

Fresno Irrigation District 2012 LGA Grant

2 Attachment 2 – Eligible Applicant Documentation

Is the applicant a local public agency as defined in CWC 10701(a)?

The District meets the requirements of a “local public agency, as defined within Section 10701(a) of the California Water Code which states that a “local agency means any city, county, district, agency, or other political subdivision of the state for the local performance of governmental or proprietary functions within limited boundaries” as mentioned in the Local Groundwater Management Assistance Act of 2000 found in Section 10795. The Fresno Irrigation District also meets the requirements of a “local agency”, as defined within Section 10752(g) of the California Water Code, which defines local agency as “any local public agency that provides water service to all or a portion of its service area, and includes a joint powers authority formed by local public agencies that provide water service.” The Fresno Irrigation District provides water service to more than 4,000 customers and 150,000 acres. The District typically delivers about 500,000 acre-feet (average annual) of surface water from the Kings River and San Joaquin River through the Friant Division of the Central Valley Project (CVP).

What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?

The Fresno Irrigation District was formed under provisions of Division 11 of the California Water Code. The District has broad statutory authority contained therein to conduct necessary acts to furnish sufficient water in the District for any beneficial use. Included among such authorities is the authority to construct facilities necessary to deliver water for beneficial use within its boundaries. These powers are enumerated in California Water Code, Sections 22075 et. seq.

Does the applicant have legal Authority to enter into a grant agreement with the State of California?

The District has specific authority to enter this funding contract if awarded. Specifically, Water Code Section 22230 provides “A district may make and perform any necessary contracts to carry out the purposes of the District.” The District was previously awarded a grant under this program in 2008, and entered into a contract with the State of California.

Describe any legal agreements among partner agencies and or organizations that ensure performance of the project and tracking of funds

There are no partner agencies or organizations for the grant application, therefore no legal agreements among project partners are needed.