

West Valley Water District Local Groundwater Assistance Grant
ATTACHMENT 2. ELIGIBLE APPLICANT DOCUMENTATION

1. *Is the applicant a local public agency as defined in CWC 10701(a)? Please explain.*

Yes. The applicant for this Local Groundwater Assistance (LGA) grant is West Valley Water District (District). The District is a local agency, as defined in 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 or other legal authority under which the applicant was formed and is authorized to operate?*

The District is a County Water District, a public agency of the State of California, organized and existing under the County Water District Law (Division 12, Section 30,000 of the Water Code) of the State of California and has the authority to construct, operate, and maintain a Public Water System.

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

Yes. The District has the necessary legal authority to enter into a grant agreement with the State of California, as cited in the Resolution No. 2012-14, which is attached. The resolution authorizes the District to file an application for a LGA grant, designates the District as the authorized representative to file the application with the California Department of Water Resources (DWR) and authorizes the District to execute an agreement with the California DWR for a LGA grant.

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

As described in the Resolution No. 2012-14 the District will enter into an agreement to

receive a LGA grant. As such, the District has committed to the proposed scope, budget, and schedule within this LGA grant.

The District and City of Rialto (Rialto) became partners as owners of two contaminated wells to be treated in the Rialto-Colton Groundwater (Basin). The proposed Groundwater Model Integration and Enhancement Project is a necessary part of groundwater management required to complete a greater project called the “Groundwater Wellhead Treatment System Project (GWTSP)” between the District and Rialto in which a newly constructed groundwater contamination wellhead treatment project (WTP) will use a multiple treatment-train Fluidized Bed Bioreactor (FBR) system to treat for perchlorate and nitrate coming from the two contaminated drinking water production wells located in the Basin. The result will be removal of perchlorate, nitrate, and trichloroethylene (TCE) from the contaminated groundwater wells.

A Memorandum of Understanding (MOU) between the District and Rialto has been executed. The MOU was signed in March 2009 and defines terms between the District and Rialto concerning the State Water Resources Control Board (SWRCB) Cleanup and Abatement Account (CAA) funding as contemplated in the funding application, and identifies further agreements between the District and Rialto regarding the Proposition 84 Department of Public Health (DPH) grant monies, and the operation of the wells and wellhead treatment system.

In addition, the project is directly supported by:

- The California DPH (State and Local levels, via \$10M of Proposition 84 DPH Funding and at local-level via technical support/permitting);
- The Santa Ana Regional Water Quality Control Board (RWQCB)

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(providing technical/regulatory support and \$2.8M via their Cleanup and Abatement Account funds);

- The SWRCB (allocating the \$2.8M Cleanup and Abatement Account Funds via the RWQCB);
- The Department of Defense Environmental Security Technology Certification Program (ESTCP) program, which is providing \$2.9M to help advance the FBR technology; and,
- California Department of Water Resources (DWR) and Santa Ana Watershed Project Authority Agreement (SAWPA) via \$1M to support the pipeline and site facilities with Proposition 84 IRWMP Funding
- The USEPA providing regulatory and technical support.

On July 13, 2010, the District and Rialto signed an agreement (Att2_LGA12_WestValleyWD_EligDoc_2of2.pdf) detailing and finalizing their participation in the GWTSP.

The District and Rialto each agreed to pay one-half (1/2) of the difference between the Anticipated Funding actually received and the actual cost of the design and construction of the GWTSP, which is estimated at approximately \$6M.

The District has invested much time, funds, and effort into this project already and wants to ensure the outcome is successful and they will rely on the existing partnerships to achieve their goal.