

RESOLUTION NO. 2018-42
RESOLUTION NO. PFA-03
ORDINANCE NO. 2018-02

AGENDA

MISSION STATEMENT

"Our team is dedicated to protecting, enhancing, and developing our rich water resources to the highest beneficial use for Calaveras County, while maintaining cost-conscious, reliable service, and our quality of life, through responsible management."

Regular Board Meeting
Wednesday, August 8, 2018
1:00 p.m.

Calaveras County Water District
120 Toma Court, (PO Box 846)
San Andreas, California 95249

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administration Office at 209-754-3028. Notification in advance of the meeting will enable CCWD to make reasonable arrangements to ensure accessibility to this meeting. Any documents that are made available to the Board before or at the meeting, not privileged or otherwise protected from disclosure, and related to agenda items, will be made available at CCWD for review by the public.

ORDER OF BUSINESS

CALL TO ORDER / PLEDGE OF ALLEGIANCE

1. **ROLL CALL**

2. **PUBLIC COMMENT**

At this time, members of the public may address the Board on any non-agendized item. The public is encouraged to work through staff to place items on the agenda for Board consideration. No action can be taken on matters not listed on the agenda. Comments are limited to three minutes per person.

3. **CONSENT AGENDA**

The following items are expected to be routine / non-controversial. Items will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed for later discussion.

3a Review Board of Directors Monthly Time Sheets for July 2018

3b Approve to Ratify Claim Summary #557 Secretarial Fund in the Amount of \$1,937,855.03 for July, 2018 (Jeffrey Meyer, Director of Administrative Services)

RES 2018-_____

BOARD OF DIRECTORS

Scott Ratterman, President Russ Thomas, Vice President
Terry Strange, Director Bertha Underhill, Director Jeff Davidson, Director

- 3c Approve to File a California Environmental Quality Act Notice of Exemption for Water Deliveries to the Existing Land Ownership under the Frank B. Smith and Heather Ann Smith Family Trust (Peter Martin, Manager of Water Resources)
RES 2018-_____

4. NEW BUSINESS

- 4a Annual High School Senior Scholarship Winners
(Joel Metzger, Manager of External Affairs, Conservation, and Grants)
- 4b Discussion/Direction Regarding Sewer Fund Repayment Agreement between the Sewer Fund (Fund 500) and the Water Fund (Fund 300) (Jeffrey Meyer, Director of Administrative Services)
RES 2018-_____
- 4c Discussion/Action Regarding the Authorization of the General Manager to enter into contracts for sale of contracted water supplies from New Hogan Reservoir (Peter Martin, Manager of Water Resources)
RES 2018-_____
- 4d Discussion/Action Regarding State Legislation in the 2018-'19 Session

5. OLD BUSINESS
Nothing to Report

6.* GENERAL MANAGER REPORT

7.* BOARD REPORTS / INFORMATION / FUTURE AGENDA ITEMS

8. NEXT BOARD MEETINGS

- Wednesday, Aug 22, 2018, 1:00 p.m., Regular Board Meeting
- Wednesday, Sept 12, 2018, 1:00 p.m., Regular Board Meeting

9. CLOSED SESSION

- 9a Conference with Legal Counsel – Existing Litigation
Government Code § 54956.9(a)
La Contenta Investors, LTD vs. CCWD (Calaveras County Superior Court #11CV37713)
- 9b Conference with Legal Counsel – Potential Litigation Government Code §54956.9(d)(4) – 1 case
- 9c Conference with Labor Negotiators, Management and Confidential Unit Government Code §54957.6 Negotiators: Dave Eggerton and Stacey Lollar

10. REPORTABLE ACTION FROM CLOSED SESSION

11. ADJOURNMENT

CALAVERAS COUNTY WATER DISTRICT

Board of Directors

District 1 Scott Ratterman
District 2 Terry Strange
District 3 Bertha Underhill
District 4 Russ Thomas
District 5 Jeff Davidson

Legal Counsel

Matthew Weber, Esq.
Downey Brand, LLP

Financial Services

Umpqua Bank
US Bank
Wells Fargo Bank

Auditor

Richardson & Company, LLP

CCWD Committees

*Engineering Committee
*Finance Committee
*Legal Affairs Committee
Executive Committee (*ad hoc*)
Cost of Service Study Committee (*ad hoc*)

Membership**

Davidson / Thomas (alt. Underhill)
Underhill / Ratterman (alt. Thomas)
Ratterman / Davidson (alt. Underhill)
Ratterman / Thomas
Strange / Ratterman

Joint Power Authorities

ACWA / JPIA
CCWD Public Financing Authority
Calaveras-Amador Mokelumne River Authority (CAMRA)
Calaveras Public Power Agency (CPPA)
Eastern San Joaquin Groundwater Authority
Tuolumne-Stanislaus Integrated Regional Water
Management Joint Powers Authority (T-Stan JPA)
Upper Mokelumne River Watershed Authority (UMRWA)

Ratterman (alt. Dave Eggerton)
All Board Members
Ratterman / Underhill (alt. Strange)
Peter Martin (alt. Dave Eggerton)
Russ Thomas
Strange (alt. Thomas)
Davidson (alt. Ratterman)

Other Regional Organizations of Note

Calaveras LAFCO
Calaveras County Parks and Recreation
Committee
Highway 4 Corridor Working Group
Mountain Counties Water Resources
Association (MCWRA)
Mokelumne River Association (MRA)
Tuolumne-Stanislaus Integrated Regional Water
Mgt. JPA Watershed Advisory Committee (WAC)

Ratterman / Strange
Thomas (alt. Underhill)
Thomas / Underhill
All Board Members
All Board Members
Peter Martin (alt. Metzger)

* Standing committees, meetings of which require agendas & public notice 72 hours in advance of meeting.

** The 1st name listed is the committee chairperson.

Agenda Item

DATE: August 8, 2018
TO: Dave Eggerton, General Manager
FROM: Rebecca Hitchcock, Executive Assistant
SUBJECT: Review Board of Directors Time Sheets for July, 2018

RECOMMENDED ACTION:

For information only.

SUMMARY:

Pursuant to direction from the Board of Directors, copies of the Board's monthly time sheets from which the Board is compensated from, are included in the monthly agenda package for information. Attached are copies of the Board's time sheets for the month of July, 2018.

Board Members can be reimbursed for mileage cost to travel to meetings/conferences and are paid at the current IRS rate.

FINANCIAL CONSIDERATIONS:

Monthly compensation and mileage reimbursement costs are included in the FY 18-19 budget.

Attachments: Board of Directors Time Sheets for July, 2018

**CALAVERAS COUNTY WATER DISTRICT
DIRECTOR REIMBURSEMENT FORM**

Month/Yr: July 2018
Name: S. Rafferman

For Admin Use: Payroll: Expense:

Activity Date	Meeting or Other Expense Description	Designated Rep.		Association List		Prior Approval		Cost		Total Miles
		Yes	No	Yes	No	Yes	No	Meeting	Expense	
6-27	CCWO Reg Mtg							\$120.-		7
7-16	BOS / CCWO Joint Mtg							120.-		7
7-18	CCWO Tour - Austin Ewell							120.-		7
7-20	Mt. Counties Reg. Mtg - Conf. call							120.-		-
For Totals line, multiply miles by the IRS rate:		1/1/18								21

Totals (use IRS mileage rate) \$ 480.- \$
Signature of Claimant: *[Signature]*
Date: 7/30/18
Orig to Finance Dept.

Administrative Review: *[Signature]*
Date: 7/30/18
Orig to Finance Dept.

**CALAVERAS COUNTY WATER DISTRICT
DIRECTOR REIMBURSEMENT FORM**

For Admin Use	<input type="checkbox"/>
Payroll	<input type="checkbox"/>
Expense	<input type="checkbox"/>

Month/Yr July/2018

Name Terry Strong

Activity Date	Meeting or Other Expense Description	Designated Rep.		Association List		Prior Approval		Cost		Total Miles
		Yes	No	Yes	No	Yes	No	Meeting	Expense	
For Totals line, multiply miles by the IRS rate:		1/1/15	\$0.575	Totals		(use IRS mileage rate)		\$	\$	\$
<p>Pursuant to Board Policy 4030, receipts required; report /materials required.</p> <p>The undersigned, under penalty of perjury states: This claim and the items set forth herein are true and correct; that expenses incurred, meetings attended and business conducted are necessary to District affairs; that this claim is proper and within the scope of California Water Code Section 20200 et seq, and District Ordinance 2010-01; that the service was actually rendered; and that the amount(s) herein are justly true.</p>										
Administrative Review:								Date:		Orig to Finance Dept.

Signature of Claimant: *Terry Strong*

CALAVERAS COUNTY WATER DISTRICT DIRECTOR REIMBURSEMENT FORM

For Admin Use Payroll Expense

Month/Yr July 2018

Name BERTHA E UNDERHILL

Activity Date	Meeting or Other Expense Description	Designated Rep.		Association List		Prior Approval		Cost		Total Miles	
		Yes	No	Yes	No	Yes	No	Meeting	Expense		
7/10/18	Boards							120		80	
7/16/18	Water Rates - Arnold										
7/25/18	Board							120		84	
7/25/18	NCPA - Murphys										
For Totals line, multiply miles by the IRS rate:		11/18	\$0.545								164
		Totals (use IRS mileage rate)						\$ 240	\$		\$ 89.38

Pursuant to Board Policy 4030, receipts required; report /materials required.

The undersigned, under penalty of perjury states: This claim and the items set forth herein are true and correct; that expenses incurred, meetings attended and business conducted are necessary to District affairs; that this claim is proper and within the scope of California Water Code Section 20200 et seq, and District Ordinance 2015-02; that the service was actually rendered; and that the amount(s) herein are justly due.

Signature of Claimant:
Bertha E Underhill

Administrative Review: [Signature] Date: 7/30/18 Orig to Finance Dept.

CALAVERAS COUNTY WATER DISTRICT

DIRECTOR REIMBURSEMENT FORM

For Admin Use	<input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Expense
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Month/Yr July, 2018

Name Russ Thomas

Activity Date	Meeting or Other Expense Description	Designated Rep.		Association List		Prior Approval		Cost		Total Miles	
		Yes	No	Yes	No	Yes	No	Meeting	Expense		
10-Jul	Board of Supervisors meeting							120		50	
11-Jul	Eastern San Joaquin Groundwater Authority							120		90	
13-Jul	Moke River Association at Pardee Center							120		82	
16-Jul	CCWD / Calaveras County - Coordination meeting							120		44	
25-Jul	CCWD Board Meeting							120		44	
For Totals line, multiply miles by the IRS rate:		1/1/18								310	
			\$0.545						\$ 600	\$0.00	\$168.95
		Totals (use IRS mileage rate)						\$	600	\$0.00	\$168.95

Pursuant to Board Policy 4030, receipts required; report/materials required.

The undersigned, under penalty of perjury states: This claim and the items set forth herein are true and correct; that expenses incurred, meetings attended and business conducted are necessary to District affairs; that this claim is proper and within the scope of California Water Code Section 20200 et seq, and District Ordinance 2015-02; that the service was actually rendered; and the amount(s) herein are justified and true.

Signature of Claimant: Russ Thomas


Administrative Review: [Signature] Date: 7/20/18

Original to Finance Dept.

CALAVERAS COUNTY WATER DISTRICT DIRECTOR REIMBURSEMENT FORM

For Admin Use Payroll Expense

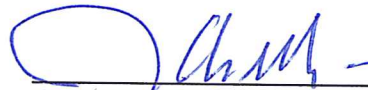
Month/Yr: Jul-18
Name: Jeff Davison

Activity Date	Meeting or Other Expense Description	Designated Rep.		Association List		Prior Approval		Cost		Total Miles
		Yes	No	Yes	No	Yes	No	Meeting	Expense	
27-Jun	CCWD Board Meeting							120		28
18-Jul	CCWD Tour Austin Ewell							120		28
25-Jul	CCWD Board Meeting							120		28
Total	For Totals line, multiply miles by the IRS rate:	11/118	\$0.545					360		341
Pursuant to Board Policy 4030, receipts required; report /materials required.				Totals (use IRS mileage rate)				360		45.78
<p>The undersigned, under penalty of perjury states: This claim and the items set forth herein are true and correct; that expenses incurred, meetings attended and business conducted are necessary to District affairs; that this claim is proper and within the scope of California Water Code Section 20200 et seq, and District Ordinance 2015-02; that the service was actually rendered; and that the amount(s) herein are justly true.</p>										
Administrative Review: 										Date: 7/30/18
										Orig to Finance Dept.

**Calaveras County Water District
Claim Summary # 557**

Certificate of Administrative Officer

The services listed on the within schedules were actually rendered by the close of the current month. The articles listed on the schedules within and the supporting invoices were actually delivered, or payment therefore is properly due prior to delivery. To the best of my knowledge all claims made are in accordance with adopted Board policies and/or other Board actions and are in compliance with all applicable laws. The claimants named on the within schedules are each entitled to the amount set opposite their respective names.



Jeffrey Meyer
Director of Administrative Services

1. July 2018 payroll checks issued on 07/13/2018	187,648.92
2. July 2018 payroll checks issued on 07/31/2018	155,979.46
3. July 2018 compensation to Directors	1,237.37
4. Vendor payments for July 1 through 31, 2018	815,117.13
5. Other payroll related costs	<u>777,872.15</u>

Claim Summary Total \$1,937,855.03

Calaveras County Water District
AP Disbursement Summary
July 1-31, 2018

CCWD Operating Expenditures		\$	588,128.87
Expenditures to be reimbursed from other agencies	(A)		-
Expenditures to be reimbursed from grant agreements	(B)		69,715.08
Fiduciary Payments (funds collected prior to expenditure)	(C)		11,329.22
Partial Reimbursement	(D)		134,092.45
Capital R&R Projects	(E)		10,211.51
Capital Outlay	(F)		1,640.00
Total Payments		\$	815,117.13

CCWD
AP Disbursements
July 1-31, 2018

Check No.	Vendor/Employee	Transaction Description	Date	Amount	
130165	A T & T	Internet Service 07/18 - LC	07/12/2018	40.00	
130190	A T & T	Leased Lines 07/18	07/23/2018	66.26	
130272	A T & T	Internet Service 07/18 - LC Complex	07/31/2018	50.00	
130273	A T & T	Phone 07/18 - SA Mechanics Shop	07/31/2018	104.08	
130133	A T & T CALNET2	District Radio Tower 06/18 - Camp Connell	07/12/2018	375.20	
130274	A T & T CALNET3	Phone 07/18 - Dorrington P/S	07/31/2018	20.27	
130277	A T & T CALNET3	Phone 07/18 - District Wide	07/31/2018	1,661.70	
130278	A T & T CALNET3	Phone 07/18 - Hunter's	07/31/2018	20.30	
130279	A T & T CALNET3	Phone 07/18 - Azalea L/S	07/31/2018	18.65	
130280	A T & T CALNET3	Phone 07/18 - CCWHSE	07/31/2018	5.45	
130281	A T & T CALNET3	Phone 07/18 - OP HQ Back Up	07/31/2018	192.24	
130282	A T & T CALNET3	T Line 07/18	07/31/2018	165.13	
130283	A T & T CALNET3	Phone/Fax 07/18 - JLTC	07/31/2018	123.68	
130068	A T & T MOBILITY	Cell Phone 06/18 - Brown	07/06/2018	83.74	
130213	A TEEM ELECTRICAL ENG INC	Consulting Services - JLWTP Pre-Treatment Facility Project	07/23/2018	1,000.00	(B)
130252	A TEEM ELECTRICAL ENG INC	Tank A Communication - JL SCADA	07/30/2018	420.00	
130055	ACWA/JPIA	Dental Insurance, Employees 08/18	07/05/2018	6,529.48	(D)
130055	ACWA/JPIA	Vision Insurance, Employees 08/18	07/05/2018	1,317.76	
130055	ACWA/JPIA	EAP 08/18	07/05/2018	152.75	
130055	ACWA/JPIA	Dental Insurance, Retirees 08/18	07/05/2018	2,426.32	
130055	ACWA/JPIA	Vision Insurance, Retirees 08/18	07/05/2018	723.84	
130191	ACWA/JPIA	Workers Comp Insurance April-June 2018	07/23/2018	27,387.62	
130214	ADP INC	Payroll Processing 06/18	07/23/2018	330.54	
130284	ADP INC	Payroll Processing 07/18	07/31/2018	872.22	
130253	ADVENTIST HEALTH SONORA	OCC Medical Exam (2)	07/30/2018	322.00	
130193	AE TOOLS & COMPUTERS	Mechanics Software Subscription/License - SA Mechanics Shop	07/23/2018	2,900.00	
130056	AFLAC	Aflac 06/18	07/05/2018	2,018.70	(C)
130070	ALCAL GLASS AND SUPPLY	Bolts/Tape/Paint/Broom - SA Mechanics Shop	07/06/2018	138.29	
130070	ALCAL GLASS AND SUPPLY	Shovel/Trash Bags/Sprayer/Soap/Buckets/Fittings - EP Barn	07/06/2018	101.63	
130070	ALCAL GLASS AND SUPPLY	Ladder - Electricians	07/06/2018	91.69	
130194	ALHAMBRA DRINKING WATER	Water Cooler Service 07/18 - LCWWTP	07/23/2018	171.57	
130195	ALHAMBRA DRINKING WATER	Water Cooler Service 07/18 - JLWTP	07/23/2018	98.53	
130071	ALL PHASE ELECTRIC SUPPLY CO.	Conduits/Covers/Gaskets - CCRCP Flowmeter	07/06/2018	76.84	
130254	ALL PHASE ELECTRIC SUPPLY CO.	Fuses (5) - Wallace WWTP	07/30/2018	15.44	
130215	ALLIED ELECTRONICS, INC	Covers/Connections/Trunking/Rails/Relays - Electricians Stock	07/23/2018	620.88	
130069	AL'S TIRE SERVICE	Tire (1) - Vehicle #124	07/06/2018	60.00	
130255	AMADOR WATER AGENCY	Cost Share AB142 Wild & Scenic River	07/30/2018	3,552.87	
130216	AMERIPRIDE SERVICES,INC	Monthly Uniform Service 06/18	07/23/2018	3,074.05	
130166	AMERITRADE TRUST COMPANY	FTJ Deferred Comp 07/18	07/12/2018	350.00	(C)
130072	ANGELS HEATING AND AIR CONDITIONING	Fan Blades/Gauge/Unit Repair - CalFire	07/06/2018	701.14	
EFT	ANTHEM-BLUE CROSS	Health Insurance, Employees 07/18	07/06/2018	107,668.47	(D)
EFT	ANTHEM-BLUE CROSS	Health Insurance, Retirees 07/18	07/06/2018	37,716.47	

CCWD
AP Disbursements
July 1-31, 2018

Check No.	Vendor/Employee	Transaction Description	Date	Amount
130217	ARNOLD AUTO SUPPLY	Diesel Engine Fluid - Vehicle #135	07/23/2018	30.01
130217	ARNOLD AUTO SUPPLY	Towels/Glass Cleaner/Running Lights - Vehicle #143	07/23/2018	17.12
130217	ARNOLD AUTO SUPPLY	Miniature Lamps - Vehicle #512	07/23/2018	4.27
130217	ARNOLD AUTO SUPPLY	Oil - Vehicle #521	07/23/2018	36.44
130217	ARNOLD AUTO SUPPLY	Pedal Pad - Vehicle #529	07/23/2018	5.35
130217	ARNOLD AUTO SUPPLY	Brake Pads/Rotors/Calipers/Filters/Oil - Vehicle #592	07/23/2018	938.18
130217	ARNOLD AUTO SUPPLY	Battery - Vehicle #713	07/23/2018	155.85
130217	ARNOLD AUTO SUPPLY	Window Repair Parts - Vehicle #719	07/23/2018	16.09
130217	ARNOLD AUTO SUPPLY	Gas Cans/Oil - Vehicle #722	07/23/2018	56.76
130217	ARNOLD AUTO SUPPLY	Broom/Gloves/Air Hoses/Couplers/Adapters - EP Barn	07/23/2018	148.96
130217	ARNOLD AUTO SUPPLY	Jack/Stand/Rags - FMWWTP	07/23/2018	390.36
130217	ARNOLD AUTO SUPPLY	Hose End - Backhoe	07/23/2018	21.43
130217	ARNOLD AUTO SUPPLY	Batteries/Bolts/Solenoid - AWWTP Generator	07/23/2018	359.26
130217	ARNOLD AUTO SUPPLY	Wheel Chocks - Portable Generator	07/23/2018	64.33
130217	ARNOLD AUTO SUPPLY	Clamps/Rags/Bit Set - Hunter's WTP	07/23/2018	37.54
130217	ARNOLD AUTO SUPPLY	Towels/Brush/Cleaner/Wipes - SA Mechanics Shop	07/23/2018	75.02
130073	ARNOLD TIRE AND AUTO CARE	Seasonal Tire Change - Vehicle #501	07/06/2018	150.00
130073	ARNOLD TIRE AND AUTO CARE	Seasonal Tire Change - Vehicle #522	07/06/2018	80.00
130073	ARNOLD TIRE AND AUTO CARE	Tire Stud Removal - Vehicle #713	07/06/2018	60.00
130074	ATNIP, TONY	Safety Boot Reimbursement	07/06/2018	200.00
130075	BIG VALLEY FORD LINCOLN MERCURY	Fog Lights/AC Compressor - Vehicle #124	07/06/2018	585.93
130075	BIG VALLEY FORD LINCOLN MERCURY	Power Steering Line - Vehicle #523	07/06/2018	197.84
130075	BIG VALLEY FORD LINCOLN MERCURY	Steering Assembly/Rear Brake Service/Alignment - Vehicle #606	07/06/2018	1,391.81
130135	BNN, LLC	Utilities 06/18 - SA Mechanics Shop	07/12/2018	242.11
130196	BNN, LLC	Rent 08/18 - SA Mechanics Shop	07/23/2018	3,000.00
130076	BURKEY, TIFFANY	Post Office Travel Reimbursement 06/18	07/06/2018	14.17
130218	CAL.NET-MOTHERLODE	Internet Service June-Aug - Wallace	07/23/2018	213.35
130286	CALAVERAS COUNTY	County Maps CD	07/31/2018	37.00
130136	CALAVERAS FIRST COMPANY INC	Public Notice Legal Ads - Budget Adoption/Standby Assessments	07/12/2018	598.99
130077	CALAVERAS LUMBER CO INC	Pest Control/Air Chuck/Washers/Nozzle - Construction Crew	07/06/2018	88.74
130077	CALAVERAS LUMBER CO INC	Trash Bags/Cleaning Agent - Collections Trailer	07/06/2018	36.21
130077	CALAVERAS LUMBER CO INC	PVC Pipe/Caps/Primer - OP HQ	07/06/2018	94.65
130077	CALAVERAS LUMBER CO INC	Hose/Pail/Fittings/Discs/Pump/Tool Box - CalFire	07/06/2018	623.43
130077	CALAVERAS LUMBER CO INC	Gloves/Rakes/Pest Control/Tarp - Inspectors	07/06/2018	113.62
130078	CALIFORNIA TEES	Employee Relations Supplies	07/06/2018	24.24
130167	CALIFORNIA WASTE RECOVERY SYSTEMS	Refuse Disposal 07/18 - District Wide	07/12/2018	1,116.29
130137	CALTEL	Phone 06/18	07/12/2018	1,405.15
130198	CAMPORA	Propane 07/18 - Wallace	07/23/2018	6.44
130079	CARBON COPY INC	Copies/Copier Maintenance 06/18	07/06/2018	114.67
130287	CARBON COPY INC	Copier Toner	07/31/2018	293.82
EFT	CARD SERVICES	Sacramento Meeting Parking - Eggerton	07/13/2018	16.50
EFT	CARD SERVICES	NWRA Western Water Seminar Registration - Eggerton	07/13/2018	625.00

CCWD
AP Disbursements
July 1-31, 2018

Check No.	Vendor/Employee	Transaction Description	Date	Amount
EFT	CARD SERVICES	Board Secretary Conference Registration - Hitchcock	07/13/2018	575.00
EFT	CARD SERVICES	WEF Headwaters Tour Registration - Martin	07/13/2018	625.00
EFT	CARD SERVICES	AB 589 Water Diversion Seminar - Martin	07/13/2018	25.00
EFT	CARD SERVICES	AB 589 Water Diversion Seminar - Hampton	07/13/2018	25.00
EFT	CARD SERVICES	NCBPA Backflow Training/Certification - Carter/Samorano	07/13/2018	1,100.00
EFT	CARD SERVICES	QSP Training Course Lodging - Turner	07/13/2018	450.52
EFT	CARD SERVICES	Internet/E-Mail Back Up - OP HQ	07/13/2018	29.90
EFT	CARD SERVICES	Internet Service 06/18 - Hunter's	07/13/2018	76.87
EFT	CARD SERVICES	Conference Call Service	07/13/2018	15.07
EFT	CARD SERVICES	Rattlesnake Caution Sign	07/13/2018	95.94
EFT	CARD SERVICES	ID Maker Printer Ribbon	07/13/2018	125.85
EFT	CARD SERVICES	Bearings - JLWTP	07/13/2018	293.70
EFT	CARD SERVICES	Weed Spray Gun	07/13/2018	84.00
EFT	CARD SERVICES	Employee Relation Supplies	07/13/2018	238.79
EFT	CARD SERVICES	Ice Packs	07/13/2018	111.60
EFT	CARD SERVICES	Community Outreach Supplies	07/13/2018	8.99
130138	CARDINAL, BILL	AWWA Conference Travel Reimbursement	07/12/2018	40.00
130080	CARSON HILL ROCK PRODUCTS	3/4 Class II AB - EP Barn Stock	07/06/2018	969.00
130219	CASTLE & COOKE	Area Of Benefit Credit FY 17-18	07/23/2018	3,124.80
130081	CDK SUPPLY	Connectors/Conduit/Receptacles - SA Mechanics Shop	07/06/2018	159.70
130082	CED CREDIT	Conduit Cutter - Electricians	07/06/2018	39.44
130220	CED CREDIT	Conduit Bender/Wire/Connectors/Breaker/Fasteners - SA Mechanics Shop	07/23/2018	2,204.74
130256	CED CREDIT	Wire - CC L/S #8	07/30/2018	171.96
130083	CENTRAL CALIFORNIA GENERATOR	Controller/Contactor/Cover - CC L/S #42	07/06/2018	2,827.69
130083	CENTRAL CALIFORNIA GENERATOR	Ribbon Cable - CC Upper Cross Country L/S	07/06/2018	142.27
130084	CHASE CHEVROLET CO. INC	Parking Light Harness - Vehicle #131	07/06/2018	90.25
130085	CITY OF ANGELS	Sewer 06/18 - Six Mile Village	07/06/2018	4,695.23
130086	CLARK PEST CONTROL	Pest Control 06/18 - LCWWTP	07/06/2018	147.00
130139	CLARK PEST CONTROL	Pest Control 05/18 - Southworth	07/12/2018	84.00
130288	CLARK PEST CONTROL	Pest Control 07/18 - FMWWTP	07/31/2018	87.00
130168	COLUMBIA COMMUNICATIONS	Vehicle Cloud Service 07/18	07/12/2018	700.00
130058	COMCAST	Internet Service 07/18 - JLWTP	07/05/2018	171.86
130169	COMCAST	Internet Service 07/18 - DF/VCTO WWTP	07/12/2018	80.93
130170	COMCAST	Internet Service 07/18 - OP HQ	07/12/2018	85.93
130200	COMCAST	Internet Service 08/18 - JLTC	07/23/2018	85.93
130290	COMCAST	Internet Service 08/18 - JLWTP	07/31/2018	171.86
130140	CONDOR EARTH TECHNOLOGIES INC	SGMA Technical Assistance 06/18	07/12/2018	2,298.75
130201	CONETH SOLUTIONS INC	IT Infrastructure Support Services 07/18	07/23/2018	2,180.00
130221	COPPER AUTO & MARINE	Oil Filter Wrench - Vehicle #523	07/23/2018	6.96
130221	COPPER AUTO & MARINE	Drain Pan/Batteries - Vehicle #530	07/23/2018	362.48
130221	COPPER AUTO & MARINE	Diesel Exhaust Fluid - Vehicle #538	07/23/2018	13.75
130221	COPPER AUTO & MARINE	Diesel Exhaust Fluid - Vehicle #551	07/23/2018	13.94

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AP Disbursements
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Check No.	Vendor/Employee	Transaction Description	Date	Amount
130221	COPPER AUTO & MARINE	Pintle Hook Adapter - Copper Fire Diffuser	07/23/2018	69.71
130221	COPPER AUTO & MARINE	Hoses - Collections Hydro Trailer	07/23/2018	4.81
130221	COPPER AUTO & MARINE	Adapters/Gauge/Chuck/Tire Valve - CCWHSE	07/23/2018	80.39
130087	COPPEROPOLIS FIRE PROTECTION DISTRICT	Hydrant Maintenance - CC	07/06/2018	2,201.43
130141	CPPA	Power 06/18	07/12/2018	83,591.73
130088	CPS HR CONSULTING	Employee Recruitment Testing	07/06/2018	170.00
130089	CPUD	Water Service 06/18 - OP HQ	07/06/2018	219.55
130059	CVCWA	Membership Renewal FY 18-19	07/05/2018	1,375.00
130172	CWEA	Membership Renewal - DuBurg	07/12/2018	180.00
130172	CWEA	Membership Renewal - Turner	07/12/2018	180.00
130202	CWEA	Collection System Maintenance, Grade 1 Cert Renewal - Burke	07/23/2018	87.00
130202	CWEA	Collection System Maintenance, Grade 1 Cert Renewal - Crank	07/23/2018	87.00
130202	CWEA	Collection System Maintenance, Grade 4 Cert Renewal - Skrbina	07/23/2018	102.00
130142	DANNER, ALEISA	Post Office Travel Reimbursement 06/18	07/12/2018	15.26
130143	DATAPROSE	UB Statement Processing 06/18	07/12/2018	3,811.73
130173	DEAMICIS, GABRIEL	Safety Boot Reimbursment	07/12/2018	186.62
130090	DOWNEY BRAND ATTORNEYS LLP	Legal Services 05/18	07/06/2018	35,211.86
130257	DOWNEY BRAND ATTORNEYS LLP	Legal Services 06/18	07/30/2018	10,350.00
130091	DWYER INSTRUMENTS, INC	Level Transmitters (8) - Electricians Stock	07/06/2018	4,018.69
130222	DXP ENTERPRISES, INC.	RAS Pump Repair Parts - AWWTP	07/23/2018	8,856.16
130145	EBBETTS PASS GAS SERVICE	Fuel 06/18	07/12/2018	1,992.46
130092	EBBETTS PASS LUMBER	Fasteners/Fittings/Sprinkler Heads - EP Barn	07/06/2018	28.76
130092	EBBETTS PASS LUMBER	Tape/Filter/Lumber/Screws/Shims/Putty/Pipe Thread - Hunter's WTP	07/06/2018	134.37
130259	ECORP CONSULTING, INC	Mokelumne River Water Supply Study - 06/18	07/30/2018	110.00
130259	ECORP CONSULTING, INC	White Pines Gaging Project 06/18	07/30/2018	1,614.59
130093	ENVIRONMENTAL OPERATING SOLUTIONS	MicroC 2000 - DF/VCTO WWTP	07/06/2018	4,357.89
130094	FASTENAL	Gloves/Marking Paint - Stock	07/06/2018	1,032.95
130223	FASTENAL	Safety Glasses - EP	07/23/2018	42.04
130260	FEDERAL EXPRESS	Shipping 06/18	07/30/2018	18.79
130095	FERGUSON ENTERPRISES, INC 1423	Meter Adapters/Brass Unions - LCWHSE	07/06/2018	280.44
130095	FERGUSON ENTERPRISES, INC 1423	Meter Adapters - West Point	07/06/2018	200.42
130224	FERGUSON ENTERPRISES, INC 1423	Cla-Val Upgrade to Dual Chamber - EP Avery P/S	07/23/2018	36,407.87
130146	FGL ENVIRONMENTAL	Waste Water Testing 06/18	07/12/2018	3,238.00
130292	FGL ENVIRONMENTAL	Waste Water Testing 07/18	07/31/2018	4,362.00
130146	FGL ENVIRONMENTAL	Water Testing 06/18	07/12/2018	3,573.00
130292	FGL ENVIRONMENTAL	Water Testing 07/18	07/31/2018	7,486.00
130147	FILIPPINI, ROC	Safety Boot Reimbursement	07/12/2018	200.00
130097	FLEXIM AMERICAS CORP	Flow Meter/Install - CCRCP	07/06/2018	7,510.78
130293	FOOTHILL PORTABLE TOILETS	Portable Toilet Rental 07/18 - Wallace	07/31/2018	93.50
130293	FOOTHILL PORTABLE TOILETS	Portable Toilet Rental 07/18 - Sheep Ranch	07/31/2018	93.50
130225	FOOTHILL PRINTING & GRAPHICS	Envelope Stock	07/23/2018	1,978.82
130294	FOOTHILL PRINTING & GRAPHICS	Stamp/Business Cards	07/31/2018	219.15

CCWD
AP Disbursements
July 1-31, 2018

Check No.	Vendor/Employee	Transaction Description	Date	Amount	
130226	GAMBI DISPOSAL INC.	Bio-Solids Removal - AWWTP	07/23/2018	1,211.25	
130226	GAMBI DISPOSAL INC.	Bio-Solids Removal - DF/VCTO WWTP	07/23/2018	570.00	
130226	GAMBI DISPOSAL INC.	Bio-Solids Removal - FMWWTP	07/23/2018	593.75	
130227	GARCIA AND ASSOCIATES	Archaeological Services - JLWTP Pre-Treatment Facility Project	07/23/2018	13,621.28	(B)
130098	GENERAL PLUMBING SUPPLY CO INC	Tap Saddles/Meter Gaskets/Hydrant Extension - LCWHSE	07/06/2018	1,987.22	
130261	GENERAL PLUMBING SUPPLY CO INC	Grade Rings - CCWHSE	07/30/2018	1,457.73	
130175	GFOA	Membership Renewal - Finance (2)	07/12/2018	310.00	
130204	GOLDEN STATE FLOW MEASUREMENT, INC	Sensus AutoRead Annual Software Maintenance	07/23/2018	2,437.42	
130148	GOVCONNECTION, INC	Server/Hard Drive/Firmware - OP HQ	07/12/2018	1,640.00	(F)
130228	GOVCONNECTION, INC	Laptop - Electricians	07/23/2018	2,640.12	
130228	GOVCONNECTION, INC	UPS (10) - Electricians Stock	07/23/2018	1,979.57	
130295	GOVCONNECTION, INC	Printers (3)/Replacement Battery	07/31/2018	424.63	
130099	GRAINGER	Radio/Screwdriver Bit Set/Reel Stand/Pliers - SA Mechanics Shop	07/06/2018	537.91	
130099	GRAINGER	Pipe/Fittings - Hunter's WTP Chemical Feed	07/06/2018	358.30	
130099	GRAINGER	Motor - WP Regulator	07/06/2018	733.59	
130099	GRAINGER	Wire Marker Sleeves - Electricians	07/06/2018	253.80	
130099	GRAINGER	Fittings - Southworth/Wallace WWTP	07/06/2018	63.34	
130099	GRAINGER	Snubber Hose/Union - Wallace WTP	07/06/2018	73.93	
130149	GRAINGER	Impact Wrench/Reciprocating Saw/Battery Packs - EP Barn	07/12/2018	782.07	
130149	GRAINGER	Buckets/Chemical Resistant Apron/Hood - JLWTP	07/12/2018	199.70	
130229	GRAINGER	Nozzles - WPWTP	07/23/2018	14.98	
130229	GRAINGER	Tape/Inverter/Surge Protector/Band Saw Kit - Vehicle #720	07/23/2018	671.54	
130229	GRAINGER	Heater/Thermostat/Conduit/Cover/Gasket - SA Mechanics Shop	07/23/2018	744.73	
130229	GRAINGER	Wire Marker Sleeves/Label Cartridges/Ratchet - Electricians	07/23/2018	927.38	
130100	HACH COMPANY	Ice Pic Calibration - CCWTP	07/06/2018	321.25	
130100	HACH COMPANY	Buffer Solutions/Reagents - WPWTP	07/06/2018	221.41	
130150	HACH COMPANY	Reagent Sets - Hunter's WTP/SRWTP	07/12/2018	433.49	
130150	HACH COMPANY	Buffer Solutions/Reagents - JLWTP	07/12/2018	984.21	
130101	HERD'S MACHINE & WELD SHOP	Flat Bar - SA Mechanics Shop	07/06/2018	25.34	
130297	HOBGOODS CLEANING	Janitorial Service 07/18 - OP HQ	07/31/2018	1,985.00	
130102	HOLT OF CALIFORNIA	Filter/Lock Assembly/Hydraulic Fluid - Backhoe	07/06/2018	234.83	
130061	HUGHESNET	Internet Service 07/18 - FMWWTP	07/05/2018	82.23	
130176	HUGHESNET	Internet Service 07/18 - AWWTP	07/12/2018	80.94	
130151	IRON MOUNTAIN	Document Destruction 06/18	07/12/2018	74.76	
130262	KASL CONSULTING ENGINEERS	Engineering/Permitting/Design Services - EP Reach 1 Pipeline Repl Proj	07/30/2018	10,211.51	(E)
130178	KIRSCHMAN, NATHANIEL	Overtime/On Call Meal Reimbursement	07/12/2018	30.32	
130152	KNICK, JASON	DOT Physical Reimbursement	07/12/2018	127.00	
130230	KOFF & ASSOCIATES, INC	Comprehensive Salary & Benefits Review/Analysis 06/18	07/23/2018	2,304.00	
130231	LAWSON PRODUCTS INC	Hand Soap - SA Mechanics Shop	07/23/2018	42.79	
130263	LEE & RO, INC	Copper Cove Wastewater Master Plan Update 06/18	07/30/2018	4,946.65	
130104	LIEBERT CASSIDY WHITMORE	Legal Services 05/18	07/06/2018	5,842.00	
130264	LIEBERT CASSIDY WHITMORE	Legal Services 06/18	07/30/2018	7,378.60	

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Check No.	Vendor/Employee	Transaction Description	Date	Amount
130153	LOWE'S	Adhesive Hooks - OP HQ	07/12/2018	6.07
130153	LOWE'S	Door/Shims - LCWHSE	07/12/2018	95.37
130232	MARTIN, PETER	SWRCB/South Valley Water Auth/Headwaters Tour Travel Reimb 06/18	07/23/2018	239.92
130179	MODESTO AIRCO GAS & GEAR	Cylinder Rental 07/18	07/12/2018	85.80
130180	MOTHER LODGE ANSWERING SERVICE	Answering Service 07/18	07/12/2018	619.17
130062	MOUNTAIN COUNTIES WATER	Membership Dues FY 18-19	07/05/2018	8,900.00
130154	MOUNTAIN OASIS PURIFIED WATER	Water Cooler Service/Supplies 06/18 - District Wide	07/12/2018	155.50
130105	MUNICIPAL MAINTENANCE EQUIP	Pressure Gun/Wear Plate/Valve/Gaskets - Vehicle #126	07/06/2018	1,005.53
130105	MUNICIPAL MAINTENANCE EQUIP	Connector/Spray Gun/Nozzle/Hose - Vehicle #135	07/06/2018	909.01
130063	MUTUAL OF OMAHA	Life/AD&D/LTD Insurance 07/18	07/05/2018	6,120.55
130300	MUTUAL OF OMAHA	Life/AD&D/LTD Insurance 08/18	07/31/2018	6,120.55
130155	NEW FRONTIER AUTO SUPPLY INC	Washer Fluid/Filters - Vehicle #128	07/12/2018	211.17
130155	NEW FRONTIER AUTO SUPPLY INC	Oil Filter/Oil - Mini Excavator	07/12/2018	62.70
130155	NEW FRONTIER AUTO SUPPLY INC	Shop Towels - Construction Crew	07/12/2018	4.27
130206	NEW YORK LIFE	Life Insurance 06/18	07/23/2018	1,108.16 (C)
130156	NICOLAY CONSULTING GROUP	OPEB Valuation Report Services	07/12/2018	10,500.00
130106	NIGHT OWL LOCK SERVICE	Padlocks (10) - Stock	07/06/2018	405.28
130157	NOLTE ASSOCIATES INC. DBA NV5	CASGEM Well Monitoring 05/18	07/12/2018	1,700.00
130301	NORDAHL LAND SURVEYING	Land Surveying - JLWTP Pre-Treatment Facility Project	07/31/2018	1,080.00 (B)
130107	NORTHSTAR CHEMICAL	Sodium Hypochlorite - AWWTP	07/06/2018	4,269.40
130107	NORTHSTAR CHEMICAL	Sodium Hypochlorite - CCWTP	07/06/2018	1,227.75
130233	NORTHSTAR CHEMICAL	Sodium Hypochlorite - JLWTP	07/23/2018	2,329.11
130108	NTU TECHNOLOGIES INC	Ferric Sulfate - CCRCP	07/06/2018	8,808.10
130108	NTU TECHNOLOGIES INC	NTU925 Polymer - Hunter's WTP	07/06/2018	13,024.50
130234	O'CONNELL & DEMPSEY, LLC	Federal Legislative Advocacy Consulting Services - 06/18	07/23/2018	4,000.00
130158	O'REILLY AUTO PARTS	Tube/Filters/Oil/Grease/Cleaners/Bits/Chuck/Gauge - Vehicle #531	07/12/2018	321.40
130158	O'REILLY AUTO PARTS	Fittings/Antifreeze/Filters/Oil/Grease/Cleaners - Vehicle #612	07/12/2018	233.93
130158	O'REILLY AUTO PARTS	Brake Pads/Rotors/Calipers/Filters/Oil/Grease/Cleaners - Vehicle #707	07/12/2018	596.33
130158	O'REILLY AUTO PARTS	Socket/Gloves - Construction Crew	07/12/2018	27.33
130158	O'REILLY AUTO PARTS	Degreaser/Grease - Mini Excavator	07/12/2018	64.23
130158	O'REILLY AUTO PARTS	Wiper Blades/Fuses - Backhoe	07/12/2018	55.08
130158	O'REILLY AUTO PARTS	Wiper Fluid/Brake Cleaner - SA Mechanics Shop Stock	07/12/2018	98.71
130109	P G & E	Power 06/18 - JLTC	07/06/2018	184.46
130111	P G & E	Power 06/18 - Woodgate L/S	07/06/2018	47.22
130159	P G & E	Power 06/18 - OP HQ	07/12/2018	18.33
130207	P G & E	Power 07/18 - Hwy 26	07/23/2018	11.83
130235	P G & E	Power 06/18 - CC Water Tank	07/23/2018	34.72
130236	P G & E	Power 06/18 - SA Mechanics Shop	07/23/2018	371.86
130302	P G & E	Power 07/18 - Wallace Spray Fields	07/31/2018	21.22
130112	PAGE SUPPLY CORP 23788-00	Check Valve Repair Parts - CC L/S #18	07/06/2018	631.86
130113	PAPE KENWORTH	A/C Compressor/Dryer/Oil - Vehicle #128	07/06/2018	612.64
130237	PAYMENTUS GROUP INC	Payment Processing 06/18	07/23/2018	5,758.00

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AP Disbursements
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Check No.	Vendor/Employee	Transaction Description	Date	Amount	
130238	PETERSON BRUSTAD INC	Engineering Services - CC Master Plan Update 06/18	07/23/2018	2,300.03	
130266	PETERSON BRUSTAD INC	Engineering Design Services - JLWTP Pre-Treatment Facility Project	07/30/2018	10,231.08	(B)
130239	POTRERO HILLS LANDFILL	Bio-Solids Disposal - DF/VCTO WWTP	07/23/2018	205.03	
130209	QUESTYS SOLUTIONS	Annual Software Maintenance FY 18/19	07/23/2018	5,114.34	
130240	QUESTYS SOLUTIONS	Capture Server License	07/23/2018	4,999.50	
130240	QUESTYS SOLUTIONS	Scripting/Set Up - Customer Service Work Orders	07/23/2018	3,200.00	
130240	QUESTYS SOLUTIONS	Regional User Conference - Gomes	07/23/2018	20.00	
130241	R.E. SMITH CONTRACTORS, INC.	Construction Contract - JLWTP Pre-Treatment Facility Project	07/23/2018	43,782.72	(B)
130242	RICHARDSON & COMPANY	FY 16-17 Single Audit	07/23/2018	3,580.00	
130114	RIEBES AUTO PARTS 312	Air Filters - Vehicle #128	07/06/2018	139.29	
130116	RON COOPER GENERAL ENGINEERING INC	Patchwork - Rancho Calaveras	07/06/2018	13,839.00	
130116	RON COOPER GENERAL ENGINEERING INC	Patchwork - Wilseyville Pipeline Replacement	07/06/2018	3,705.00	
130267	RON COOPER GENERAL ENGINEERING INC	Asphalt Repair Claim	07/30/2018	1,100.00	
130118	SAFE T LITE	Vehicle Decals	07/06/2018	407.55	
130160	SAN ANDREAS PRINT SHOP	Signature Stamp/Name Plate	07/12/2018	83.55	
130304	SAN JOAQUIN COUNTY PUBLIC WORKS	Groundwater Sustainability Plan Cost Share FY 18-19	07/31/2018	19,894.50	(D)
130181	SCHEIDT, RANDY	Safety Boot Reimbursement	07/12/2018	200.00	
130182	SEIU LOCAL 1021	Union Dues 06/18	07/12/2018	2,748.20	(C)
130243	SIERRA JANITORIAL SUPPLY	Tissue/Paper Towels/Trash Bags/Soap	07/23/2018	560.17	
130065	SIGNAL SERVICE	Alarm System Monitoring July-Sept 2018	07/05/2018	1,954.20	
130183	SIGNAL SERVICE	Entry Fobs (10) - OP HQ	07/12/2018	112.25	
130120	SLAKEY BROS - JACKSON	Pipe/Pump/Couplings/Floats - Septic Tank Maintenance	07/06/2018	1,489.57	
130244	SLAKEY BROS - JACKSON	PRV Repair Parts - LCWHSE	07/23/2018	1,160.59	
130121	SOUTHWEST VALVE, LLC	Flanged Plug Valve - DF/VCTO WWTP	07/06/2018	825.58	
130306	STAPLES CREDIT PLAN	Office Supplies	07/31/2018	2,882.39	
EFT	STATE BOARD OF EQUALIZATION	Use Tax April-June 2018	07/25/2018	10,380.00	
130123	STERLING WATER TECHNOLOGIES, LLC	Zinc Orthophosphate - WPWTP	07/06/2018	928.00	
130184	SWRCB	Water Treatment Operator, Grade T1 Certificate Renewal - Knick	07/12/2018	120.00	
130211	SWRCB	Drinking Water Distribution Operator, Grade D3 Cert Renewal - Burke	07/23/2018	90.00	
130124	THATCHER COMPANY, INC	Calcium Hypo Tabs - JLWTP	07/06/2018	711.69	
130124	THATCHER COMPANY, INC	Sodium Hypochlorite - Wallace WTP	07/06/2018	428.69	
130124	THATCHER COMPANY, INC	Sodium Hypochlorite - Wallace WWTP	07/06/2018	428.69	
130124	THATCHER COMPANY, INC	Sodium Hypochlorite - Southworth WWTP	07/06/2018	428.69	
130162	THORNTON, ROSS	SS Valves/Camlock Fittings/Steel Frame - SA Mechanics Shop	07/12/2018	1,350.00	
130125	TIFCO INDUSTRIES	Cutoff Wheels/Clamps/Fittings/Drill Bits/Circuit Tester/1st Aid - Mechanics	07/06/2018	1,829.72	
130245	TIFCO INDUSTRIES	Diagnostic Scanner - Vehicle #125	07/23/2018	208.29	
130126	TIRE RACK	Tires (4) - Vehicle #124	07/06/2018	487.32	
130246	TRANSMISSIONS BY HAL	Transfer Case - Vehicle #125	07/23/2018	1,343.75	
130127	TREATS GENERAL STORE INC	Meeting Supplies	07/06/2018	23.93	
130127	TREATS GENERAL STORE INC	Coupler/Hardware - SA Mechanics Shop	07/06/2018	15.09	
130127	TREATS GENERAL STORE INC	Bulbs/Silicone Seal/Fittings/Cable/Cap - OP HQ	07/06/2018	59.99	
130185	TURNER, DOUG	Class A License Renewal Reimbursement	07/12/2018	45.00	

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AP Disbursements
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Check No.	Vendor/Employee	Transaction Description	Date	Amount
130307	UNDERGROUND SERVICE ALERT	Annual Membership FY 18-19	07/31/2018	1,195.40
130163	UNION PUBLIC UTILITY DISTRICT	Water Service 06/18 - Six Mile Village	07/12/2018	249.00
130164	UNITED PARCEL SERVICE	Shipping 06/18	07/12/2018	205.73
130308	UNITED PARCEL SERVICE	Shipping 07/18	07/31/2018	62.89
130269	UNITED RENTALS NORTHWEST, INC	Scissor Lift Rental - SA Mechanics Shop	07/30/2018	2,012.01
130247	UNIVAR USA INC	SLS 45 - CC Lower Thompson L/S #12	07/23/2018	2,787.72
130130	USA BLUE BOOK	Wrenches/Test Kits/Funnels/Root Control Chemicals - Collections Crew	07/06/2018	1,315.03
130130	USA BLUE BOOK	Oil/Maintenance Kit/Drum Pump/Motor/Reagent Set/StablCal - CCWTP	07/06/2018	3,788.30
130130	USA BLUE BOOK	Hydrant Lifter/Valve Setter - LCWHSE	07/06/2018	451.69
130130	USA BLUE BOOK	pH Probes - Hunter's WTP	07/06/2018	533.26
130248	USA BLUE BOOK	Float Switch Weight - JLWTP	07/23/2018	58.05
130186	VOLCANO TELEPHONE COMPANY	Fax/Internet Service 07/18 WPWTP	07/12/2018	363.85
130186	VOLCANO TELEPHONE COMPANY	Fax/Internet Service 07/18 WPWWTP	07/12/2018	152.17
130249	WAGeworks	FSA Admin 06/18	07/23/2018	215.00
130187	WELLS FARGO CORP TRUST SVC	Corporate Trust Services FY 18-19	07/12/2018	7,500.00
130270	WEST POINT LUMBER INC	Ratchets/Clamps - WPWWTP	07/30/2018	34.20
130270	WEST POINT LUMBER INC	Cleaner/Faucet/Hose/Adapters/Water/Whisk/Fittings - WP	07/30/2018	121.86
130250	WESTMARK	Furnish/Install Sight Eyes/Adjusted Pressure Washer Switch - Vehicle #722	07/23/2018	809.26
EFT	WEX BANK	Fuel 06/18	07/13/2018	11,699.46
130188	WILLDAN	Assessment District Services - 3A West Point	07/12/2018	383.09 (C)
130188	WILLDAN	Assessment District Services - 9S4 Arnold	07/12/2018	987.23 (C)
130188	WILLDAN	Assessment District Services - DaLee Cassidy	07/12/2018	437.03 (C)
130188	WILLDAN	Assessment District Services - Fly In Acres	07/12/2018	610.91 (C)
130188	WILLDAN	Assessment District Services - Saddle Creek	07/12/2018	2,093.30 (C)
130188	WILLDAN	Assessment District Services - Wallace	07/12/2018	592.60 (C)
130131	WILLE ELECTRIC SUPPLY CO INC	Gaskets/Clamps/PVC Cement/Conduit/Pipe Straps - CCRCF	07/06/2018	346.12
130131	WILLE ELECTRIC SUPPLY CO INC	Fluke Meter - Vehicle #720	07/06/2018	625.14
130251	WILLE ELECTRIC SUPPLY CO INC	ARC Flash Safety Gear - McCloskey	07/23/2018	3,023.31
130271	WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS	Local Hazard Mitigation Plan (LHMP) Services 06/18	07/30/2018	2,905.79
130189	WQI	Water Distribution Exam Review Class - Crank	07/12/2018	700.00
130132	YOUNG'S COPPER ACE HARDWARE	Batteries/Bath Tissue/Paper Towels/Clamps/Glue/Sealant - CC	07/06/2018	643.29
	Employee Medical Reimbursements (7)			1,974.31
	Retiree Health Reimbursements (2)			434.20
	Customer Refunds (8)			2,691.21
Total July 2018 AP Disbursements				<u><u>815,117.13</u></u>

RESOLUTION NO. 2018 – ____

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CALAVERAS COUNTY WATER DISTRICT**

RATIFYING CLAIM SUMMARY NO. 557

WHEREAS, the Board of Directors of the CALAVERAS COUNTY WATER DISTRICT has reviewed and considered Claim Summary Number 557 at the Regular Meeting held on August 8, 2018; and

WHEREAS, Board Members have resolved questions, issues, or concerns by consultation with District staff during said meeting.

NOW, THEREFORE, BE IT RESOLVED that the CALAVERAS COUNTY WATER DISTRICT Board of Directors hereby ratifies Claim Summary Number 557 in the amount of \$1,937,855.03 for the month of July, 2018.

PASSED AND ADOPTED this 8th day of August, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CALAVERAS COUNTY WATER DISTRICT

Scott Ratterman
President, Board of Directors

ATTEST:

Rebecca Hitchcock
Clerk to the Board

Agenda Item

DATE: August 8, 2018

TO: Dave Eggerton, General Manager

FROM: Peter Martin, Manager of Water Resources

SUBJECT: Approving the Filing of a California Environmental Quality Act Notice of Exemption for water deliveries to the existing land ownership under the Frank B. Smith and Heather Ann Smith Family Trust

RECOMMENDED ACTION:

Motion: _____/_____ adopt Resolution No. 2018-_____ finding the proposed project to deliver contract water supplies to the existing land ownership under the Frank B. Smith and Heather Ann Smith Family Trust exempt from the California Environmental Quality Act and adopting a Notice of Exemption.

SUMMARY:

Staff has been working with landowners adjacent to the Calaveras River who are interested in entering into a contract with CCWD for access to developed water supplies from New Hogan Reservoir. Since the contract for the delivery of additional supplies provided to a new landowner in the county could potentially be perceived as a “project” with effects on the environment under California Environmental Quality Act (CEQA) of 1970, Counsel has recommended that we file the attached Notice of Exemption for the delivery of additional contracted supplies from New Hogan.

Staff have determined the project or activity as defined to be exempt from further environmental review requirements of CEQA due to there being no alteration of existing infrastructure and it being classified as an ongoing project, as defined in the State Guidelines for the implementation of CEQA. Staff request the Board adopt the resolution approving this finding and direct the General Manager to file a Notice of Exemption for the project with Calaveras County Clerk-Recorder’s Office.

FINANCIAL CONSIDERATIONS:

None

Attachments:

- Resolution 2018-_____ - Adopting The Notice Of Exemption
- Notice of Exemption

RESOLUTION NO. 2018 -

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CALAVERAS COUNTY WATER DISTRICT**

**FINDING THE PROPOSED PROJECT TO DELIVER CONTRACT SUPPLIES TO THE
EXISTING LAND OWNERSHIP UNDER THE FRANK B. SMITH AND HEATHER ANN
FAMILY TRUST EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY
ACT AND ADOPTING THE NOTICE OF EXEMPTION**

WHEREAS, the Calaveras County Water District and the Stockton East Water District have contracted with the United States Government, builder, operator and owner of New Hogan Dam and reservoir, to purchase stored water therefrom for distribution and sale to users within the project areas defined within Calaveras and San Joaquin County; and

WHEREAS, landowners with land contiguous to or in close proximity to the Calaveras River, below New Hogan Dam and within the project area boundary within Calaveras County, may desire to divert and purchase water supplies from New Hogan Dam; and

WHEREAS, the District desires to put contract supplies from New Hogan Dam to beneficial use within the County of Calaveras, for the benefit of the residents of Calaveras County; and

WHEREAS, the District desires to enter into contract for the delivery for said supplies to lands under the ownership of the Frank B. Smith and Heather Ann Smith Family Trust, and

WHEREAS, the District has satisfactorily evaluated the California Environmental Quality Act (CEQA) Guidelines and has determined that under these guidelines the Project is categorically exempt from preparation of environmental documents pursuant to Article 19, Section §15301 of the California Code of Regulations and Article 18, Section §15261; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Calaveras County Water District that the project is hereby declared to be exempt from the CEQA requirement for preparation of environmental documents and the Board of Directors does hereby authorize the General Manager to file a Notice of Exemption with the Calaveras County Clerk-Recorder's office.

PASSED AND ADOPTED this 8th day of August 2018 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

CALAVERAS COUNTY WATER DISTRICT

Scott Ratterman
President, Board of Directors

ATTEST:

Rebecca Hitchcock
Clerk of the Board

Notice of Exemption

To:
County Clerk-Recorder
County of Calaveras
891 Mountain Ranch Rd., Building D
San Andreas, CA 95249

From:
Calaveras County Water District
120 Toma Court
San Andreas, CA 95249

Project Title: Water Rights Agreement between Calaveras County Water District and the Frank B. Smith and Heather Ann Smith Family Trust Dated April 7, 1994; David J. Smith; Matthew R. Smith; and Philip M. Smith

Project Location - Specific: New Hogan Project water service area within Calaveras County

Project Location - City: N/A

Project Location - County: Calaveras

Description of Nature, Purpose and Beneficiaries of Project: CCWD is a party to an agreement originally entered into on August 19, 1970 with the United States Bureau of Reclamation (USBR) and the Stockton East Water District (SEWD) that provides for the repayment and conservation use of the New Hogan Project. Since the project's inception CCWD has sold New Hogan Project water to downstream irrigators within the Project's water service area. CCWD will serve water from the New Hogan Project to an additional landowner located within the existing New Hogan Project water service area.

Name of Public Agency Approving Project: Calaveras County Water District

Name of Person or Agency Carrying Out Project: Calaveras County Water District

Exempt Status:*(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b),(c));
- Categorical Exemption. State type and section number: 15301
- Statutory Exemptions. State code number: Guidelines section 15261

Reasons why project is exempt: The project is exempt pursuant to Guidelines section 15301 because it is a continued use of existing facilities, with negligible or no expansion of use, in order to provide water to a landowner within the existing New Hogan water service area. The project is exempt pursuant to Guidelines section 15261 because it is an ongoing project.

Lead Agency

Contact Person: Dave Eggerton, General Manager

Telephone/Extension:

(209) 754-3543

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____

Date: _____

Title: General Manager

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

Agenda Item

DATE: August 8, 2018

TO: Dave Eggerton, General Manager

FROM: Joel Metzger, Manager of External Affairs, Conservation and Grants

SUBJECT: Annual High School Senior Scholarship Award Winners

RECOMMENDED ACTION:

None.

SUMMARY:

In 2013, the CCWD Board of Directors approved two \$500 scholarships to be awarded annually to graduating high school seniors. Each year, students are asked to submit essays based on water-related prompts. The winners of the 2018 scholarships were asked to write essays using this prompt:

Discuss the value of water in California, and specifically in Calaveras County. After multiple years of drought, an exceptionally wet winter in 2016-2017 ended one of the worst droughts in California's recorded history. What should be done at the state level and locally to minimize the negative impacts of the inevitable next drought?

A committee of three CCWD staff members reviewed more than 30 essays that were submitted by students attending Calaveras High School, Bret Harte High School and Mountain Oaks School. All personal identifying information was removed from each essay submission to ensure committee members were impartial in their judgment. The essays were judged on sound logic, proper grammar, accuracy and responsiveness to the prompt. Each committee member chose their top essays, and the group conferred to select the two winners for the 2018 awards. The winning essays demonstrated a strong command of the English language and overall excellence across all judgement categories.

The winners of the 2018 CCWD Scholarship Awards are:

- Claudia Loomis, Angels Camp, graduated from Bret Harte High School and plans to pursue a degree in political science at CSU Sacramento or U.C. San Diego.
- Sierra Stephens, Arnold, graduated from Bret Harte High School and plans to attend Montana State University to study computer science.

CCWD Board Vice President and Division 4 Director Russ Thomas and Division 3 Director Bertha Underhill presented scholarship awards to the winners at the Bret Harte High School Scholarship Awards Night, held Tuesday May 22, 2018.

Scholarship funds will only be made available to the students once they have submitted verified proof of college class enrollment to CCWD.

FINANCIAL CONSIDERATIONS:

The cost for the scholarships is a total of \$1,000 and will come from the Water Conservation Fund.

Attachments: *Claudia Loomis Scholarship Application*
Sierra Stephens Scholarship Application

Drought Prevention: *Water You Waiting For?*

As a politically-minded person, I believe in the concept of civic duty- the obligation of a citizen to their country. California's approximate 77,500 farms produce more than four hundred commodities, and two-thirds of the nation's fruits and nuts. About one-quarter of what California produces is exported around the world. California remained the nation's leading state in cash farm receipts in 2015 and produced thirteen percent of the U.S. total. Nearly twenty-seven percent of California's farms generated sales over \$100,000, greater than the national average of twenty percent. California has 25.5 million acres of farm and ranch land, and the average farm size was three hundred, twenty-nine acres in 2015. But, agriculture has had a devastating effect on our water supply, especially during dry spells. As farms are relying more and more on groundwater, pulling forty-six to sixty percent of supplies in dry years, it is important to look at alternative methods of farming. As well as what the farmers can do, it is important to look at what the average citizen can contribute and what legislation could be put into place in order to minimize negative impacts of the inevitable next drought.

Farmers are the backbone of America. But, the farmers supply what the consumers demand. A high demand for almonds has caused a growing usage of water. Almond growing accounts for ten percent of California's water. Almonds are the second most requested commodity in California, second only to dairy. California almonds use a stunning 1.1 trillion gallons of water each year, or enough for a ten-minute shower each day for eighty-six million years, using a low-flow showerhead. California as a whole pumps forty-three million acre-feet of water each year to supplement its rainfall. In total, agriculture consumes 34 million acre-feet of that. An acre-foot is the amount of water needed to cover an acre of flat ground up to a foot, or about 325,000 gallons of water. In 2013, there were 940,000 acres of almonds in California, according to the USDA. Each acre of almonds uses three to four acre-feet of water each year, most of which are delivered via river diversions or groundwater. With almonds alone, it would be worth looking at new irrigation systems for farming. One thing that can conserve groundwater is crop rotation, the practice of growing a series of different types of crops in the same area in sequenced seasons. It is done so that the soil of farms is not used for only one set of nutrients. It

helps in reducing soil erosion and increases soil fertility and crop yield. Crop rotation would be beneficial for water-use in farming.

Every citizen can do their part in help the water crisis. The first is showering effectively: reducing your time in the shower is a common tip for reducing water use, but showering more efficiently, and especially thinking about when to leave on the water while showering, is just as important. Try turning off the water while shampooing your hair, and rinsing your razor in the sink instead of in the shower. Letting the tap water run, especially in suburbs so the water can warm up, is common. Letting the water run, or even drip slowly, while not actively using it is a big water-waster. While brushing your teeth or washing dishes, turn off the tap in the time when you're not actively using it. It may seem like an unrelated issue, but power plants use tons of water to produce energy for the grid. So, reducing the carbon footprint that we make. By biking more, turning off the lights, and unplugging your devices, it can also save water! Water-intensive foods are a big problem during a dry spell. Eating local foods reduces the amount of water used in transporting and preserving them in travel, and many specific foods require a large amount of water to produce. Meat, especially beef, pork, and lamb, as well as almonds, walnuts, eggs, rice, soybeans, avocados, and wheat, are some of the most water-intensive foods. Consumer are powerful in their decision on where to spend their "dollar vote" at the grocery store. By buying less water-intensive foods, it can demonstrate commitment to more efficient food products that are more compatible with drought conditions. Easy ways to do this include eating less meat, and eating vegetables like lettuce, tomatoes, and broccoli instead of avocados, green beans, and corn. Moringa is also a great example of a food that requires very little water to produce. Moringa trees are great at growing in dry conditions! Last, but not least, everyone drinks water on a daily basis. Plastic single-use water bottles that are bought in stores do a lot of harm to the environment. This is true both in terms of resources to manufacture them and waste they create in natural ecosystems, which harms wildlife. It takes three times as much water to make a plastic bottle as it does to fill it, and reusable water bottles last a lifetime and don't produce harmful waste upon disposal. There are also much more regulations on the quality and safety of tap water

than bottled water. Therefore it is also healthier to refill from the tap! These are just some of the many examples that the average consumer can do to help the water crisis.


With the snowpack in California's Sierra Nevada now at 20 percent of average – lower than at the same time three years ago, the driest year on record – Californians are destined for a repeat of drought conditions. Water scarcity seems likely to be a recurring part of our future. Legislators in Sacramento would like to advance the adoption of a group of bills that would place the state on a path to more sustainable water supplies. Voters will have the opportunity to consider a new water funding mechanism this year: Proposition 68, the California Clean Water and Safe Parks Act, will help ensure our water infrastructure is up to the task of delivering clean water. The proposition would allow the state to issue \$4 billion in bonds to spend to help prepare for the next drought and increase local water supplies. It is important to see that legislative measures are being taken to ensure the stability during a water crisis.

Scholarship Essay: Claudia Loomis

From the moment I was born, I was a statistic. A first-generation American, adopted, and coming from a biological family consumed with addiction. Throughout my life, I have faced the stigma that I would not amount to much, that I was destined to achieve the bare minimum. This mindset took a toll on my grades, until junior year, when I decided it was time for a change. Following my rise in grades, many opportunities were afforded to me. I was selected as the American Legion Auxiliary Girls State delegate from Bret Harte. I was shocked, but I took full advantage of the opportunity and achieved a heightened level of confidence in myself. I gave a speech in front of four-hundred girls and received a standing ovation. Not only did I affect my peers, but also the staff at Girls State. At the end of the week, I was chosen as one of two out of six-hundred girls to attend Girls Nation in Washington, D.C. The most important thing I learned at Girls Nation was that, in the cafeteria, if you mixed the orange slushie and the soft serve- you created a magical mixture that made you want to come back for seconds. Luckily, I will be coming back for seconds. I have been chosen to return as a Junior Counselor to both Girls State and Girls Nation, which I see as an opportunity to inspire others. I met two kinds of people at Girls Nation; the slushies (those that went with the crowd), and the soft serves (those that set the standards). By mixing the two, an environment where everyone could thrive and realize their full potential. It is in this cafeteria that I decided I wanted to be a soft serve, I wanted to set the standards for myself. This is how I came to recognize the full power of self-confidence and plan to use these events in motivation for further education and for life after school as well. By achieving so much, I have broken the statistic and I have the motivation it takes to create a name for myself and plan to do so by launching a successful political career; and becoming President of the United States.

District Name: Bret Harte Union High School
 Bret Harte High School Official Transcript
 School CEEB Code: 050100 School Code: 0532507
 Tel: (209)736-2507 Fax: (209)736-8383
 P.O. Box 208, Altaville, CA 95221

Loomis, Claudia
 Student Number: 91702928 Grade: 12
 Generated on 01/31/2018 08:11:57 AM Page 1 of 1
 Teacher: hlane

Student Information	#0532507 Bret Harte High School	#0532507 Bret Harte High School																																																																																																																																																																																																																																																																																																
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^R Repeat Courses

Official's Signature _____

Sierra Stephens

28 February, 2018

The Value of Water

Water has an importance that goes beyond that of drinking and irrigation in Calaveras County. Although we are mainly a rural livestock and irrigation county, the limited amount of water our community has access to affects everyone instead of just the cows and vineyards. Water is used to control human waste in sewers, without this control, our land would become polluted and, in some places, useless. In order to preserve our natural land and keep its glory preserved, water is used to wash away our waste. Furthermore, water is used to provide locals with electricity with hydroelectric dams. By using this more environmentally friendly method for obtaining electricity, we yet again preserve the beautiful community we live in. Still, we cannot ignore the importance water has in our economy, where California is the United States' number one agricultural state. Without water, California's economy and the well being of citizens in the United States will both plummet to dangerously low values. In Calaveras County, a severe drought would hurt grass-fed cattle ranches as well as the numerous winery businesses that bring countless tourists to Murphys. Since water is such a valuable resource, it is important that we treat it as such by preserving it.

Last year's winter during 2016-2017 ended one of the worst droughts that the state of California has ever seen. With weather patterns becoming more exaggerated and unexpected, it is important for Californians to be prepared for the next drought in the act of preventing a drought from occurring all together. Most of the water wasted happens in the individual citizen's home. As a state, California could promote the preservation of water by offering financial benefits for

the use of water preserving utilities such as composting toilets, low-flow shower heads, and water-conserving washing machines and dishwashers. Families living in Calaveras County should also be prompted to only use native plants in their landscaping, and limit their growing of foreign plants which require more water. Native plants are naturally able to manage and adapt to local weather patterns and therefore require less excess water. By collecting rainwater, a process made legal by Governor Jerry Brown in 2012, local families can practice a method of accessing an overlooked source of water. Reducing the amount of runoff water being wasted and instead having it put to use for landscaping in yards or giving your dog a bath. Also, farmers that use automatic irrigation systems should be prompted to use drip irrigation systems instead of sprinklers. The drip irrigation puts all water to use by delivering the water straight to the soil whereas sprinklers that blast water under high pressure lose a large percentage of water to mist and evaporation. Further, the farmers should irrigate their crops during the night hours when evaporation of water is greatly reduced. There is no way to reverse a drought once it has presented itself, but what Californians can do is to prevent them from ever coming in the first place.

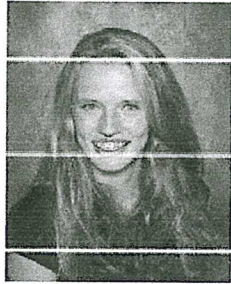
Sierra Stephens

28 February, 2018

They say everyone is special, but that is just another way to say that no one is. Instead I think it is more accurate to say that no one is the same, and that we all vary one lifestyle from the other. For me, part of what makes me unique is my family, and the influence they have over everything I do. Being the eldest of the Stephens clan, my responsibilities have expanded beyond those of schoolwork, athletics, and chores. Everything I do has a purpose greater than making myself better as an individual; with five pairs of eyes looking up to me, there is no room for error. The same goes for my parents, who expect my siblings and I to grow up the best way possible so that we may all move out of Calaveras County to go out into the big scary world and make a difference.

The day my sister was born I was overjoyed since I was no longer the only little girl in my family. At seven years old the big sister role was not so terrifying, instead it was thrilling and exciting. As I got older, I learned that it was not as simple as I thought it was. All of my younger siblings saw me as the example of what it takes to be a Stephens. Every day I have to show what it takes to not complain about any hardships and instead overcome it to better yourself for the future. Every soccer game, I played my heart out to show them what it means to be dedicated to something and give it everything you have. My success in life does not only affect myself, it affects my younger siblings since they are the ones who have to follow my example; my failures could mean the failures of my siblings, and that is not acceptable. My life not only concerns my own, it concerns the five others who will also go out to create a future worth living in. My main goal is to inspire my younger siblings by being successful with my plans in my future.

For my future professional goal, I plan to make a difference in the world of computers. After researching what types of careers would interest me using tools I gained from taking the ASVAB, I discovered the career of a computer programmer. I have always been interested in technology that presents itself to the public. For example, for Hawk TV at Avery Middle School I was the main producer and director in charge of the technology. Also, I took a unique opportunity to go to Tech Trek thanks to the American Association of University Women (AAUW). One activity we did during our week long stay at UC Davis was to program tasks into small model robots to overcome certain obstacles, that activity had a great impact on my interest in programming. This feeling of accomplishment when my programming work can be presented by technology to produce a real world effect helped me decide on my Computer Science major. With my Bachelor of Science I could go anywhere to be inspired and create something great to influence hundreds or thousands of people. With my success in this area I hope to make a difference that is bigger than myself, and lead the rest of my family to success, to create a future world that is unique and worth saving.

Student Information		#0532507 Bret Harte High School			#0532507 Bret Harte High School				
		Course	Mark	Weight	Credit	Course	Mark	Weight	Credit
		2014-2015 Grade 09 Term 4			2017-2018 Grade 12 Term 2				
		MA324 Adv Geom-P	B-	1.0000	5	WD6855 Advisory 12	A+	0.0000	0
Student Number: 91703040 Grade: 12 Birthdate: 07/05/2000 Gender: F State ID: 7136983506 Counselor: Lane, Heath Place of Birth: United States Diploma Date:		WD6850 Advisory 9	A+	0.0000	0	SS518 Amer Govt-P	B+	1.0000	5
GPA Summary		MU356 Band	A	1.0000	5	EN122 AP Eng Lit/Comp	B	1.0000	5
Cumulative GPA (Weighted) 3.7660 Class Rank 29 of 136		SC463 Biology-P	B	1.0000	5	VA564 Art 2	A+	1.0000	5
CA Cal Grant GPA 3.5155 Class Rank 32 of 148		WD606 Computer Skills	A	1.0000	5	MA332 Calculus (H)	B	1.0000	5
Weighted 9-12 A-G GPA 3.7879 Class Rank 30 of 150		EN142 English PreAP 1P	B	1.0000	5	SS522 Contemp Issues	A+	1.0000	5
Unwghtd 9-12 A-G GPA 3.5455 Class Rank 31 of 150		PE410 PE 1	A	1.0000	5	SC475 Physics-P	A-	1.0000	5
		FL150 Span 1-P	A	1.0000	5	PE418 Sprtsrnd PE	A	1.0000	5
		Credit: 35.000 GPA: 3.5714			Credit: 35.000 GPA: 3.8571				
		2015-2016 Grade 10 Term 2			Work In Progress				
		MA318 Adv Alg 2-P	A	1.0000	5	WD6853 Advisory 12			0.000
		WD6851 Advisory 10	A	0.0000	0	EN122 AP Eng Lit/Comp			5.000
		SC468 Chemistry-P	B+	1.0000	5	VA564 Art 2			5.000
		EN143 English PreAP 2P	B	1.0000	5	MA332 Calculus (H)			5.000
		VA560 Exp Art	A	1.0000	5	SS522 Contemp Issues			5.000
		FL155 Span 2-P	B+	1.0000	5	SS521 Economics-P			5.000
		PE418 Sprtsrnd PE	A	1.0000	5	SC475 Physics-P			5.000
		SS503 Wld Hist-P	A-	1.0000	5	PE418 Sprtsrnd PE			5.000
		Credit: 35.000 GPA: 3.5714			Credit Summary				
		2015-2016 Grade 10 Term 4			High School			Attempted Earned	
		MA318 Adv Alg 2-P	B+	1.0000	5	Algebra *	10.000	10.000	
		WD6851 Advisory 10	A	0.0000	0	American Govt	5.000	5.000	
		SC468 Chemistry-P	B	1.0000	5	Computer Skills	5.000	5.000	
		EN143 English PreAP 2P	A-	1.0000	5	CTE/Arts/For Lang.	55.000	55.000	
		VA560 Exp Art	A	1.0000	5	Electives	5.000	5.000	
		FL155 Span 2-P	B+	1.0000	5	English	35.000	35.000	
		PE418 Sprtsrnd PE	A	1.0000	5	Health/Driver's Education	5.000	5.000	
		SS503 Wld Hist-P	A	1.0000	5	Life Science	10.000	10.000	
		Credit: 35.000 GPA: 3.5714			Math			35.000 35.000	
		2016-2017 Grade 11 Term 2			Physical Education *			35.000 35.000	
		MA330 Adv Trig - P (H)	B+	1.0000	5	Physical Science	25.000	25.000	
		WD6852 Advisory 11	A	0.0000	0	US History	10.000	10.000	
		EN112 AP Eng Lang/Comp	A-	1.0000	5	World History	10.000	10.000	
		SC453 AP Environ Science	B+	1.0000	5	Total	245.000	245.000	
		VA5695 DigitalPhoto/Graphic ProdTech1	B	1.0000	5	Comments			
		PE418 Sprtsrnd PE	A-	1.0000	5	Transcript is unofficial unless signed by a school official			
		SS512 US Hist-P	A+	1.0000	5				
		Credit: 30.000 GPA: 4.0000			2016-2017 Grade 11 Term 4				
		MA330 Adv Trig - P (H)	A-	1.0000	5				
		WD6852 Advisory 11	A	0.0000	0				
		EN112 AP Eng Lang/Comp	A-	1.0000	5				
		SC453 AP Environ Science	B+	1.0000	5				
		MU356 Band	A+	1.0000	5				
		PE418 Sprtsrnd PE	A-	1.0000	5				
		SS512 US Hist-P	A+	1.0000	5				
		Credit: 30.000 GPA: 4.3333							

Official's Signature _____

Agenda Item

DATE: August 8, 2018

TO: Dave Eggerton, General Manager

FROM: Jeffrey Meyer, Director of Administrative Services

SUBJECT: Discussion/Direction Regarding Sewer Fund Repayment Agreement between the Sewer Fund (Fund 500) and the Water Fund (Fund 300)

RECOMMENDED ACTION:

Motion _____/_____ adopting Resolution No. 2018 - ____ Approving Sewer Fund Repayment Agreement between the Sewer Fund (Fund 500) and the Water Fund (Fund 300).

SUMMARY:

As per the Audited Financial Statements of June 30, 2016 and June 30, 2017 the Sewer Fund (Fund 500) experienced year-end shortfalls that resulted in a loan from the Water Fund (Fund 300). These shortfalls were a result of sewer revenues being insufficient to fund sewer operations. The sewer fund shortfalls are:

FY 2015-16	\$257,798
<u>FY 2016-17</u>	<u>458,312</u>
Total	\$716,110

In February 2017, the District contracted with HDR Engineering to perform a Financial Analysis and Cost of Service Study to determine the adequacy of the District's water and sewer rate revenues to fund ongoing operations and repay the \$716,110 sewer funding shortfall. For repayment of the shortfall, the Board elected to include a ten-year repayment plan in the proposed sewer rate plan. In May 2018, the Board adopted new sewer rates, which included annual funding for the repayment of the \$716,110 shortfall.

Repayment will begin in FY 2018-19 and end by FY 2027-28. Based on a ten-year repayment plan and a two percent (2.0%) interest rate, the annual principal and interest payments will be \$79,722.04. Total interest costs are estimated to be \$81,110.

FINANCIAL CONSIDERATIONS:

The first principal and interest payment of \$79,722 from the Sewer Fund (Fund 500) to the Water Fund (Fund 300) is included in the adopted FY 2018-19 Operating Budget.

*Attachment: - Resolution 2018-____ Approving Repayment Agreement between the Sewer Fund (Fund 500) and the Water Fund (Fund 300)
- Sewer Fund Repayment Agreement*

RESOLUTION 2018 -

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CALAVERAS COUNTY WATER DISTRICT**

**APPROVING SEWER FUND REPAYMENT AGREEMENT BETWEEN THE
SEWER FUND (FUND 500) AND THE WATER FUND (FUND 300)**

WHEREAS, the Board of Directors of the CALAVERAS COUNTY WATER DISTRICT has reviewed the SEWER FUND REPAYMENT AGREEMENT (attached hereto and made a part hereof) that authorizes the repayment of funds advanced by the Water Fund (Fund 300) to the Sewer Fund (Fund 500); and

WHEREAS, the District's Audited Financial Statements as of June 30, 2017 identified the amount owed by the Sewer Fund (Fund 500) to the Water Fund (Fund 300) as \$716,110; and

WHEREAS, the repayment agreement stipulates that the funds advanced be paid back in annual principal and interest payments as outlined in the Repayment Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby approve and adopt the Sewer Fund Repayment Agreement and authorizes the Board President to execute said Agreement.

PASSED AND ADOPTED this 8th day of August, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CALAVERAS COUNTY WATER DISTRICT

Scott Ratterman
President, Board of Directors

ATTEST:

Rebecca Hitchcock
Clerk to the Board

**CALAVERAS COUNTY WATER DISTRICT
SEWER FUND REPAYMENT AGREEMENT**

THIS AGREEMENT is made and entered into on this 8th day of August, 2018, by the CALAVERAS COUNTY WATER DISTRICT ("District") for the purpose of the repayment of funds advanced by the Water Fund (Fund 300) to the Sewer Fund (Fund 500) during Fiscal Year 2015-16 and Fiscal Year 2016-17.

As per the District's June 30, 2017 Audited Financial Statements, the total amount owed by the Sewer Fund (Fund 500) to the Water Fund (Fund 300) is \$716,110. The repayment agreement will be for a period of ten (10) years at an interest rate of two percent (2.0%). The Sewer Fund will make ten (10) annual principal and interest payments of \$79,722.04 to the Water Fund as per the following repayment schedule:

Fiscal Year	Payment	Principal	Interest	Principal Balance
FY 2017-18				\$716,110.00
FY 2018-19	\$79,722.04	\$65,399.84	\$14,322.20	\$650,710.16
FY 2019-20	\$79,722.04	\$66,707.84	\$13,014.20	\$584,002.32
FY 2020-21	\$79,722.04	\$68,041.99	\$11,680.05	\$515,960.33
FY 2021-22	\$79,722.04	\$69,402.83	\$10,319.21	\$446,557.50
FY 2022-23	\$79,722.04	\$70,790.89	\$8,931.15	\$375,766.61
FY 2023-24	\$79,722.04	\$72,206.71	\$7,515.33	\$303,559.90
FY 2024-25	\$79,722.04	\$73,650.84	\$6,071.20	\$229,909.06
FY 2025-26	\$79,722.04	\$75,123.86	\$4,598.18	\$154,785.20
FY 2026-27	\$79,722.04	\$76,626.34	\$3,095.70	\$78,158.86
FY 2027-28	\$79,722.04	\$78,158.86	\$1,563.18	\$0.00

IN WITNESS WHEREOF, this Agreement is hereby executed this day and year first hereinabove written.

CALAVERAS COUNTY WATER DISTRICT

Scott Ratterman
President, Board of Directors

ATTEST:

Rebecca Hitchcock
Clerk to the Board

Agenda Item

DATE: August 8, 2018

TO: Dave Eggerton, General Manager

FROM: Peter Martin, Manager of Water Resources

SUBJECT: Discussion/Action Regarding the Authorization of the General Manager to Enter Into Contracts for Sale of Water Supplies from New Hogan Reservoir

RECOMMENDED ACTION:

Motion: _____/_____ adopt Resolution No. 2018-_____ Authorizing the General Manager to enter into water service contracts between Calaveras County Water District and Calaveras River users within the New Hogan Project (the "Project") water service area.

SUMMARY:

Staff has been working with landowners adjacent to the Calaveras River who are interested in entering into contracts with CCWD for access to developed water supplies from New Hogan Reservoir. The District has had inquiries regarding these supplies in recent history, but has not entered into contract with any new users since the late 1970's.

CCWD is a party to an agreement originally adopted on August 19, 1970—and subsequently amended on March 25, 1988—with the United States Bureau of Reclamation (USBR) and the Stockton East Water District (SEWD) that provides for the repayment and conservation use of the Project. CCWD has been selling Project water to downstream irrigators within the Project's water service area since the 1970's, who currently consist of approximately 8-10 irrigators in any given year. These 8-10 irrigators are located along the Calaveras River between the Jenny Lind Bridge and the county line. The parcels being served have not changed much since Project water service began. Most of these landowners have "interim contracts," which were to be in place until an envisioned irrigation district was formed. The District abandoned the concept of the Jenny Lind Irrigation District in the 1980's due to the complexities of the environmental considerations and lack of local interest in funding the necessary projects.

Staff has made significant progress with one landowner to develop a draft contract for supplies of water to serve their parcels adjacent to the river. Our water law counsel

drafted a proposed contract and the landowner has now completed their review. They are prepared to sign on to the draft contract as attached to this memo.

It should be noted that the proposed contract has similarities to the existing “interim contracts” for other landowners on the Calaveras River in that it allows for a settlement of any and all riparian claims of the contracting landowner that existed before New Hogan Dam was built. There is precedent for this allowance: a 45% allocation was part of the negotiated settlement with the existing riparian right holders in the 1970’s. A study commissioned by CCWD and SEWD in the 1960s placed a cap on what available riparian claim water existed prior to the dam being built (the 45%), and the additional water derived from the benefit of the project was to be sold to the users by CCWD as part of a negotiated settlement for supplemental supplies. Therefore, Part 4 of the proposed contract, “*Contractor’s Entitlement and Needs*” includes a 45% allowance granted by CCWD to certain riparian users. Not all future landowners would be entitled to this allowance, just those that were contemplated in the original study as a result of their claim of riparian rights.

Staff request the Board authorize the General Manager to: 1) enter into the attached contract with the interested landowner on behalf of the District, and 2) to eliminate the need for staff to bring a contract to the Board every time a new water service contract is contemplated, staff also request the General Manager be authorized to execute future similar contracts.

FINANCIAL CONSIDERATIONS:

Authorizing the General Manager to enter into Calaveras water service contracts would allow the District to continue to develop the Project’s water supplies and increase revenues. Additional revenues from future contracts and water sales would support the District’s Water Fund (Fund 300).

Attachments:

- Resolution 2018-_____ - Authorizing The General Manager To Enter Into Water Service Contracts Between Calaveras County Water District And Calaveras River Users Within The New Hogan Project Area
- Draft Contract – Calaveras Water Diversions

RESOLUTION NO. 2018 -

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CALAVERAS COUNTY WATER DISTRICT**

**AUTHORIZING THE GENERAL MANAGER TO ENTER INTO WATER SERVICE
CONTRACTS BETWEEN CALAVERAS COUNTY WATER DISTRICT AND
CALAVERAS RIVER USERS WITHIN THE NEW HOGAN PROJECT AREA**

WHEREAS, the Calaveras County Water District and the Stockton East Water District have contracted with the United States of America, builder, operator and owner of New Hogan Dam and reservoir (the "Project"), to purchase stored water therefrom for distribution and sale to users within the Project's water service area as defined within Calaveras and San Joaquin County; and

WHEREAS, landowners with land contiguous to or in close proximity to the Calaveras River, below New Hogan Dam and within the Project's water service area within Calaveras County may desire to divert and purchase Project water supplies from Calaveras County Water District; and

WHEREAS, the District desires to put Project water supplies to beneficial use within the County of Calaveras for the benefit of the residents of Calaveras County; and

WHEREAS, the District has water supply available from the Project pursuant to its existing contract with the United States of America; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors does hereby authorize the General Manager to execute future contracts for the sale of contracted water supplies from the New Hogan Reservoir Project; and

BE IT FURTHER RESOLVED, that the authorization is limited to the existing full allotment of water available to the District under said contract with the United States of America and Stockton East Water District.

PASSED AND ADOPTED this 8th day of August 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CALAVERAS COUNTY WATER DISTRICT

Scott Ratterman
President, Board of Directors

ATTEST:

Rebecca Hitchcock
Clerk of the Board

WATER RIGHTS AGREEMENT BETWEEN CALAVERAS COUNTY WATER
DISTRICT AND THE [CONTRACTOR]

This agreement, made and entered into this ____ day of MM, YYYY, in San Andreas, Calaveras County, California, between the Calaveras County Water District, hereinafter referred to as District, [CONTRACTOR], hereinafter referred to as Contractor.

1. (a) WHEREAS, District is a duly organized and existing county water district, under and pursuant to sections 30,000 et seq, California Water Code, and among other things is authorized to enter into contracts for and generally to do all acts and things necessary to furnish water for any present or future beneficial use thereof; and,

(b) WHEREAS, Contractor owns lands contiguous to or in close proximity to the Calaveras River, below New Hogan Dam (the Dam) in Calaveras County, and has heretofore diverted and may in the future divert water from said river under a claim of lawful right thereto; and,

(c) WHEREAS, operation of said Dam has resulted and will continue to result in the regulation of the flow of said river through Contractor's lands, by reason of the storage and release of river water from the Dam and reservoir resulting therefrom; and,

(d) WHEREAS, District and the Stockton East Water District have contracted with the United States Government, builder, operator and owner of said Dam and reservoir, to purchase stored water therefrom for distribution and sale to users within Calaveras County and San Joaquin County; and,

(e) WHEREAS, District recognizes the partial validity of Contractor's claim of the right to use without charge water from the natural flow of the Calaveras River System, or to own real property entitled to such rights, and it is the desire and intention of the parties hereto as a part hereof to settle and compromise as herein set forth the exact amount of such water the Contractor and his said lands are entitled to use without charge therefor; and,

(f) WHEREAS, District, while respecting such rights of the Contractor, desires to control the distribution and use of water within and from the Calaveras River System and to supply water therefrom to the Contractor as herein provided; and

(g) WHEREAS, District, in conjunction with the Stockton East Water District has caused a survey of flow data and water rights and water use along said river to be conducted to determine, among other things, the average entitlement of each type of water right to the natural flow of water in the Calaveras River System below the Dam and a report of which was prepared from the data so gathered, which report is dated February 1969, and is entitled Calaveras River Water Rights Study, herein-after referred to as Water Rights Study, and which report is on file in the office of the District and open for examination by Contractor during any normal business hours; and,

(h) WHEREAS, the parties hereto have agreed to use the contents of said report with such modifications as are hereinafter provided as the basis of this Agreement; and

(i) WHEREAS, the purpose of this Agreement, among other things, is to establish a practical means by which Contractor's rights may be recognized and protected in connection with charges imposed by District for the taking of water from the Calaveras River System for use on Contractor's lands; to resolve any existing or future disputes between the parties as to their respective rights in and to such water; and to initiate and complete the formation of an improvement district to include the lands of the Contractor herein described, together with other lands as determined by the District and such improvement district to do and perform all acts and things authorized by law for such improvement district and to assist, among other things, in carrying out the terms of this Agreement;

NOW THEREFORE, in consideration of the respective promises and agreements hereinafter set forth by the parties hereto, it is mutually agreed that:

2. DEFINITIONS.

(a) Calaveras River System, as used herein means the Calaveras River and tributaries located in Calaveras County, below and including the storage area of New Hogan Dam, and which for brevity is hereinafter called the River.

(b) Contractor's Land, as used herein means the parcel or parcels of real property described in Exhibit "A", which Exhibit "A" is attached hereto and by this reference incorporated herein.

(c) Contractor's Rights, as used herein means all water and water rights, however shown, held or evidenced, and whether riparian, appropriative, prescriptive, or based on "use" (as "use" is defined and set forth on page 14 of the Water Rights Study) in or to the Calaveras River System, that are part of, appurtenant to, or for the benefit of, Contractor's Land, or which are the personal property of Contractor to the extent the same are used on, or for the benefit of Contractor's Land.

3. OBLIGATION OF DISTRICT.

District shall make reasonable efforts to make a supply of water available for the use of Contractor in the channels of the River to satisfy Contractor's Rights, and in addition thereto will sell and distribute to the Contractor in said channels stored and imported water, all to be done by control and distribution of and subject to the water being available to the District in the River, at all such times as Contractor requires the same. District makes no guarantee or warranty for the purpose of complying with the terms hereof regarding the availability, quantity or quality of water from the Calaveras River System or water from any other source.

4. CONTRACTOR'S ENTITLEMENT AND NEEDS.

For the purpose of this contract, it is agreed that Contractor's riparian entitlement shall be an annual allowance of 45% of water used by Contractor per water year and District agrees to recognize this as his total basic entitlement and will impose a charge only for water used by Contractor which exceeds this basic entitlement. By March 1st of each year Contractor will notify District in writing of the total amount which Contractor intends to divert. District agrees that the rates charged for Contractor's water over and above the basic entitlement shall not be different from rates which are applicable to other purchasers of water from the Calaveras River, whether entitled to a basic entitlement or not.

District shall determine charges pursuant to currently applicable District rules, and shall make such determinations whether the amount of water diverted by Contractor constitutes 100 percent of the annual water requirements of Contractor's Land or any lesser portion, except as to diversion of Winter Water as herein provided.

Contractor expressly agrees to accept the previously specified acre foot allowance as the same may be hereafter modified pursuant to the terms of this Agreement in full and complete satisfaction of all of his Rights, and does hereby recognize the right of District and the Stockton East Water District to all water in the Calaveras River System not granted in satisfaction of Contractor's Rights by this Agreement. District hereby expressly recognizes the right of Contractor's Land to have the use of the acre foot allowance as the same may be hereafter modified pursuant to the terms of this Agreement in satisfaction of Contractor's Rights without charge by District. District shall not, for any period, increase the rates for Contractor's water above the rates applicable to similar purchasers of water from the River who are not entitled to a similar allowance.

5. CONTRACTOR'S USE OF WATER.

No sale or other disposal of any water or the rights to the use thereof for use on land other than that shown on Exhibit A shall be made by the Contractor without first obtaining written consent of the District. Contractor shall not use water supplied pursuant to this Agreement for any purposes other than agricultural or domestic, without written consent of District.

6. CONTRACTS WITH OTHER PARTIES.

District retains the right to enter into contracts with Contractor or other parties concerning different real property, settling and compromising alleged water rights within District on any terms and conditions considered appropriate by District.

7. ADVERSE POSITION.

As long as District and any other person, or the owner of any parcel of, real property, party to, or subject to, a contract or agreement with District compromising or settling rights to the Calaveras River System do not contest Contractor's Rights as set forth herein, Contractor shall not take an adverse position, in any adjudication of Calaveras River System water or other "water rights", to the position of District or to the position of any other such person, provided, that in the event District or Contractor, or both of them, shall become a party or parties to a general adjudication of rights to the use of water of the Calaveras River System, this Agreement shall not jeopardize the rights or position of any party hereto or of any other person and the rights of all such persons in respect to the use of such water shall be determined in such proceedings the same as if this Agreement had not been entered into, and if final judgment in any such general adjudication shall determine that the rights of the parties hereto are different from the rights as assumed herein, District shall submit to Contractor an amendment to give effect to such judgment and the Contractor may execute the amendment, if desired. While this Agreement is in effect, neither Contractor nor the District will instigate a general adjudication of the Calaveras River System, and, provided further, that, as long as this Agreement is in effect District shall not be a party to a

general adjudication of the Calaveras River System unless such general adjudication is instigated by a party or parties other than District.

8. SUBORDINATE TO CONTRACTS.

This Agreement is at all times subject and subordinate to, and the Contractor specifically agrees to be bound by, the provisions of the contracts specified below, which are incorporated herein and made a part hereof by this reference and attached hereto as Exhibits B and C respectively.

(a) The United States Department of the Interior, Bureau of Reclamation, New Hogan Project, California Contract No. 14-06-200-5057a between the United States of America and the Stockton and East San Joaquin Water Conservation District, as predecessor to Stockton East Water District, and the Calaveras County Water District, and any modifications thereof, providing for repayment and conservation use of New Hogan Project; and,

(b) Contract dated August 25, 1970, between the Stockton and East San Joaquin Water Conservation District and the Calaveras County Water District, and any modifications thereof, providing for the use, repayment and administration of water from the New Hogan Project of the United States.

Nothing contained in this contract shall be deemed in any way to release District from its primary liability to the United States with respect to each and all of the obligations undertaken by District pursuant to the contract referenced in (a) above. No provision of this contract shall be interpreted so as to conflict with either of the two other agreements incorporated herein by this reference.

Although this Agreement is subject to the aforementioned contracts, nothing in this Agreement imposes duties/responsibilities on the Contractor that are imposed on the District by virtue of it being a party to the aforementioned contracts.

9. MEASUREMENT OF WATER.

All water diverted by the Contractor from the River shall be diverted at the existing point or points of diversion. Any other points of diversion must be mutually agreed upon in writing by the District and the Contractor. The District, from time to time, may measure or cause to be measured the diversions by the Contractor under this contract all with equipment to be installed, operated and maintained by and at the expense of the District. An easement during the life of this contract on the land of the Contractor of sufficient size and suitability is hereby accorded and granted to the District by the Contractor to inspect and read such water meter or other equipment as contractor shall install pursuant to state law thereon for the purpose of measuring the water diverted by the Contractor. The Contractor further accords to the District and its representatives or agents, including the water master and representatives of the U. S. Bureau of Reclamation, the right of ingress to or egress from all points of diversion while engaged in performing any of the inspection and reading of said meters and the use thereof.

10. WATER POLLUTION CONTROL.

Contractor agrees that he will comply fully with all applicable Federal laws, orders and regulations, and the laws of the State of California, all as administered by appropriate authorities, concerning the pollution of streams, reservoirs, ground water, or water courses with respect to thermal pollution or the discharge of refuse, garbage, sewage effluent, industrial waste, oil, mine tailings, mineral salts or other pollutants.

11. EFFECT OF AGREEMENT AND RECORDATION.

While this Agreement is operative, it is the Parties' intent that this Agreement be a grant, compromise and settlement of Contractor's rights, and that its provisions shall attach and burden Contractor's Land and shall be for the benefit of District and its legal successors and for Contractor and any subsequent owners of his land and the present and future owners of any other land burdened with an agreement providing for the compromise and settlement of Calaveras River System "water rights" with District and running in part for the benefit of Contractor. This Agreement confers no benefit on any party not specifically mentioned in this paragraph, and the original "water rights" of Contractor shall be fully preserved and restored if for any reason this Agreement should terminate or be found invalid. This Agreement shall not be modified or avoided by any change in the taxing levy or lien rights of District or by any change in the purpose or authority of District or by the dissolution, merger, consolidation or expansion of District. This Agreement may be recorded in the Official Records of Calaveras County by any party executing it.

12. ATTORNEYS' FEES.

In the event that either party hereto shall commence any legal action or proceeding against the other party by reason of the alleged failure of the other to perform or keep any term, covenant or condition of this contract by said party to be performed or kept, the party prevailing in said action or proceeding shall be entitled to recover, in addition to court costs, reasonable attorneys' fees to be fixed by the Court.

13. GOOD FAITH PERFORMANCE.

The Parties agree to diligently proceed in good faith to perform their respective obligations under this Agreement in a timely manner in an effort to avoid any unreasonable or unwarranted delays to the Project.

14. EFFECTIVE DATE.

This Agreement will be effective as of the latest date that it has been executed by the duly authorized representatives of all of the Parties ("Effective Date").

15. TERM OF AGREEMENT; TERMINATION

a. This Agreement will remain in effect until rescinded or terminated. This Agreement may be terminated by either Party (including their successors and assigns), and for any reason. Upon

termination, nothing in this Agreement shall be deemed an admission of any Party, nor shall it have any evidentiary or legal consequence.

16. INDEMNIFICATION AND INSURANCE.

a. Contractor shall defend, indemnify, save and hold harmless CCWD and its directors, officers, agents and employees from and against any and all claims, costs, loss, liability or suits, including reasonable attorneys' fees and including but not limited to allegations of death, bodily injury or property damage, arising out of or related in any way to the provision of water to Contractor, except and to the degree that any such claims, losses or liability are the result of the negligence or willful misconduct of CCWD, its directors, officers, agents or employees, or its contractors.

Furthermore, Contractor expressly agrees to indemnify, defend, and hold CCWD free and harmless from any claims, suits or liabilities of any nature related to fire protection, fire protection facilities or equipment, fire flows or any related matters alleged to have arisen from or in any way to be related in any way to the provision of water to Contractor, except and to the degree that any such claims, losses or liability are the result of the negligence or willful misconduct of CCWD, its directors, officers, agents or employees, or its contractors¹⁷.

SUCCESSORS AND ASSIGNS

This Agreement is binding on and shall inure to the benefit of the Parties and their respective heirs, successors, permitted assigns and representatives.

18. NO THIRD PARTY BENEFICIARIES

No third-party beneficiaries of the obligations are created or assumed by either Party.

19. ENTIRE AGREEMENT

This Agreement contains the entire Agreement among the Parties. No promise, representation, warranty, or covenant not included in the Agreement has been or is relied upon by any party hereto.

20. AMENDMENT

This Agreement may be amended, modified, or changed by the Parties only if such amendment, modification or change is in writing and approved by the all Parties. Per the terms of section 15, however, this Agreement may be terminated unilaterally and without mutual consent.

21. DISPUTE RESOLUTION

a. In General this Section 21 establishes the exclusive process by which disputes among the Parties concerning or relating to this Agreement will be resolved. The dispute resolution process established herein will apply to disputes related to the interpretation or enforcement of, or compliance with, the terms and provisions of this Agreement.

b. Informal Conferral

If a dispute arises as described above in Section 21.a, the parties to the dispute (the "Disputing Parties") will first attempt to resolve it through informal discussions. Disputing Parties will advise the other Parties of the existence of a dispute and coordinate the date, time and location of informal conferral.

c. Mediation

In the event a dispute cannot be resolved through informal conferral within twenty-one (21) calendar days, the aggrieved Disputing Party, acting through its governing body, or, in the case of Contractor, through its authorized representative, shall give written notice to all other Parties to this Agreement, setting forth the nature of and basis for the dispute and facts demonstrating that such Disputing Party is materially and adversely affected thereby. The Disputing Parties, acting through their designated representatives, including counsel, will endeavor to settle the dispute by mediation. The Disputing Parties will select a neutral third party with appropriate expertise to mediate the dispute. The other Parties may, but are not required to, participate in the mediation.

d. Judicial Review

The dispute resolution process described above shall be undertaken in good faith and exhausted prior to resort to judicial review; provided, however, that by agreeing to this dispute resolution process, no Party hereby loses or waives its right to sue under any applicable statute of limitations or loses or waives its right to assert the operation of any applicable statute of limitations as an affirmative defense. In the event that an applicable statute of limitations would run during the pendency of the dispute resolution process described above, the Disputing Parties shall agree in writing to toll such statute of limitations for such period as may reasonably be necessary to complete the dispute resolution process, but in no event will such statute of limitations be tolled for more than ninety (90) calendar days.

e. Conduct of Judicial Review

Should any Party ultimately seek judicial review of a dispute concerning or relating to the implementation, interpretation or enforcement of, or compliance with, the terms and provisions of this Agreement, all Parties will submit to the jurisdiction of a court of competent jurisdiction.

f. Equitable Relief

Because the amount of damages in the event of a breach of this Agreement may be difficult or impossible to determine, the obligations of the Parties to this Agreement will be enforceable by specific performance or other equitable relief, in addition to any other available remedy.

22. NOTICES

Any and all notices required by this Agreement will be in writing, addressed as provided below or to such other addresses as the Parties may respectively designate by written notice to the other. Notice will be sufficient if given by U.S. first class mail and facsimile or by overnight

courier. When mailed by U.S. first class mail with postage pre-paid, notice will be deemed delivered three business days after deposit in the U.S. mail. When delivered by overnight delivery by a nationally recognized overnight courier, notice will be deemed delivered one business day after deposit with that courier.

CCWD
PO Box 846
San Andreas, CA 95249

CONTRACTOR
[Address]

23. CONSTRUCTION; INTERPRETATION

This Agreement is the product of negotiation and preparation of the Parties. Any rule of construction to the effect that any ambiguity is to be resolved against the drafting party will not be applied to the interpretation of this Agreement. This Agreement will be interpreted in accordance with the laws of the State of California.

24. SEVERABILITY

If for any reason any provision of this Agreement shall be determined to be invalid or inoperative, the validity and effect of the other provisions hereof shall not be affected thereby.

25. COUNTERPARTS

This Agreement may be executed in counterparts and so executed will constitute an Agreement which will be binding upon all Parties hereto. A photocopy of the fully executed Agreement will have the same force and effect as the original.

26. VOLUNTARY EXECUTION

The Parties have freely and voluntarily executed this Agreement and are not acting under coercion, fraud, duress, menace, economic compulsion or undue influence, or because of any supposed disparity of bargaining power; rather, the Parties are freely and voluntarily signing this Agreement for their own benefit.

27. SIGNATURES

By affixing his/her signature below, each of the persons signing this Agreement warrants and represents that he/she has read and understands this Agreement, that he/she is authorized to sign this Agreement, and that the Party on behalf of whom he/she signs agrees to be bound by its terms.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures on the date first above witnessed.

CALAVERAS COUNTY WATER DISTRICT

By: _____

General Manager: _____

By: _____
[CONTRACTOR]

DRAFT

Agenda Item

DATE: August 8, 2018

TO: Dave Eggerton, General Manager

FROM: Joel Metzger, CCWD Manager of External Affairs, Conservation and Grants

SUBJECT: Discussion/Action Regarding State Legislation In The 2018-'19 Session

RECOMMENDED ACTION:

Discussion/Action for state-level legislation:

Motion: _____/_____ by Minute Entry to take an "Oppose" position on SB 998 (Dodd) Water Service Shut-Off bill.

Motion: _____/_____ by Minute Entry to take a "Support if amended" position on AB 2649 (Arambula): Water Rights: Water Management.

SB 998 (Dodd) Water Service Shut-Off Bill

This bill would replace current water district service shut-offs processes that are tailored by local water districts to meet the needs of their agency customers. A new, one-size-fits-all statewide program would be created instead that would prevent service shut-offs for at least 60 days for delinquent customers, create a cap on the amount of lock-off and reconnection fees an agency could charge that may not cover the actual cost of these reconnections, would trigger Prop. 218 concerns for public water agencies and expand authority to both the State Water Resources Control Board and the Attorney General to enforce provisions of the bill. If passed, CCWD would have to comply with this law by April 1, 2020.

While the author has accepted some previous amendments including deleting language which would have required a public health officer to determine via a physical visit that a water shutoff would not pose a grave threat to the health and safety of the residents, the bill still contains provisions that continue to complicate current water district policy and create unfair cost-shifting, which could be a violation of Prop. 218. The bill language causes the following concerns:

- Mandates that CCWD offer alternative payment schedules
- Mandates a formal process be created for customers to contest or appeal bills
- Prevents CCWD from shutting off water service while an appeal is pending

- Prevents CCWD from shutting off water service until customer has been delinquent for at least 60 days
- Prevents CCWD from shutting off water service if a customer demonstrates they are unable to pay by providing proof of being the recipient of CalWORKS, CalFresh (and other social assistance programs) or the household's income is less than 200 percent of the federal poverty level.

CCWD is governed by a locally-elected board of directors that makes decisions based on what has been proven to work well locally. We are in the business of delivering safe, reliable water, and we don't disconnect delinquent customers without prior substantial engagement, including:

- Sending customers paper and electronic bills with about three weeks notice before the due date
- If the bill is not paid by the due date, a reminder notice is sent and customers have 10 days to pay
- If the customer still has not paid, a second reminder notice is hung at the property providing a 48-hour warning that the water will be shut off if the bill is not paid
- Only if the customer has ignored all these notices will the water be shut off

The Association of California Water Agencies performed a survey, and less than 4 percent of existing customers have service discontinued for nonpayment, and 81 percent of those customers are reconnected soon after. More significantly, less than 0.5 percent of the customers whose service is discontinued fall within the low-income parameters cited in the bill. CCWD does not have a high number of lock-offs each month, and the total number has been trending down, not up over the past few years.

This bill is clearly unnecessary and appears to be a solution in search of a problem that does not currently exist in Calaveras County or California as a whole.

Despite repeated efforts by ACWA, the author has been unwilling to accept crucial amendments that are opposed by water agencies across the state. This led to the ACWA State Leg Committee changing its position from "oppose unless amended" to "Oppose". Staff recommends the Board take an "Oppose" position on this bill.

AB 2649 (Arambula): Water Rights: Water Management

Under existing law, the State Water Resources Control Board administers a water rights program and grants permits and licenses to use water. Existing law allows a person who has an urgent need to divert and use water to apply for, and the board to issue, a temporary permit, as prescribed. Existing law requires an applicant to pay an application fee and a permit fee, if a temporary permit is issued.

The Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed

under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. Existing law requires a groundwater sustainability plan to be developed and implemented to meet the sustainability goal, established as prescribed.

This bill would authorize a groundwater sustainability agency or local agency to apply for, and the board to issue, a conditional temporary permit for diversion of surface water to underground storage for beneficial use that advances the sustainability goal of a groundwater basin. This bill would also authorize a groundwater sustainability agency or local agency to petition for, and the board to issue, a conditional temporary change order that authorizes the diversion of surface water to underground storage for beneficial use that advances the sustainability goal of a groundwater basin, as specified.

The California Constitution requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented. Under existing law, the right to water or to the use of water is limited to that amount of water that may be reasonably required for the beneficial use to be served. Existing law provides for the reversion of water rights to which a person is entitled when the person fails to beneficially use the water for a period of 5 years. Existing law provides that the storing of water underground, including the diversion of streams and the flowing of water on lands necessary to the accomplishment of the storage, constitutes a beneficial use of water if the stored water is thereafter applied to the beneficial purposes for which the appropriation for storage was made.

This bill would instead provide that, consistent with the applicable permit or license, any diversion of water to underground storage constitutes a diversion of water for beneficial use if the diverted water is put to beneficial use, as specified. This includes:

- Prevention of significant and unreasonable seawater intrusion.
- Prevention of significant and unreasonable degradation of water quality, including the migration of contaminant plumes that impair water supplies.
- Prevention of significant and unreasonable land subsidence that substantially interferes with surface land uses.
- Maintenance or enhancement of groundwater dependent ecosystems.
- Beneficial uses that require the extraction of stored water.

This legislation could be a significant benefit to CCWD as it strives to put its water to beneficial use, especially regarding its responsibility to help recharge the critically over-drafted Eastern San Joaquin Groundwater Basin. Staff recommends the CCWD Board take a “Support” position on this bill. This legislation could assist CCWD and other partner agencies seeking to address the overdraft conditions in the Eastern San Joaquin Groundwater Subbasin.

Legislative Updates

At the Board meeting, brief updates will be provided on the following state legislative issues:

- SB 623 (Monning) Water quality: Safe and Affordable Drinking Water Fund
- AB 1668 and SB 606: Long-term water conservation legislation
- Mokelumne River Wild and Scenic Designation
- Other legislative issues

FINANCIAL CONSIDERATIONS:

None at this time.

Attachments: *SB-998 (Dodd) Bill Text*
 AB-2649 (Arambula) Bill Text



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SB-998 Discontinuation of residential water service: urban and community water systems. (2017-2018)

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AMENDED IN ASSEMBLY JUNE 14, 2018

AMENDED IN SENATE MAY 07, 2018

AMENDED IN SENATE APRIL 30, 2018

AMENDED IN SENATE APRIL 23, 2018

AMENDED IN SENATE APRIL 09, 2018

AMENDED IN SENATE MARCH 22, 2018

CALIFORNIA LEGISLATURE— 2017-2018 REGULAR SESSION

SENATE BILL**No. 998****Introduced by Senator Dodd****February 05, 2018**

An act to add Chapter 6 (commencing with Section 116900) to Part 12 of Division 104 of the Health and Safety Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 998, as amended, Dodd. Discontinuation of residential water service: urban and community water systems.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including water corporations. Existing law requires certain notice to be given before a water corporation, public utility district, municipal utility district, or a municipally owned or operated public utility furnishing water may terminate residential service for nonpayment of a delinquent account, as prescribed.

This bill would require an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment available in prescribed languages. The bill would require the policy to include certain components, be available on the system's Internet Web site, and be provided to customers in writing, upon request. The bill would provide for enforcement of these provisions, including making a violation of these provisions punishable by a civil penalty issued by the board in an amount not to exceed \$1,000 for each day in which the violation ~~occurs~~. *occurs, and would require the enforcement moneys collected by the board to be deposited in the Safe Drinking Water Account.* The bill would prohibit an urban and community water system from discontinuing residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. The bill would require an urban and community water system to contact the customer named on the account and provide the customer with the urban and community water system's policy on discontinuation of residential service for nonpayment no less than 7 business days before discontinuation of residential service, as prescribed.

This bill would prohibit residential service from being discontinued under specified circumstances. The bill would require an urban and community water system that discontinues residential service to provide the customer with information on how to restore service and petition for a waiver of reconnection fees. The bill would require an urban and community water system to waive reconnection fees and offer a reduction or waiver of interest charges on delinquent bills for a residential customer who demonstrates, as prescribed, to the urban and community water system household income below 200% of the federal poverty line and would limit the amount of a reconnection of service fee imposed on any other residential customer. The bill would require an urban and community water system that furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit structure, mobilehome park, or permanent residential structure in a labor camp, and that the owner, manager, or operator of the dwelling, structure, or park is the customer of record, to make every good faith effort to inform the residential occupants by written notice that service will be terminated and that the residential occupants have the right to become customers, as specified. The bill would require an urban and community water system to report the number of annual discontinuations of residential service for inability to pay on its Internet Web site and to the board, and the bill would require the board to post on its Internet Web site the information reported. The bill would require an urban water supplier, as defined, or an urban and community water system regulated by the commission, to comply with the bill's provisions on and after February 1, 2020, and any other urban and community water system to comply with the bill's provisions on and after April 1, 2020. The bill would provide that the provisions of the bill are in addition to the provisions in existing law duplicative of the bill and that where the provisions are inconsistent, the provisions described in the bill apply.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares as follows:

- (a) All Californians have the right to safe, accessible, and affordable water as declared by Section 106.3 of the Water Code.
- (b) It is the intent of the Legislature to minimize the number of Californians who lose access to water service due to inability to pay.
- (c) Water service discontinuations threaten human health and well-being, and have disproportionate impact on infants, children, the elderly, low-income families, communities of color, people for whom English is a second

language, physically disabled persons, and persons with life-threatening medical conditions.

(d) When there is a delinquent bill, all Californians, regardless of whether they pay a water bill directly, should be treated fairly, and fair treatment includes the ability to contest a bill, seek alternative payment schedules, and demonstrate medical need and severe economic hardship.

(e) The loss of water service causes tremendous hardship and undue stress, including increased health risks to vulnerable populations.

(f) It is the intent of the Legislature that this act provide additional procedural protections and expand upon the procedural safeguards contained in the Public Utilities Code and Government Code as of January 1, 2018, relating to utility service disconnections.

SEC. 2. Chapter 6 (commencing with Section 116900) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

CHAPTER 6. Discontinuation of Residential Water Service

116900. For the purposes of this chapter, the following definitions apply:

(a) "Board" means the State Water Resources Control Board.

(b) "Public water system" has the same meaning as defined in Section 116275.

(c) "Residential service" means water service to a residential connection that includes *individually metered* single-family residences, individually metered *and master-metered* multifamily residences, *master-metered* mobilehome parks, *individually metered mobilehomes in mobilehome parks*, or farmworker housing.

(d) "Urban and community water system" means a public water system that supplies water to more than 200 service connections.

(e) "Urban water supplier" has the same meaning as defined in Section 10617 of the Water Code.

116902. (a) An urban water supplier not regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020. ~~The urban water supplier shall adopt rules to comply with this chapter.~~

(b) An urban and community water system regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020. The urban and community water system regulated by the Public Utilities Commission shall file advice letters with the commission to conform with this chapter.

(c) An urban and community water system not described in subdivision (a) or (b) shall comply with this chapter on and after April 1, 2020. ~~The urban and community water system shall adopt rules to comply with this chapter.~~

116904. (a) An urban and community water system shall have a written policy on discontinuation of residential service for nonpayment available in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by at least 10 percent of the people residing in its service area. The policy shall include all of the following:

(1) A plan for deferred or reduced payments.

(2) Alternative payment schedules.

(3) A formal mechanism for a customer to contest or appeal a bill.

(4) A telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.

(b) The policy shall be available on the urban and community water system's Internet Web site, if an Internet Web site exists. If an Internet Web site does not exist, the urban and community water system shall provide the policy to customers in writing, upon request.

(c) (1) The board may enforce the requirements of this section pursuant to Sections 116577, 116650, and 116655. The provisions of Section 116585 and Article 10 (commencing with Section 116700) of Chapter 4 apply to enforcement undertaken for a violation of this section.

(2) All moneys collected pursuant to this subdivision shall be deposited in the ~~General Fund~~. *Safe Drinking Water Account established pursuant to Section 116590.*

116906. (a) (1) (A) An urban and community water system shall not discontinue residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. No less than seven business days before discontinuation of residential service for nonpayment, an urban and community water system shall contact the customer named on the account by telephone ~~and~~ *or* written notice.

(B) When the urban and community water system contacts the customer named on the account by telephone pursuant to subparagraph (A), it shall offer to provide in writing to the customer the urban and community water system's policy on discontinuation of residential service for nonpayment. An urban and community water system shall offer to discuss options to avert discontinuation of residential service for nonpayment, including, but not limited to, alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and petition for bill review and appeal.

(C) When the urban and community water system contacts the customer named on the account by written notice pursuant to subparagraph (A), the written notice of payment delinquency and impending discontinuation shall be mailed to the ~~owner~~ *customer* of the residence to which the residential service is provided. If the ~~owner's~~ *customer's* address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to "Occupant." The notice shall include, but is not limited to, all of the following information in a clear and legible format:

(i) The ~~owner's~~ *customer's* name and address.

(ii) The amount of the delinquency.

(iii) The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service.

(iv) A description of the process to apply for an extension of time to pay the delinquent ~~charges if the charges are beyond the means of the owner to pay in full.~~ *charges.*

(v) A description of the procedure to petition for bill review and appeal.

(vi) A description of the procedure by which the customer may request *a deferred, reduced, or alternative payment schedule, including an* amortization of the delinquent residential service ~~charges.~~ *charges, consistent with the written policies provided pursuant to subdivision (a) of Section 116904.*

(2) If the urban and community water system is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned through the mail as undeliverable, the urban and community water system shall make a good faith effort to visit the residence and leave, *or make other arrangements for placement* in a conspicuous ~~place,~~ *place of,* a notice of imminent discontinuation of residential

service for nonpayment and the urban and community water system's policy for discontinuation of residential service for nonpayment.

(b) If an adult at the residence appeals the water bill to the urban and community water system or any other administrative or legal body to which such an appeal may be lawfully taken, the urban and community water system shall not discontinue residential service while the appeal is pending.

116908. (a) An urban and community water system shall not discontinue residential service for nonpayment if all of the following conditions are met:

(1) The customer, or a tenant of the customer, submits to the urban and community water system the certification of a ~~licensed medical professional~~ *primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code*, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.

(2) The customer demonstrates that he or she is financially unable to pay for residential service within the *urban and community water system's* normal ~~payment period~~ *billing cycle*. The customer shall be deemed financially unable to pay for residential service within the *urban and community water system's* normal ~~payment period~~ *billing cycle* if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

(3) The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced ~~payment~~ *payment, consistent with the written policies provided pursuant to subdivision (a) of Section 116904*, with respect to all delinquent charges.

(b) (1) If the conditions listed in subdivision (a) are met, the urban and community water system shall offer the customer one or more of the following options:

(A) Amortization of the unpaid balance.

(B) Participation in an alternative payment schedule.

(C) A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.

(D) Temporary deferral of payment.

(2) The urban and community water system may choose which of the payment options described in paragraph (1) the customer undertakes and may set the parameters of that payment option. Ordinarily, the repayment option offered should result in repayment of any remaining outstanding balance within 12 months. An urban and community water system may grant a longer repayment period if it finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case.

(3) Residential service may be discontinued no sooner than 5 business days after the urban and community water system posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances:

(A) The customer fails to comply with an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges for 60 days or more.

(B) While undertaking an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges, the customer does not pay his or her current residential service charges for 60 days or more.

116910. An urban and community water system that discontinues residential service for nonpayment shall provide the customer with information on how to restore residential service and petition for a waiver of reconnection fees pursuant to Section 116912.

116912. (a) For a residential customer who demonstrates to an urban and community water system household income below 200 percent of the federal poverty line, the urban and community water system shall waive reconnection fees and offer a reduction or waiver of interest charges on delinquent bills once every 12 months. An urban and community water system may waive reconnection fees and offer a reduction or waiver of interest charges on delinquent bills more than once every 12 months. An urban and community water system shall deem a residential customer to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

(b) For a residential customer not described in subdivision (a), an urban and community water system shall set a reconnection of service fee for reconnection during normal operating hours at fifty dollars ~~(\$50) or less, with~~ *(\$50), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to* an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For the reconnection of residential service during nonoperational hours, an urban and community water system shall set a reconnection of service fee at one hundred fifty dollars ~~(\$150) or less, with~~ *(\$150), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to* an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

116913. (a) This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

(b) If an urban and community water system furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobilehome park, or permanent residential structure in a labor camp as defined in Section 17008 of the Health and Safety Code, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the urban and community water system shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

(c) The urban and community water system is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the urban and community water system's rules and tariffs. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the urban and community water system, or if there is a physical means legally available to the urban and community water system of selectively terminating service to those residential occupants who have not met the requirements of the urban and community water system's rules and tariffs, the urban and community water system shall make service available to those residential occupants who have met those requirements.

(d) If prior service for a period of time is a condition for establishing credit with the urban and community water system, residence and proof of prompt payment of rent or other credit obligation acceptable to the urban and community water system for that period of time is a satisfactory equivalent.

(e) Any residential occupant who becomes a customer of the urban and community water system pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the urban and community water system for those services during the preceding payment period.

(f) In the case of a detached single-family dwelling, the urban and community water system may do any of the following:

(1) Give notice of termination at least seven days prior to the proposed termination.

(2) In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code.

116914. An urban and community water system shall report the number of annual discontinuations of residential service for inability to pay on the urban and community water system's Internet Web site, if an Internet Web site exists, and to the board. The board shall post on its Internet Web site the information reported.

116916. The Attorney General, at the request of the board or upon his or her own motion, may bring an action in state court to restrain by temporary or permanent injunction the use of any method, act, or practice declared in this chapter to be unlawful.

116917. All written notices required under this chapter shall be provided in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the urban and community water system's service area.

116918. Where provisions of existing law are duplicative of this chapter, compliance with one shall be deemed compliance with the other. Where those provisions are inconsistent, the provisions of this chapter shall apply. Nothing in this chapter shall be construed to limit or restrict the procedural safeguards against the disconnection of residential water service existing as of December 31, 2018.

116919. *This chapter does not apply to the termination of a service connection by an urban and community water system due to an unauthorized action of a customer.*



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AB-2649 Water rights: water management. (2017-2018)

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AMENDED IN SENATE JUNE 28, 2018

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AMENDED IN ASSEMBLY MARCH 22, 2018

CALIFORNIA LEGISLATURE— 2017-2018 REGULAR SESSION

ASSEMBLY BILL**No. 2649****Introduced by Assembly Member Arambula****February 15, 2018**

An act to amend Sections 1242, 1348, 1425, 1430, [1431](#), 1435, 1440, 1441, 1442, and 1704.4 of, to amend the heading of Chapter 6.6 (commencing with Section 1435) of Part 2 of Division 2 of, to add the heading of Article 1 (commencing with Section 1425) to Chapter 6.5 of Part 2 of Division 2 of, to add the heading of Article 1 (commencing with Section 1435) to Chapter 6.6 of Part 2 of Division 2 of, to add Article 2 (commencing with Section 1433) to Chapter 6.5 of Part 2 of Division 2 of, and to add Article 2 (commencing with Section 1443) to Chapter 6.6 of Part 2 of Division 2 of, the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2649, as amended, Arambula. Water rights: water management.

Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Existing law allows a person who has an urgent need to divert and use water to apply for, and the board to issue, a temporary permit, as prescribed. Existing law requires an applicant to pay an application fee and a permit fee, if a temporary permit is issued, both computed as specified.

Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. Existing law requires a groundwater sustainability plan to be developed and implemented to meet the sustainability goal, established as prescribed.

This bill would authorize a groundwater sustainability agency or local agency to apply for, and the board to issue, a conditional temporary permit for diversion of surface water to underground storage for **beneficial use** that advances the sustainability goal of a groundwater basin, as specified.

Existing law allows a permittee or licensee who has an urgent need to change a point of diversion, place of use, or purpose of use to petition for, and the board to issue, a temporary change order, subject to certain restrictions.

This bill would authorize a groundwater sustainability agency or local agency to petition for, and the board to issue, a conditional temporary change order that authorizes the diversion of surface water to underground storage for **beneficial use** that advances the sustainability goal of a groundwater basin, as specified.

The California Constitution requires that the water resources of the state be put to **beneficial use** to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented. Under existing law, the right to water or to the use of water is limited to that amount of water that may be reasonably required for the **beneficial use** to be served. Existing law provides for the reversion of water rights to which a person is entitled when the person fails to beneficially use the water for a period of 5 years. Existing law provides that the storing of water underground, including the diversion of streams and the flowing of water on lands necessary to the accomplishment of the storage, constitutes a **beneficial use** of water if the stored water is thereafter applied to the beneficial purposes for which the appropriation for storage was made.

This bill would instead provide that, consistent with the applicable permit or license, any diversion of water to underground storage constitutes a diversion of water for **beneficial use** if the diverted water is put to **beneficial use**, as specified.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1242 of the Water Code is amended to read:

1242. Consistent with the applicable permit or license, any diversion of water to underground storage, including the diversion of water for groundwater recharge, constitutes a diversion of water for **beneficial use** if the diverted water is put to **beneficial use** consistent with this division. The **beneficial use** of water diverted to underground storage is not limited to uses requiring subsequent extraction or release of the stored water and may include **beneficial uses** such as protection of water quality made while the water is in underground storage. The forfeiture periods in Sections 1240 and 1241 do not include any period when the water is being used in the aquifer or storage area or is being held in underground storage for later application to **beneficial use**.

SEC. 2. Section 1348 of the Water Code is amended to read:

1348. For purposes of this article, a minor application shall mean either of the following:

(a) Any application which does not involve direct diversions in excess of three cubic-feet per second or storage in excess of 200 acre-feet per year.

(b) An application by a groundwater sustainability agency or local agency, as defined in Section 10721, for a diversion previously authorized by a temporary permit under Article 2 (commencing with Section 1433) of Chapter 6.5 and that the Division of Water Rights has determined, in its discretion, that data available from a field investigation and operation under the temporary permit is sufficient to issue a decision.

SEC. 3. The heading of Article 1 (commencing with Section 1425) is added to Chapter 6.5 of Part 2 of Division 2 of the Water Code, to read:

Article 1. Temporary Urgency Permits

SEC. 4. Section 1425 of the Water Code is amended to read:

1425. (a) Any person, whether or not an applicant, permittee, or licensee under provisions of this division other than this article, who has an urgent need to divert and use water may apply for, and the board may issue, a conditional, temporary permit without complying with other procedures or provisions of this division, but subject to all requirements of this article.

(b) Prior to issuing a permit pursuant to this article, the board shall make all of the following findings:

(1) The applicant has an urgent need for the water proposed to be diverted and used.

(2) The water may be diverted and used without injury to any lawful user of water.

(3) The water may be diverted and used without unreasonable effect upon fish, wildlife, or other instream **beneficial uses**.

(4) The proposed diversion and use are in the public interest, including findings to support permit conditions imposed to ensure that the water is diverted and used in the public interest, without injury to any lawful user of water, and without unreasonable effect upon fish, wildlife, and other instream **beneficial uses**.

(c) "Urgent need," for the purposes of this article, means the existence of circumstances from which the board may in its judgment conclude that the proposed temporary diversion and use is necessary to further the constitutional policy that the water resources of the state be put to **beneficial use** to the fullest extent of which they are capable and that waste of water be prevented; except that the board shall not find an applicant's need to be urgent if the board in its judgment concludes, if applicable, that the applicant has not exercised due diligence either (1) in making application for a permit pursuant to provisions of this division other than this article, or (2) in pursuing that application to permit.

(d) The board may delegate to any officer or employee of the board all or any of its functions under this article, as provided in Section 7.

SEC. 5. Section 1430 of the Water Code is amended to read:

1430. A temporary permit issued under this article shall not result in the creation of a vested right, even of a temporary nature, but shall be subject at all times to modification or revocation in the discretion of the board. The authorization to divert and use water under a temporary permit shall automatically expire 180 days after the authorization takes effect, unless an earlier date is specified or the temporary permit is revoked. The 180-day period does not include any time required for monitoring, reporting, or mitigation before or after the authorization to divert or use water under the temporary permit. If the temporary permit authorizes diversion to storage, the 180-day period is a limitation on the authorization to divert and not a limitation on the authorization for **beneficial use** of water diverted to storage.

SEC. 6. *Section 1431 of the Water Code is amended to read:*

1431. A temporary permit issued under this ~~chapter~~ *article* may be renewed by the board. Requests for renewals shall be processed in the manner provided by this ~~chapter~~ *article*, except that the permittee shall not be required to file duplicate maps, ~~drawings~~ *drawings*, or other data if they were furnished with the original application. Each such renewal shall be valid for a period not to exceed 180 days from the date of renewal.

~~SEC. 6.~~ **SEC. 7.** Article 2 (commencing with Section 1433) is added to Chapter 6.5 of Part 2 of Division 2 of the Water Code, to read:

Article 2. Temporary Permits for Diversion to Underground Storage

1433. Unless the context otherwise requires, the following govern the construction of this article:

(a) “**Beneficial use**” includes, but is not limited to, the following:

(1) Prevention of significant and unreasonable seawater intrusion.

(2) Prevention of significant and unreasonable degradation of water quality, including the migration of contaminant plumes that impair water supplies.

(3) Prevention of significant and unreasonable land subsidence that substantially interferes with surface land uses.

(4) Maintenance or enhancement of groundwater dependent ecosystems.

(5) **Beneficial uses** that require the extraction of stored water.

(b) “Local agency” has the same meaning as defined in Section 10721.

(c) “Groundwater sustainability agency” has the same meaning as defined in Section 10721.

1433.1. (a) A groundwater sustainability agency or a local agency, whether or not an applicant, permittee, or licensee under provisions of this division other than this article, may apply for, and the board may issue, a conditional temporary permit for diversion of surface water to underground storage for **beneficial use** that advances the sustainability goal of a groundwater basin under Part 2.74 (commencing with Section 10720) of Division 6, without complying with other procedures or provisions of this division, subject to all requirements of this article.

(b) Before issuing a permit pursuant to this article, the board shall make all of the following findings based upon a preponderance of the evidence:

(1) The proposed diversion is to underground storage for **beneficial use** that advances the sustainability goal of a groundwater basin.

(2) The water may be diverted and used without injury to any lawful user of water. This finding may be satisfied by demonstrating both of the following:

(A) The proposed diversion to underground storage will occur only when flows in the source waterbody exceed the claims of all known legal users who divert water downstream of the proposed point of diversion.

(B) Storage and extraction from storage in the basin under the proposed permit will be subject to accounting methods and reporting requirements established by a groundwater sustainability plan, interim plan, or alternative approved pursuant to Section 10733.6 that the board finds adequate to prevent injury to any lawful user of water.

(3) The water may be diverted and used without unreasonable effect upon fish, wildlife, or other instream **beneficial uses**.

(4) The proposed diversion and use are in the public interest, including findings to support permit conditions imposed to ensure that the water is diverted and used in the public interest, without injury to any lawful user of water, and without unreasonable effect upon fish, wildlife, and other instream **beneficial uses**.

(c) The board may delegate to any officer or employee of the board all or any of its functions under this article, as provided in Section 7.

1433.2. (a) The application for a temporary permit shall be completed in accordance with Section 1260 and shall be accompanied by any maps, drawings, and other data that may be required by the board.

(b) An applicant shall pay an application fee and, if a permit is issued, a permit fee, both in amounts calculated in accordance with the provisions of Chapter 8 (commencing with Section 1525).

(c) In addition to subdivisions (a) and (b), an application shall include all of the following:

(1) Evidence that the applicant has completed any environmental review required by, or the project is exempt from, the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(2) A certification that the applicant has consulted with the Department of Fish and Wildlife at least 30 days before submission of the application. The certification shall include a copy of any conditions proposed by the Department of Fish and Wildlife.

(3) (A) Except as provided in subparagraph (B), a complete water availability analysis that quantifies, under a range of foreseeable hydrologic conditions, the amount of unappropriated water available considering instream **beneficial uses** and all known legal users who divert water hydrologically connected to the proposed point of diversion.

(B) If the applicant proposes to divert water only when flows in the source waterbody exceed an established or calculated flood stage, a simplified water availability analysis.

(4) A proposed accounting method for storage and extraction of water diverted under the permit that is certified to be consistent with the groundwater sustainability plan or alternative approved pursuant to Section 10733.6 by the groundwater sustainability agency or local agency for the basin where the water is proposed to be stored.

1433.3. (a) As soon as practicable after the receipt of an application, the board shall issue and deliver to the applicant a notice of the application that includes the information required by Section 1301 and a list of persons who, in the judgment of the board, could be adversely affected by the temporary diversion and use. The board shall post the notice to its Internet Web site within 10 days of issuing the notice to the applicant.

(b) The applicant shall provide notice by registered or electronic mail to each person on the list of interested persons provided by the board and the list of interested persons maintained by any groundwater sustainability agency or local agency for the basin where the water is proposed to be stored. The applicant shall provide proof of notice to the board.

(c) Any interested person may file an objection to the temporary diversion and use with the board within 30 days of the mailing of the notice by the applicant. A person filing an objection shall send a copy to the applicant.

(d) The board shall consider an objection, and may hold a hearing on the objection after notice to all interested persons, before acting upon an application for a permit.

1433.4. The board shall supervise diversion and use of water under a permit issued under this article for the protection of all lawful users of water and instream **beneficial uses** and for compliance with permit conditions. The permit may require a person who extracts water stored under the permit to comply with regulatory and permitting requirements for groundwater extraction set by the groundwater sustainability plan or alternative approved pursuant to Section 10733.6 for the basin.

1433.5. A permit issued under this article shall not result in the creation of a vested right, even of a temporary nature. The permit is subject, at all times, to modification or revocation at the discretion of the board. The authorization to divert and use water under the permit shall automatically expire five years after the authorization takes effect, unless an earlier date is specified or the temporary permit is revoked, and shall be junior in priority to any subsequent appropriation not subject to this chapter. The five-year period does not include any time required for monitoring, reporting, or mitigation before or after the authorization to divert or

use water under the permit. The five-year period is a limitation on the authorization to divert and not a limitation on the authorization for **beneficial use** of the water diverted to underground storage.

1433.6. The board may renew a permit issued under this article if the board, in its judgment, concludes that the applicant has exercised due diligence in applying for a permit pursuant to provisions of this division, other than this chapter, and in pursuing that application once it is filed. The board shall process a request for a renewal of a permit issued under this article pursuant to this article, except that the board shall not require the permittee to file duplicate maps, drawings, or other data if they were furnished with the original application for the permit. Each renewal of a permit issued under this article shall be valid for a period not to exceed five years from the date of renewal.

~~SEC. 7.~~**SEC. 8.** The heading of Chapter 6.6 (commencing with Section 1435) of Part 2 of Division 2 of the Water Code is amended to read:

CHAPTER 6.6. Temporary Changes

~~SEC. 8.~~**SEC. 9.** The heading of Article 1 (commencing with Section 1435) is added to Chapter 6.6 of Part 2 of Division 2 of the Water Code, to read:

Article 1. Temporary Urgency Changes

~~SEC. 9.~~**SEC. 10.** Section 1435 of the Water Code is amended to read:

1435. (a) Any permittee or licensee who has an urgent need to change a point of diversion, place of use, or purpose of use from that specified in the permit or license may petition for, and the board may issue, a conditional, temporary change order without complying with other procedures or provisions of this division, but subject to all requirements of this article.

(b) Prior to issuing a change order pursuant to this article, the board shall make all of the following findings:

(1) The permittee or licensee has an urgent need to make the proposed change.

(2) The proposed change may be made without injury to any other lawful user of water.

(3) The proposed change may be made without unreasonable effect upon fish, wildlife, or other instream **beneficial uses**.

(4) The proposed change is in the public interest, including findings to support change order conditions imposed to ensure that the change is in the public interest, and may be made without injury to any other lawful user of the water, and without unreasonable effect upon fish, wildlife, and other instream **beneficial uses**.

(c) "Urgent need," for the purposes of this article, means the existence of circumstances from which the board may in its judgment conclude that the proposed temporary change is necessary to further the constitutional policy that the water resources of the state be put to **beneficial use** to the fullest extent of which they are capable and that waste of water be prevented; except that the board shall not find a petitioner's need to be urgent if the board in its judgment concludes, if applicable, that the petitioner has not exercised due diligence either (1) in petitioning for a change pursuant to provisions of this division other than this article, or (2) in pursuing that petition for change.

(d) The board may delegate to any officer or employee of the board all or any of its functions under this article, as provided in Section 7.

~~SEC. 10.~~ **SEC. 11.** Section 1440 of the Water Code is amended to read:

1440. A temporary change order issued under this article shall not result in the creation of a vested right, even of a temporary nature, but shall be subject at all times to modification or revocation in the discretion of the board. The authorization to divert and use water under a temporary change order shall automatically expire 180 days after the authorization takes effect, unless an earlier date is specified or the temporary change order is revoked. The 180-day period does not include any time required for monitoring, reporting, or mitigation before or after the authorization to divert or use water under the temporary change order. If the temporary change order authorizes diversion to storage, the 180-day period is a limitation on the authorization to divert and not a limitation on the authorization for **beneficial use** of water diverted to storage.

~~SEC. 11.~~ **SEC. 12.** Section 1441 of the Water Code is amended to read:

1441. A temporary change order issued under this article may be renewed by the board. Requests for renewal shall be processed in the manner provided by this chapter except that the permittee or licensee shall not be required to file duplicate maps, drawings, or other data if they were furnished with the original petition. Each such renewal shall be valid for a period not to exceed 180 days from the date of renewal.

~~SEC. 12.~~ **SEC. 13.** Section 1442 of the Water Code is amended to read:

1442. This article shall not apply to any permittee or licensee petitioning for a temporary change pursuant to Chapter 10.5 (commencing with Section 1725).

~~SEC. 13.~~ **SEC. 14.** Article 2 (commencing with Section 1443) is added to Chapter 6.6 of Part 2 of Division 2 of the Water Code, to read:

Article 2. Temporary Changes for Diversion to Underground Storage

1443. Unless the context otherwise requires, the following govern the construction of this article:

(a) “**Beneficial use**” includes, but is not limited to, the following:

(1) Prevention of significant and unreasonable seawater intrusion.

(2) Prevention of significant and unreasonable degradation of water quality, including the migration of contaminant plumes that impair water supplies.

(3) Prevention of significant and unreasonable land subsidence that substantially interferes with surface land uses.

(4) Maintenance or enhancement of groundwater dependent ecosystems.

(5) **Beneficial uses** that require the extraction of stored water.

(b) “Local agency” has the same meaning as defined in Section 10721.

(c) “Groundwater sustainability agency” has the same meaning as defined in Section 10721.

1443.1. (a) A groundwater sustainability agency or a local agency that is a permittee or a licensee under provisions of this division other than this article, may petition for, and the board may issue, a conditional temporary change order that authorizes the diversion of surface water to underground storage for **beneficial use** that advances the sustainability goal of a groundwater basin under Part 2.74 (commencing with Section 10720) of Division 6, without complying with other procedures or provisions of this division, subject to all requirements of this article.

(b) Before issuing a change order pursuant to this article, the board shall make all of the following findings based upon a preponderance of the evidence:

(1) The proposed change is for diversion to underground storage for **beneficial use** that advances the sustainability goal of a groundwater basin.

(2) The proposed change may be made without injury to any other lawful user of water. This finding may be satisfied by demonstrating both of the following:

(A) The proposed diversion to underground storage will occur only when flows in the source waterbody exceed the claims of all known legal users who divert water downstream of the proposed point of diversion.

(B) Storage and extraction from storage in the basin under the proposed change will be subject to accounting methods and reporting requirements established by a groundwater sustainability plan, interim plan, or alternative approved pursuant to Section 10733.6 that the board finds adequate to prevent injury to any lawful user of water.

(3) The proposed change may be made without unreasonable effect upon fish, wildlife, or other instream **beneficial uses**.

(4) The proposed change is in the public interest, including findings to support change order conditions imposed to ensure that the water is diverted and used in the public interest, without injury to any lawful user of water, and without unreasonable effect upon fish, wildlife, and other instream **beneficial uses**.

(c) The board may delegate to any officer or employee of the board all or any of its functions under this article, as provided in Section 7.

1443.2. (a) The petition for a temporary change order shall be completed in accordance with the rules of the board that specify the information and maps to be included in a petition for change.

(b) A petitioner for a change order shall pay a fee calculated in accordance with the provisions of Chapter 8 (commencing with Section 1525).

(c) In addition to subdivisions (a) and (b), a petition shall include all of the following:

(1) Evidence that the petitioner has completed any environmental review required by, or the project is exempt from, the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(2) A certification that the petitioner has consulted with the Department of Fish and Wildlife at least 30 days before submission of the petition. The certification shall include a copy of any conditions proposed by the Department of Fish and Wildlife.

(3) (A) Except as provided in subparagraph (B), a complete water availability analysis that quantifies, under a range of foreseeable hydrologic conditions, the amount of unappropriated water available considering instream **beneficial uses** and all known legal users who divert water hydrologically connected to the proposed point of diversion.

(B) If the petitioner proposes to divert water only when flows in the source waterbody exceed an established or calculated flood stage, a simplified water availability analysis.

(4) A proposed accounting method for storage and extraction of water diverted under the change order that is certified to be consistent with the groundwater sustainability plan or alternative approved pursuant to Section 10733.6 by the groundwater sustainability agency or local agency for the basin where the water is proposed to be stored.

1443.3. (a) As soon as practicable after the receipt of a petition for a temporary change order, the board shall issue and deliver to the petitioner a notice of the petition and a list of persons who, in the judgment of the board, could be adversely affected by the temporary change. The board shall post the notice to its Internet Web site within 10 days of issuing the notice to the petitioner.

(b) The petitioner shall provide notice by registered or electronic mail to each person on the list of interested persons provided by the board and the list of interested persons maintained by any groundwater sustainability agency or local agency for the basin where the water is proposed to be stored. The petitioner shall provide proof of notice to the board.

(c) Any interested person may file an objection to the temporary diversion and use with the board within 30 days of the mailing of the notice by the petitioner. A person filing an objection shall send a copy to the applicant.

(d) The board shall consider an objection, and may hold a hearing on the objection after notice to all interested persons, before acting upon a petition for a temporary change order.

1443.4. The board shall supervise diversion and use of water under a change order issued under this article for the protection of all lawful users of water and instream **beneficial uses** and for compliance with change order conditions. The change order may require a person who extracts water stored under the change order to comply

with regulatory and permitting requirements for groundwater extraction set by the groundwater sustainability plan or alternative approved pursuant to Section 10733.6 for the basin.

1443.5. A change order issued under this article shall not result in the creation of a vested right, even of a temporary nature. The change order is subject, at all times, to modification or revocation at the discretion of the board. The authorization to divert and use water under the change order shall automatically expire five years after the authorization takes effect, unless an earlier date is specified or the temporary change order is revoked, and shall be junior in priority to any subsequent appropriation not subject to this chapter. The five-year period does not include any time required for monitoring, reporting, or mitigation before or after the authorization to divert or use water under the change order. The five-year period is a limitation on the authorization to divert and not a limitation on the authorization for **beneficial use** of the water diverted to underground storage.

1443.6. The board may renew a change order issued under this article if the board, in its judgment, concludes that the petitioner has exercised due diligence in applying for a change pursuant to provisions of this division, other than this chapter, and in pursuing that petition once it is filed. The board shall process a request for a renewal of a change order issued under this article pursuant to this article. The board may request the petitioner to file maps, drawings, or other data furnished with the original petition for the change order. Each renewal of a change order issued under this article shall be valid for a period not to exceed five years from the date of renewal.

1443.7. This article does not apply to any permittee or licensee petitioning for a temporary change pursuant to Chapter 10.5 (commencing with Section 1725).

~~SEC. 14.~~ **SEC. 15.** Section 1704.4 of the Water Code is amended to read:

1704.4. For purposes of this chapter, a minor petition for change means either of the following:

(a) Any petition which does not involve direct diversions in excess of three cubic-feet per second or storage in excess of 200 acre-feet per year.

(b) A petition for change by a groundwater sustainability agency or local agency, as defined in Section 10721, for a change previously authorized by a temporary change under Article 2 (commencing with Section 1443) of Chapter 6.6 and that the Division of Water Rights has determined, in its discretion, that data available from a field investigation and operation under the temporary change is sufficient to issue a decision.

