretion, may halt disbursement of grant or loan funds, not pay pending invoices, and/or pursue any other applicable legal remedy and refer the matter to the Attorney General's Office.

Name of Signatory Richard W. Harris Title of Signatory Manager of Water Conservation Signature of signatory  Date 7/11/12

Application Date: July 13, 2012

Proposal Identification Number: C UWCC Member? Yes/No

Applicant Name: Is the UWM Plan Deemed Complete by DWR? Yes/No

Project Title: South East Bay Plain Basin Groundwater Data Collection Improvement Program

Applicant's Contact Information: Name

Participants:		Retailer (List Below)																	
		East Bay Municipal Utility District																	

C1	C2	C3	C4	C5	*C6	C7	C8	**C9	**C10	**C11	C12	C13	C14	C15	C16	C17	C18	C19	
CUWCC 2010 Flex Track BMPs	BMPs required for Wholesale Supplier	BMPs required for Retail Supplier	BMPs	BMP Implemented by Retailers and/or Wholesalers				Compliance Options / Alternative Conservation Approaches (1)			BMP is Exempt (2)			Implementation Scheduled to Commence within 1st Year of Agreement					Funds Requested, if Available. (See AB 1420 Compliance Table 3) Yes/No
				Retailer Yes/No	Wholesaler Yes/No	Regional Yes/No	Alternative Conservation Approaches Yes/No	BMP Checklist	Flex Track	Gallons Per Capita Per Day GPCD	Not Cost Effective	Lack of Funding	Lack of Legal Authority	Start Date (MM/YR)	Completion Level (%)	BMP Completion Date (MM/YR)	Budget (Dollars)	Funding Source & Finance Plan to Implement BMPs	
1. Utility Operations Programs																			
1.11	✓	✓	BMP 12 Conservation Coordinator	Y				✓						Jan-93	100	Dec-10			
1.12		✓	BMP 13 Water Waste Prohibitions	Y				✓						Jan-93	100	Dec-10	\$3M annual budget shared among all programs as demand, activity and coverage requirement warrants	Water System General Fund; Water Conservation Master Plan; supplemental state and federal grants	Y
1.13	✓	✓	BMP 10 Wholesale Agency Assistance Programs																
1.20	✓	✓	BMP 3 System Water Audits, Leak Detection/Repair	Y				✓						Jan-93	100	Dec-12			Y
1.30		✓	BMP 4 Metering with Commodity Rates for All New/Retrofit of Existing connections	Y				✓						Jan-93	100	Dec-10			Y
1.40		✓	BMP 11 Conservation Pricing	Y				✓						Jul-95	100	Dec-10			Y
2. Educational Programs																			
2.10	✓	✓	BMP 7 Public Information	Y				✓						Jan-93	100	Dec-10	\$3M annual budget	* See above	Y
2.20	✓	✓	BMP 8 School Education	Y				✓						Jan-93	100	Dec-10			Y
3. Residential																			

CUWCC 2010 Flex Track BMPs	BMPs required for Wholesale Supplier	BMPs required for Retail Supplier	BMPs	BMP Implemented by Retailers and/or Wholesalers			Alternative Conservation Approaches Yes/No	Compliance Options / Alternative Conservation Approaches (1)			BMP is Exempt (2)		Implementation Scheduled to Commence within 1st Year of Agreement							
				Retailer Yes/No	Wholesaler Yes/No	Regional Yes/No		BMP Checklist	Flex Track	Gallons Per Capita Per Day GPCD	Not Cost Effective	Lack of Funding	Lack of Legal Authority	Start Date (MM/YR)	Completion Level (%)	BMP Completion Date (MM/YR)	Budget (Dollars)	Funding Source & Finance Plan to Implement BMPs	Meets CUWCC Coverage Yes/No	Funds Requested, if Available. (See AB 1420 Compliance Table 3) Yes/No
3.11		✓	BMP 1 Indoor Water Survey for Single/Multi-Family Residential Customers	Y										Jan-93	80	Dec-18			Y	
3.12			BMP 1 Outdoor Water Survey for Single/Multi-Family Residential Customers	Y										Jan-93	80	Dec-18			Y	
3.20		✓	BMP 2 Residential Plumbing Retrofit	Y										Jan-93	100	Dec-10	\$3M annual budget	* See above	Y	
3.30		✓	BMP 6 High-Efficiency Washing Machine Rebate Programs	Y										Jan-96	100	Dec-10			Y	
3.40		✓	BMP 14 Residential ULF Replacement Programs	Y										Jan-94	80	Dec-18			Y	
4. Commercial, Industrial, Institutional																				
4.00		✓	BMP 9 Conservation programs for Commercial, Industrial, and Institutional (CI) Accounts	Y										Jan-93	100	Dec-10	\$3M annual budget	* See above	Y	
5. Landscape																				
5.00		✓	BMP 5 Large Landscape Conservation Programs and Incentives	Y										Jan-93	80	Dec-18	\$3M annual budget	* See above	Y	

*C6: Wholesaler may also be a retailer (supplying water to end water users)

**C9, ** C10, and **C11: Agencies choosing an alternative conservation approach are responsible for achieving water savings equal or greater than that which they would have achieved using only BMP list.

(1) For details, please see <http://www.cuwcc.org/mou/exhibit-1-bmp-definitions-schedules-requirements.aspx>.

(2) BMP is exempt based on cost-effectiveness, lack of funding, or lack of legal authority, as detailed in the CUWCC MOU.

Appendix 10.2: Water Meter Compliance Self-Certification Form

(original wet signature provided with the application in a labeled envelope)

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California State Water Resources Control Board
California Department of Water Resources
California Department of Public Health



**CERTIFICATION FOR
COMPLIANCE WITH WATER METERING REQUIREMENTS
FOR FUNDING APPLICATIONS**

In 2004, Assembly Bill 2572 added section 529.5 to the Water Code, providing that, commencing January 1, 2010, urban water suppliers must meet certain volumetric pricing and water metering requirements in order to apply for permits for new or expanded water supply, or state financial assistance for the following types of projects:

1. wastewater treatment projects
2. water use efficiency projects (including water recycling projects)
3. drinking water treatment projects

For the purposes of compliance with Section 529.5, a "water use efficiency project" means an action or series of actions that ensure or enhance the efficient use of water or result in the conservation of water supplies.

Please consult with your legal counsel and review sections 525 through 529.7 of the Water Code before completing this certification.

Applicants Affected

This requirement applies to urban water suppliers.

"Urban water supplier" means a supplier, either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually. An urban water supplier includes a supplier or contractor for water, regardless of the basis of right, which distributes or sells for ultimate resale to customers.

When Certification is Required

State Water Resources Control Board (SWRCB): The application for financial assistance must include a completed and signed certification form demonstrating compliance with the water metering requirements.

Department of Water Resources (DWR) funding applications: This certification must be completed and submitted with the funding application. Check the specific proposal solicitation package for directions on applicability and submittal instructions.

Department of Public Health (DPH) Safe Drinking Water State Revolving Fund Program: This certification must be completed and submitted with the executed Notice of Acceptance of Application (NOAA).

California State Water Resources Control Board
California Department of Water Resources
California Department of Public Health



**CERTIFICATION FOR
COMPLIANCE WITH WATER METERING REQUIREMENTS
FOR FUNDING APPLICATIONS**

Funding Agency name: Department of Water Resources
Funding Program name: Stormwater Flood Management (SWFM), Proposition 1E
Applicant (Agency name): East Bay Municipal Utility District
Project Title (as shown on application form): Chabot Dam Seismic Upgrade Project

Please check one of the boxes below and sign and date this form.

As the authorized representative for the applicant agency, I certify under penalty of perjury under the laws of the State of California, that the agency is not an urban water supplier, as that term is understood pursuant to the provisions of section 529.5 of the Water Code.

As the authorized representative for the applicant agency, I certify under penalty of perjury under the laws of the State of California, that the applicant agency has fully complied with the provisions of Division 1, Chapter 8, Article 3.5 of the California Water Code (sections 525 through 529.7 inclusive) and that ordinances, rules, or regulations have been duly adopted and are in effect as of this date.

I understand that the Funding Agency will rely on this signed certification in order to approve funding and that false and/or inaccurate representations in this Certification Statement may result in loss of all funds awarded to the applicant for its project. Additionally, for the aforementioned reasons, the Funding Agency may withhold disbursement of project funds, and/or pursue any other applicable legal remedy.

Carol Nishita Carol Nishita
Name of Authorized Representative Signature
(Please print)
Director of Administration 1/28/13
Title Date

WATER CODE

SECTION 525-529.7

525. (a) Notwithstanding any other provision of law, every water purveyor who sells, leases, rents, furnishes, or delivers water service to any person shall require, as a condition of new water service on and after January 1, 1992, that a suitable water meter to measure the water service shall be installed on the water service facilities in accordance with this chapter. The cost of installation of the meter shall be paid by the user of the water, and any water purveyor may impose and collect charges for those costs.

(b) Subdivision (a) applies only to potable water.

(c) Subdivision (a) does not apply to a community water system which serves fewer than 15 service connections used by yearlong residents or regularly serves fewer than 25 yearlong residents, or a single well that services the water supply of a single-family residential home.

526. (a) Notwithstanding any other provision of law, an urban water supplier that, on or after January 1, 2004, receives water from the federal Central Valley Project under a water service contract or subcontract executed pursuant to Section 485h(c) of Title 43 of the United States Code with the Bureau of Reclamation of the United States Department of the Interior shall do both of the following:

(1) On or before January 1, 2013, install water meters on all service connections to residential and nonagricultural commercial buildings constructed prior to January 1, 1992, located within its service area.

(2) On and after March 1, 2013, or according to the terms of the Central Valley Project water contract in operation, charge customers for water based on the actual volume of deliveries, as measured by a water meter.

(b) An urban water supplier that receives water from the federal Central Valley Project under a water service contract or subcontract described in subdivision (a) may recover the cost of providing services related to the purchase, installation, and operation and maintenance of water meters from rates, fees, or charges.

527. (a) An urban water supplier that is not subject to Section 526 shall do both of the following:

(1) Install water meters on all municipal and industrial service connections located within its service area on or before January 1, 2025.

(2) (A) Charge each customer that has a service connection for which a water meter has been installed based on the actual volume of deliveries as measured by the water meter, beginning on or before January 1, 2010.

(B) Notwithstanding subparagraph (A), in order to provide customers with experience in volume-based water service charges, an urban water supplier that is subject to this subdivision may delay, for one annual seasonal cycle of water use, the use of meter-based charges for service connections that are being converted from nonvolume-based billing to volume-based billing.

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Appendix 10.3: UWMP Letter of Completeness

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DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
 SACRAMENTO, CA 94236-0001
 (916) 653-5791

RECEIVED**DEC 05 2011****WATER RESOURCES PLANNING DIV.**

R.M.

Richard Sykes
 Lena Tam
 Karen Donovan
 Emilia Wisniewski
 Joe Tam
 Mike Tognolini
 Linda Hu
 Bill Kirkpatrick
 Bill Maggiore
 Richard Harris

772.13.01

DOX

DUG WALLACE

November 30, 2011

Ms. Priyanka Jain
 East Bay Municipal Utilities District
 375 Eleventh Street
 Oakland, California 94607-4240

Dear Ms. Jain:

The Department of Water Resources (DWR) has reviewed the East Bay Municipal Utilities District's (EBMUD) 2010 Urban Water Management Plan (UWMP) received on August 27, 2011. The California Water Code (CWC) directs DWR to report to the legislature once every five years on the status of submitted plans. In meeting this legislative reporting requirement, DWR reviews all submitted plans.

DWR's review of the EBMUD's 2010 plan has found that the plan has addressed the requirements of the CWC. DWR's review of plans is limited to assessing whether suppliers have addressed the required legislative elements. In its review, DWR does not evaluate or analyze the supplier's UWMP data, projections, or water management strategies. This letter simply acknowledges that the EBMUD's UWMP has addressed these requirements. The results of the review will also be provided to DWR's Financial Assistance Branch.

If you have any questions regarding the review of the plan or urban water management planning please don't hesitate to email or call.

Sincerely,

Peter Brostrom
 UWMP Program Manager
 brostrom@water.ca.gov
 (916) 651-7034

cc: Kim Rosmaier
 DWR North Central Regional Office

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