

Application Package

Agricultural Water Management Plan

2015 Grants

Application Open Period:

October 8, 2015 through May 31, 2016

## **Background**

Per Senate Bill X7-7 (statutes of 2009), an agricultural water supplier that provides water to 10,000 to 25,000 irrigated acres of land (mid-sized agricultural water suppliers) did not have to adopt and submit an Agricultural Water Management Plan (AWMP) (see California Water Code (CWC) Section 10800) unless sufficient funding has been specifically provided to that water supplier for this purpose (CWC Section 10853). However, under the Emergency Services Act, in response to the declared Drought Emergency, California Governor Brown issued Executive Order (EO) B-29-15 on April 1, 2015 that required all agricultural water suppliers in this category to develop an AWMP and submit it to DWR by July 1, 2016 (Directive 13). Guidance on meeting these requirements can be found in: *A Guidebook to Assist Agricultural Water Suppliers to Prepare a 2015 Agricultural Water Management Plan June 2015*, available at: <http://www.water.ca.gov/wateruseefficiency/agricultural/agmgmt.cfm>.

In the 2012/2013 Agricultural Water Use Efficiency Proposition 50 Grants Program, DWR provided \$50,000 to fund the development of an Agricultural Water Management Plan.

## **Eligible Applicants**

- **Non-federal** agricultural water suppliers providing water supplies to 10,000 to 25,000 acres of irrigated lands are eligible for New AWMP/New Regional AWMP or Updated Existing AWMP grants
- **Federal** agricultural water suppliers providing water supplies to 10,000 to 25,000 acres of irrigated lands are eligible for Plan Addendums grants.

## **Funding Cap**

Through a non-competitive grant application, DWR is providing grants up to:

- New AWMP/new Regional AWMP - \$50,000 per mid-sized agricultural water supplier. Regional applications comprising more than one mid-size agricultural water supplier are encouraged. The grant award cap will be \$50,000 for the first mid-sized agricultural water supplier plus \$40,000 for each additional collaborating mid-sized agricultural water supplier.
- Updated Existing AWMP- \$10,000
- Federal Plan Addendums - \$5,000

DWR may award less than the requested or maximum amount if the application budget does not support Scope of Work level of effort.

## **Deliverables:**

All grants will include the following deliverables:

- An Agricultural Water Management Plan that meets the following requirements:
  - Be noticed and adopted in accordance with CWC Section 10820 and 10840 et seq.
  - Contents of Plan requirements identified in CWC Section 10826 or CWC Section 10828.

- Include a Drought Management Plan per EO B-29-15 Directive 13
- Include water supplies and demands for 2013, 2014, and 2015 to the extent data is available per EO B-29-15 Directive 13.
- AWMP adopted and submitted to DWR by July 1, 2016
- Quarterly progress reports and invoices

#### **Funding Rules**

- Eligible costs incurred after April 1, 2015 (date of EO B-29-15) will be eligible for reimbursement.
- Administrative costs must be reasonable, no more than 10 percent.
- Cost share is not required.
- DWR will not provide advance funding; all reimbursement is in arrears.
- Equipment (such as computers, non-dedicated monitoring equipment, and others) that can be used for other purposes are not eligible for funding. Vehicles are not eligible for funding.

#### **Grant Agreement Requirements:**

Prior to Grant Agreement execution, Grant Recipients must provide DWR with the following additional documentation:

**COST SHARE COMMITMENT LETTER.** If applicable, Grant Recipients shall provide an institutional cost-sharing agreement (Cost Share Commitment Letter) signed by an official authorized to commit the applicant to all or part of the cost share, or a letter authorizing third party, in-kind contribution signed by an official authorized to commit the third party.

**RESOLUTION.** Grant Recipients shall also provide a resolution from their governing board accepting the funds and designating a representative authorized to execute the contract and sign requests for disbursement.

**AUDITED FINANCIAL STATEMENTS.** Grant Recipients shall demonstrate the availability of sufficient funds to complete the project, as stated in the Cost Share Commitment Letter (if applicable), by submitting the most recent three years of audited financial statements.

**COMPLIANCE WITH APPLICABLE REGULATIONS AND LEGISLATION.** Grant Recipients are required to comply with water conservation and/or water use efficiency legislation including Senate Bill (SB) X7-7 (Water Conservation), Assembly Bill (AB)1420 (Water Conservation Measures), SB X7-6 (Groundwater Monitoring), AB 1404 (Surface Water Diversion Reporting), and any other applicable regulation. DWR will require proof of compliance from the Grant Recipient and its project partners with these regulations or any applicable state laws and regulations that are in effect at the time the project is funded and throughout the project implementation period. Form "*Compliance with SB X7-7, AB 1404, AB 1420 and Other Requirements – Self Certification*" of the grant application is a first step in documenting compliance. In the second step, the Grant Recipient will be required to provide supporting documentation of compliance to DWR to be eligible to receive the grant funding.

During DWR's funding of the project, the following conditions must also be fulfilled:

- a. **Labor Code Compliance.** Grant Recipients shall keep informed of, and take all measures necessary to ensure, compliance with Labor Code requirements, including but not limited to,

Section 1720 et seq. of the Labor Code regarding public works, limitations on use of volunteer labor (California Labor Code Section 1720.4), labor compliance programs (California Labor Code Section 1771.5) and payment of prevailing wages for work done and funded pursuant to this PSP, including any payments to the Department of Industrial Relations under Labor Code Section 1771.3. For additional information on Labor Code compliance, please refer to the Department of Industrial Relations (DIR) website: <http://www.dir.ca.gov>. The Grant Recipients must also comply with all applicable laws when hiring private consultants to implement its project partially or fully.

- b. Conflict of Interest.** All participants are subject to State and Federal conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the application being rejected and any subsequent Grant Agreement being declared void. Other legal action may also be taken. Accordingly, before submitting an application, applicants are urged to seek legal counsel regarding potential conflict of interest concerns and requirements for disclosure. Applicable statutes include, but are not limited to, Government Code Section 1090 and Public Contract Code Sections 10410 and 10411 for State conflict of interest requirements.
- i. **Current State Employees:** No State officer or employee shall engage in any employment, activity, or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any State agency, unless the employment, activity, or enterprise is required as a condition of regular State employment. No State officer or employee shall contract on his or her own behalf as an independent contractor with any State agency to provide goods or services.
  - ii. **Former State Employees:** For the two-year period from the last day of State employment, no former State officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements, or any part of the decision-making process relevant to the contract while employed in any capacity by any State agency. For the twelve-month period after the last day of State employment, no former State officer or employee may enter into a contract with any State agency if he or she was employed by that State agency in a policy-making position in the same general subject area as the proposed contract within the twelve-month period prior to his or her leaving State service.
- c. Confidentiality.** All applications will become public information upon submittal to DWR. Once the application is signed and submitted to DWR, the applicant waives any rights to privacy and confidentiality of the application.
- d. Rights in Data.** Per Exhibit D of the State Funding Agreement, Standard Conditions, "Rights in Data", all data, plans, drawings, specifications, reports, computer programs, operating manuals, notes and other written or graphic work produced in the performance of the Grant Agreement shall be made available to the State and shall be in the public domain to the extent to which release of such materials is required under the California Public Records Act, California Government Code §6250 et seq. Grant Recipients may disclose, disseminate and use in whole or in part, any final-form data and information received, collected and developed under the Grant Agreement, subject to appropriate acknowledgement of credit to State for financial support. Grant Recipients shall not have exclusive rights to utilize the materials for any profit-making venture and shall not sell or grant rights to a third party who intends to do so. The State shall have the right to use any data described in this paragraph for any public purpose.

DWR intends to post Grant Recipients' final work products (AWMPs or addendums) on the internet for information dissemination. These products will remain in public domain.

- e. **Financial Records.** The Grant Recipient is responsible for maintaining appropriate accounting records. Projects may be audited. Records must be maintained for a period of three years following completion of the project, in accordance with Government Code Section 8546.7. ([https://www.bsa.ca.gov/aboutus/financial\\_and\\_compliance\\_audits](https://www.bsa.ca.gov/aboutus/financial_and_compliance_audits))
- f. **Investor-Owned Facilities.** Any investor-owned water system receiving funding will be prohibited from earning a profit from the use of these funds and achieving a financial benefit from the later disposition of assets purchased by these funds, regardless of whether or not said assets are a useful part of the water system.
- g. **Changed Conditions.** If, during the execution of a project, project conditions are found to be substantively different from those presented in the grant application process, the Grant Recipient will consult with DWR to determine an appropriate course of action.
- h. **Progress Reports.** Throughout the project, the Grant Recipient is required to submit to DWR brief quarterly fiscal and programmatic reports. The intent of the quarterly reports is to summarize the work performed and justify the project expenditures in each quarter, the reported local cost share, the planned work during the next quarter, and give an update on the overall project schedule and budget. Quarterly reports are to be provided to DWR no more than 90 days after the completion of the quarter. Projects with reports more than one year late may be cancelled. Required information for the quarterly report is shown in Exhibit III.
- i. **Invoicing.** The Grant Recipient may request grant disbursements as frequently as quarterly. All invoices for disbursements must be supported by quarterly reports describing the work performed during the period invoiced. Grant Recipients may use the invoice forms provided by DWR or their own invoice, as long as all information on DWR's invoice form is included on their invoice. Expenditures must be separated by quarter and task. For purchases and subcontracted invoices, expenses should be shown in the quarter that they became due and payable by the Grant Recipient. For labor costs, expenses should be shown in the quarter they were incurred. Invoices must also be supported by other documentation as prescribed by DWR.

**Submittal:**

Applications will be accepted and awarded on a continuous basis through May 31, 2016, or until funds are exhausted, whichever comes first.

Submit completed applications to:

California Department of Water Resources  
Water Use and Efficiency Branch  
PO Box 942836  
Sacramento, CA 94236-0001  
Attn: Fethi BenJemaa

Application

Agricultural Water Management Plan

2015 Grants

Applicant: \_\_\_\_\_

Project Title: \_\_\_\_\_

By signing below, the official declares the following:

- The truthfulness of all representations in the application;
- The individual signing the form has the legal authority to submit the application on behalf of the applicant;
- There is no pending litigation that may impact the financial condition of the applicant or its ability to complete the project;
- The individual signing the form has read and understood the conflict of interest and confidentiality section and waives any and all rights to privacy and confidentiality of the application on behalf of the applicant;
- The applicant will comply with all terms and conditions identified in this Application Package if selected for funding; and
- The applicant has legal authority to enter into a Grant Agreement with the State.
- The applicant is an agricultural water supplier providing water supplies to 10,000 to 25,000 acres of irrigated lands.

_____	_____
Name	Title
_____	_____

**Applicant Information:**

Applicant Name (Water District/Irrigation District): \_\_\_\_\_

Irrigation District/Water Supplier County(ies): \_\_\_\_\_

	Designated Signatory	Project Manager/Contact Person
<b>Name</b>		
<b>Title</b>		
<b>Mailing Address</b>		
<b>Phone</b>		
<b>Email</b>		

Number of Irrigated Acres	Basis for Number of Irrigated Acres ( <i>Check one</i> )			Description of how you calculated irrigated acreage ( <i>e.g., years based on, factors you considered, if recycled water is used for some area. etc.</i> )
	5-year average	Normal year	Other	

**Type of AWMP**

- Regional AWMP [List collaborators: \_\_\_\_\_]
- Individual AWMP
- AWMP Update
- Federal Plan Addendum

<b>Compliance with SB X7-7, AB 1404, AB 1420 and Other Requirements – Self Certification</b>		
<b>Applicant:</b>		
<i>Answer the questions below by stating “yes” or “no” in the right hand column. Where applicable, provide additional information/justification.</i>		<b>Yes/No</b> <i>(If Yes, describe compliance)</i>
<b>1</b>	<p>Are you an agricultural water supplier supplying 2,000 acre-feet or more of surface water annually for agricultural purposes or serving 2,000 or more acres of agricultural land? If yes, did you submit an AB 1404 aggregate farm-gate delivery form to DWR? (<a href="http://www.water.ca.gov/wateruseefficiency/agricultural/farmgatedelivery.cfm">www.water.ca.gov/wateruseefficiency/agricultural/farmgatedelivery.cfm</a>)</p>	
<b>2</b>	<p>Are you an urban water supplier? If yes, are you in compliance with:</p> <ul style="list-style-type: none"> <li>• Urban Water Management Plan? – if you provide over 3,000 acre-feet of water annually, or serve more than 3,000 urban connections. (See <a href="http://www.water.ca.gov/urbanwatermanagement/">http://www.water.ca.gov/urbanwatermanagement/</a>)</li> <li>• AB 2572 Water Meter Requirements in CWC §525 et seq.? (See <a href="http://water.ca.gov/wateruseefficiency/finance">http://water.ca.gov/wateruseefficiency/finance</a>)</li> <li>• AB 1420 requirements? (See <a href="http://water.ca.gov/wateruseefficiency/finance">http://water.ca.gov/wateruseefficiency/finance</a>)</li> <li>• SB X7-7 Requirements—on and after July 1, 2016, an urban water supplier is not eligible for a water grant or loan awarded or administered by the State unless the supplier complies with SB X7-7 water conservation requirements outlined in Part 2.55 (commencing with §10608) of Division 6 of the CWC.</li> </ul>	
<b>3</b>	<p>Are you in compliance with CWC §10920 et seq. - Groundwater Monitoring Program requirements? (See <a href="http://www.water.ca.gov/groundwater/casgem/">www.water.ca.gov/groundwater/casgem/</a>)</p>	
<b>4</b>	<p>Are you in compliance with Part 5.1 (commencing with §5100) of Division 2 of the CWC - Surface Water Diversion Reporting requirements? (See <a href="http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/index.shtml">www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/index.shtml</a>)</p>	

## Statement of Work

<insert Applicant Name> [select one: Agricultural Water Management Plan/Updated Agricultural Water Management Plan/USBR EO B-29-15 Addendum]

### PROJECT TASKS

Identify major tasks, milestones, and deliverables along with responsible party(ies). Subtasks may also be identified, if desired. Provide sufficient detail to justify costs in the Project Cost section. The Applicant may include additional tasks, provide additional explanation or description, or reorganize the template below.

#### Task 1: Administration and Management

Describe duties and cost items related to project administration and management. Cost should not exceed 10 percent.

#### Task 2 - Public Notification, Adoption, and Submittal

Public Notification:

- <insert Applicant Name> will notify each city or county within which we provide water supplies that we will be [select one: preparing an AWMP/updating an AWMP or USBR plan] (CWC §10821(a))

*For public agricultural water supplier:*

- Prior to adoption of the [select one: AWMP/AWMP Updates/USBR Addendum] will be made available for public inspection and a public hearing will be held on the plan (CWC §10820(b), CWC §10841)
- Prior to the hearing, notice of the time and place of the hearing will be published <insert Applicant Name>'s jurisdiction, once a week for two successive weeks, with at least 5 days intervening between respective publication dates (CWC §10820(b), CWC §10841, and Government Code §6066).

*For private agricultural water supplier:*

- As a private agricultural water supplier, prior to adoption of the [select one: AWMP/AWMP Updates/USBR Addendum], <insert Applicant Name> will provide equivalent public process in <insert Applicant Name>'s service area (CWC §10820(b), CWC §10841, and Government Code §6066) by <describe process>

Adoption [select one: AWMP/Updated AWMP/USBR Addendum]

- <insert Applicant Name> will adopt [select one: AWMP/Updated AWMP/USBR Addendum] as prepared or as modified during the hearing (CWC §10841)

Submittal: [select one: AWMP/Updated AWMP/USBR Addendum]

- Not later than 30 days after the date of adopting its [select one: AWMP/Updated AWMP/USBR Addendum], <insert Applicant Name> will [select one: make it available for public review on <insert Applicant Name>'s Internet Web site (CWC §10844 (a))/submit an electronic copy to DWR(CWC §10844 (b))]
- <insert Applicant Name> will submit copies to DWR, California State Library, <insert County(ies)>, identify, as applicable: <city(ies)>, <groundwater management entity>, <urban water supplier within service area>, < local agency formation commission serving a county> (CWC §10843(b))

**Task 3.0 AWMP Preparation - for New and Updated AWMPs**

<insert Applicant Name> will prepare an AWMP in compliance with the Agricultural Water Management Planning Act and Executive Order B-29-15. This will include:

- A description of previous water management activities (CWC §10826(d)).
- A description of the agricultural water supplier and the service area including all of the following (CWC §10826 (a)):
  - (1) Size of the service area.
  - (2) Location of the service area and its water management facilities.
  - (3) Terrain and soils.
  - (4) Climate.
  - (5) Operating rules and regulations.
  - (6) Water delivery measurements or calculations.
  - (7) Water rate schedules and billing.
  - (8) Water shortage allocation policies.
- A description of water uses within the agricultural water supplier's service area, including all of the following (CWC 10826(b)(5)):
  - (A) Agricultural.
  - (B) Environmental.
  - (C) Recreational.
  - (D) Municipal and industrial.
  - (E) Groundwater recharge.
  - (F) Transfers and exchanges.
  - (G) Other water uses.
- A description of the quantity and quality of water resources of the agricultural water supplier, including all of the following (CWC §10826(b)):
  - (1) Surface water supply.

- (2) Groundwater supply.
- (3) Other water supplies.
- (4) Source water quality monitoring practices
- (6) Drainage from the Water Supplier's Surface Area
- Water accounting for 2013, 2013, and 2015 to the extent that data is available, including all of the following (CWC §10826(b)(7); EO B-29-15 Directive 13):
  - (A) Quantifying the water supplier's water supplies.
  - (B) Tabulating water uses.
  - (C) Overall water budget.
- An analysis, based upon available information, of the effect of climate change on future water supplies [CWC §10826 (c)]
- A report on which efficient water management practices (EWMPs) have been implemented and are planned to be implemented, an estimate of the water use efficiency improvements that have occurred since the last report , and an estimate of the water use efficiency improvements estimated to occur five and 10 years in the future. If an agricultural water supplier determines that an efficient water management practice is not locally cost effective or technically feasible, the supplier shall submit information documenting that determination (CWC §10608.48 (d)). Refer to CWC Section 10608.48 (b) and (c) for list of EWMPs to address. [None of the listed EWMPs are required to be implemented by the mid-size agricultural water suppliers; however, the AWMP reporting is required.](#)
- A Drought Management Plan (EO B-29-15 Directive 13). [This can be included in the description of the agricultural water supplier and service area along with the water shortage allocation policy description \(item 8\).](#)

### Task 3.0 Addendum Preparation – for Federal Plan Addendums

<insert Applicant Name> will prepare an Addendum to their United States Bureau of Reclamation (USBR) Water Conservation Plan for compliance with California Governor Brown's Executive Order B-29-15. This will include:

- A Drought Management Plan (EO B-29-15 Directive 13)
- Quantification of water supplies and demands for 2013, 2013, and 2015, to the extent that data is available (EO B-29-15 Directive 13).



**PROJECT COSTS:**

The required elements of an Agricultural Water Management Plan will need to be addressed. However, in some cases, the effort will be minimal because, for instance, the information is not applicable (e.g., no groundwater supplies) or insufficient (e.g., in ability to determine water demands for a certain user group or insufficient measurement devices). This will affect the cost. Provide a budget for each task identified in the Statement of Work. If subtasks have been identified, provide the cost for each.

Project costs must be reported for the major project tasks/subtasks and must correspond to the project task list in the Statement of Work: Project Tasks. If necessary, subdivide tasks into subtasks, where appropriate.

Complete the Project Costs table, and use additional sheets to provide descriptions of cost items, all major assumptions, methodologies, computations, and all other relevant cost information as necessary. Be certain to list major cost items for each task/subtasks.

## Project Costs

**Applicant:**

	Cost	Local Share*	State Share
<b>Task 1- Administration and Management</b>			
Subtask 1.1- <identify>			\$ -
Subtask 1.2- <identify>			\$ -
<b>subtotal</b>	\$ -	\$ -	\$ -
<b>Task 2- &lt;identify&gt;</b>			
Subtask 2.1- <identify>			\$ -
Subtask 2.2- <identify>			\$ -
<b>subtotal</b>	\$ -	\$ -	\$ -
<b>Task 3- &lt;identify&gt;</b>			
Subtask 3.1- <identify>			\$ -
Subtask 3.2- <identify>			\$ -
<b>subtotal</b>	\$ -	\$ -	\$ -
<b>Task 4- &lt;identify&gt;</b>			
Subtask 4.1- <identify>			\$ -
Subtask 4.2- <identify>			\$ -
<b>subtotal</b>	\$ -	\$ -	\$ -
<b>Task 5- &lt;identify&gt;</b>			
Subtask 5.1- <identify>			\$ -
Subtask 5.2- <identify>			\$ -
<b>subtotal</b>	\$ -	\$ -	\$ -
<b>TOTAL PROJECT COSTS</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

\*Local Cost Share is NOT required; however, if local share will be provided, please estimate local share contributions

**AUDITED FINANCIAL STATEMENTS:**

Attach the latest three years of audited financial statements.