

ATTACHMENT 2. ELIGIBLE APPLICANT DOCUMENTATION

TCCWD has the authority to enter into a funding agreement with the California Department of Water Resources. The questions listed in the application packet are answered as follows:

1. *Is the applicant a local public agency as defined under CWC Section 10701(a)? Please Explain?*

The Tehachapi-Cummings County Water District is a local public agency. The District is a County Water District, organized and existing pursuant to the County Water District Law (Water Code, §§ 30000 et seq.). The District satisfies the definition of 'local agency', which is described in the CWC 10701(a) as any city, county, district, agency, or other political subdivision of the state for the local performance of governmental or proprietary functions within limited boundaries.

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

The District is a County Water District, organized and existing pursuant to the County Water District Law (Water Code, §§ 30000 et seq.).

3. *Does the applicant have the legal authority to enter into a grant agreement with the State of California?*

The District has the authority to enter into a Water Code section 10795.8 grant contract with the Department of Water Resources under the authority vested in the District pursuant to Water Code sections 31020, 31022, 31041, 31042, 31047, 31048 and 31049. Specifically, Water Code section 31048 authorizes a County Water District to “cooperate, act in conjunction and contract with the State of California or any agency thereof . . . with respect to the salvage, control, storage, spreading, distribution, treatment, purification and recapture of any waters, . . . , and the construction of any work, the acquisition of any property or the doing of any act with respect thereto or for the protection of property, watersheds, water courses and underground water supplies, and for the use, operation, management, or control of any public works or property.”

4. *Describe any legal agreements among partner agencies and/or organizations that ensure performance of project and tracking of funds.*

Not applicable. TCCWD is pursuing this grant independently; and, therefore, will have no project partners.