Attachment 10. AB1420 AND WATER METER IMPLEMENTATION COMPLIANCE

Zone7 Water Agency is in compliance with the AB1420 (CWC §10631.5) and Water Meter Implementation (CWC §525 et seq.) requirements. AB1420 Tables 1 and 2 have already been submitted to DWR (July 10, 2012) (see attached) and there are no changes, updates, or time lapse. A copy of the Water Meter Compliance Self Certification form for this project is attached and a wet signature is submitted in hardcopy.

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., *Governor*

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

July 11, 2012

Mr. G.F Duerig
General Manager
Zone 7 Water Agency
100 North Canyon Parkway
Livermore, California 94551

Dear Mr. Duerig:

The Department of Water Resources (DWR) has reviewed the Zone 7 Water Agency's (Zone 7) Self-Certification Statement – Tables 1 and 2 submitted on July 10, 2012, regarding implementation of the Urban Best Management Practices (BMPs).

The purpose of DWR's review is to determine Zone 7's eligibility to receive water management grant or loan funds. DWR has followed the *AB 1420 Compliance Requirements* dated January 1, 2009. For detailed information, please visit http://www.water.ca.gov/wateruseefficiency/finance/.

Based on DWR's review of the information in Tables 1 and 2, Zone 7 has and is currently implementing the BMPs consistent with AB 1420 and, therefore, is eligible to receive water management grant or loan funds.

DWR reserves the right to request additional information and documentation, including reports from Zone 7 to substantiate the accuracy of the information provided in Tables 1 and 2. DWR may reverse or modify its eligibility determination and notify you and the funding agency if inaccuracies are found in the supporting documentation or in Tables 1 and 2.

If you have any questions, please contact me at (916) 651-7034 or Betsy Vail at (916) 651-9667.

Sincerely,

Peter Brostrom
Urban Water Unit
Water Use and Efficiency Branch

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 G. F. Duerig Title of Signatory General Manag Signature of signatory [signature] Date 7/10/12

Application Date:

Proposal Identification Number: CUWCC Member? Yes/No Yes

Has Urban Water Supplier submitted a 2010 Urban Water Management Plan? Yes/No Yes 2010 Is the UWM Plan Deemed Complete by DWR? Yes/No Yes

Applicant Name: Zone 7 Water Agency, Alameda Flood Control and Water Conservation

Project Title:

Applicant's Contact Information: Name: Matt Katen Phone: 925.4545.5071 E-mail: mkaten@zone7water.com

Participants:

Retailer (List Below)	*Wholesaler (List Below)*
	Zone 7 Water Agency

C1	C2	C3	C4	C5	*C6	C7	**C8	**C9	**C10	C11	C12	C13	C14	C15	C16	C17	C18
				BMP Implemented by Retailers and/or Wholesalers / *BMP*			Compliance Options/Alternative Conservation Approaches (1)			BMP Is Exempt (2)			BMP Implementation Requirements Met				
BMPs required for Wholesale Supplier	BMPs required for Retail Supplier	BMPs		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 (2009-2010) (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			No		No							No			No
	✓	BMP 2 Residential Plumbing Retrofit			No		No							No			No
✓	✓	BMP 3 System Water Audits, Leak Detection			Yes		Yes							Yes	2011		Yes
✓	✓	BMP 3 Leak Repairs			Yes		Yes							Yes	2011		Yes
	✓	BMP 4 Metering with Commodity Rates for All New connections			No		No							No			No
	✓	BMP 4 Retrofit of Existing Connections			No		No							No			No
	✓	BMP 5 Large Landscape Conservation Programs and Incentives			Yes		Yes							Yes	2011		Yes

C1	C2	C3	C4	C5	*C6	C7	**C8	**C9	**C10	C11	C12	C13	C14	C15	C16	C17	C18
				BMP Implemented by Retailers and/or Wholesalers / BMP			Compliance Options/Alternative Conservation Approaches (1)			BMP Is Exempt (2)			BMP Implementation Requirements Met				
BMPs required for Wholesale Supplier	BMPs required for Retail Supplier	BMPs	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 (2009-2010) (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 6 High-Efficiency Washing Machine Rebate Programs		Yes		No							Yes	2011		Yes
✓	✓	BMP 7 Public Information		Yes		Yes							Yes	2011		Yes
✓	✓	BMP 8 School Education		Yes		Yes							Yes	2011		Yes
	✓	BMP 9 Conservation programs for Commercial, Industrial, and Institutional (CII) Accounts		Yes		No							Yes	2011		Yes
✓		BMP 10 Wholesale Agency Assistance Programs		Yes		Yes							Yes	2011		Yes
	✓	BMP 11 Conservation Pricing		No		No							No			No
✓	✓	BMP 12 Conservation Coordinator		Yes		Yes							Yes	2011		Yes
	✓	BMP 13 Water Waste Prohibitions		No		No							No	2011		No
	✓	BMP 14 Residential ULFT Replacement Programs		Yes		Yes							Yes	2011		Yes

*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 wo

(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.

CA Department of Water Resources

www.water.ca.gov

Meeting the coverage requirements for wholesalers.
OK per Peter.

Betsy Vail
7/11/12

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 G. F. Duerig Title of Signatory General Manager Signature of signatory Date 07/10/2012

Application Date:

Proposal Identification Number: CUWCC Member? Yes/No Yes

Applicant Name: Zone 7 Water Agency Is the UWM Plan Deemed Complete by DWR? Yes/No Yes

Project Title:

Applicant's Contact Information: Name Matt Katen 925.454.5071

Retailer (List Below)			
Participants:	City of Pleasanton (not a signatory)	Zone 7 Water Agency	
	City of Livermore		
	Dublin San Ramon Service District		
	California Water Service Company (Livermore)		

C1	C2	C3	C4	C5	*C6	C7	C8	**C9	**C10	**C11	C12			C13	C14	C15	C16	C17	C18	C19
				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						
CUWCC 2010 Flex Track BMPs	BMPs required for Wholesale Supplier	BMPs required for Retail Supplier	BMPs	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	Meets CUWCC Coverage Yes/No	Funds Requested, if Available Yes/No AB 1420 Compliance Table 3 Yes/No
1. Utility Operations Programs																				
1.11	✓	✓	BMP 12 Conservation Coordinator	Ye	Yes			Yes						1-Feb-11	100%	11/1/2011	150,000.00	Capital Improvemer	Yes	
1.12		✓	BMP 13 Water Waste Prohibitions	Yes				Yes						1-Feb-11	100%	11/1/2011		Capital Improvemer	Yes	
1.13	✓	✓	BMP 10 Wholesale Agency Assistance Programs	Yes	Yes			Yes						1-Feb-11	100%	11/1/2011	263,000.00	Capital Improvemer	Yes	
1.20	✓	✓	BMP 3 System Water Audits, Leak Detection/Repair	Yes	Yes			Yes						1-Feb-11	100%	11/1/2011		Capital Improvemer	Yes	
1.30		✓	BMP 4 Metering with Commodity Rates for All New/Retrofit of Existing connections		Yes			Yes						1-Feb-11	100%	11/1/2011		Capital Improvemer	Yes	
1.40		✓	BMP 11 Conservation Pricing		Yes			Yes						1-Feb-11	100%	11/1/2011		Capital Improvemer	Yes	
2. Educational Programs																				
2.10	✓	✓	BMP 7 Public Information	Yes	Yes			Yes						1-Feb-11	100%	11/1/2011	50,000	Capital Improvemer	Yes	
2.20	✓	✓	BMP 8 School Education	Yes	Yes			Yes						1-Feb-11	100%	11/1/2011	129,000.00	Capital Improvemer	Yes	
3. Residential																				
3.11		✓	BMP 1 Indoor Water Survey for Single/Multi-Family Residential Customers	Yes	No			Yes						1-Feb-11	100%	11/1/2011		Capital Improvemer	Yes	
3.12			BMP 1 Outdoor Water Survey for Single/Multi-Family Residential Customers	Yes	No			Yes						1-Feb-11	100%	11/1/2011		Capital Improvemer	Yes	
3.20		✓	BMP 2 Residential Plumbing Retrofit	Yes	Yes			Yes						1-Feb-11	100%	11/1/2011		Capital Improvemer	Yes	

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						
				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	Meets CUWCC Coverage Yes/No	Funds Requested (If Available - See AB 1420 Compliance Table 3) Yes/No
3.30		✓	BMP 6 High-Efficiency Washing Machine Rebate Programs	Yes	Yes			Yes						1-Feb-11	100%	11/1/2011	200,000.00	Capital Improvemer	Yes	
3.40		✓	BMP 14 Residential ULFT Replacement Programs	Yes	Yes			Yes						1-Feb-11	100%	11/1/2011	100,000.00	Capital Improvemer	Yes	
4. Commercial, Industrial, Institutional																				
4.00		✓	BMP 9 Conservation programs for Commercial, Industrial, and Institutional (CII) Accounts	Yes	Yes			Yes						1-Feb-11	100%	11/1/2011	100,000.00	Capital Improvemer	Yes	
5. Landscape																				
5.00		✓	BMP 5 Large Landscape Conservation Programs and Incentives	Yes	Yes			Yes						1-Feb-11	100%	11/1/2011	58,000.00	Capital Improvemer	Yes	

*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.

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 (DWR)

Funding Program name: Local Groundwater Assistance (LGA) Grant Program

Applicant (Agency name): Zone 7 Water Agency

Project Title (as shown on application form): Upgrade, Calibration, and Operation of the Groundwater Model for Groundwater and Salt Management in the Livermore Valley Groundwater Basin

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.
July 13, 2012

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.

G. F. Duerig
Name of Authorized Representative
(Please print)

Signature

General Manager
Title

July 11, 2012
Date