REGULAR MEETING OF THE BOARD OF DIRECTORS
DEL PASO MANOR WATER DISTRICT

MINUTES

May 07, 2024 6:00 PM
1817 Maryal Drive, Suite 300, Sacramento 95864

1. CALL TO ORDER:

Vice President Dolk called the meeting to order at 6:00 p.m.

2. ROLL CALL:

Directors Present:	Vice President Carl Dolk, Bob Matteoli, Gwynne Pratt, and David Ross	
Vacant Position:	One Vacant Position	
Staff Present:	General Manager	Adam Coyan
	Office Manager	Victoria Hoppe
	Field Supervisor	Mike Jenner
	Certified Public Accountant	Robert Merritt
	Assistant Legal Counsel	Lauren Bernadette

A quorum of the Board was present.

3. ADOPTION OF AGENDA: Members may pull an item from the agenda.

Director Pratt made a motion to adopt the agenda. The motion was seconded by Director Matteoli. The agenda was adopted on a 4 Yes/0 No/1 Vacancy vote.

4. PUBLIC COMMENTS - ITEMS NOT ON THE AGENDA

The Board of Directors welcomes participation at these meetings. Matters under the jurisdiction of the Board that are not posted on the agenda may be addressed by the public, California law prohibits the Board from acting on any matter which is not on the posted agenda, unless the members determines that it is an emergency or other situation specified in Government Code Section 54954.2. Public comments are limited to five (5) minutes per individual. Please make your comments directly to the DPMWD Chair. Comments will be accepted via teleconference and in writing.

Vice President Dolk called for public comment.

Roy Wilson spoke about LAFCo's hearing.

Seeing no further comment, Vice President Dolk closed public comment.

5. CONSENT CALENDAR: All items under Consent Calendar will be considered together by one action of the Board, any Member or members of the public may request that an item be removed and considered separately.

(6:01 pm)

Item 5.A: Approval of Minutes of the March 28, 2024 Special Meeting
Item 5.B: Approval of Minutes of the April 02, 2024 Regular Meeting
Item 5.C Approval of Minutes of the April 16, 2024 Special Meeting
Item 5.D: Approval of Warrants and Payroll

Vice President Dolk called for public comment.

Trish Harrington spoke to Item 5.D. and inquired about the International Vendor Fee. Office Manager Hoppe provided clarity to the inquiry.

Seeing no further comment, Vice President Dolk closed public comment.

Director Ross requested his comments regarding Mr. Drip provided under Director's Comment during the April 02, 2024, meeting.

Director Ross made a motion to approve the Consent Calendar, with inclusion of Director Ross' comments in the April 02, 2024, minutes. The motion was seconded by Director Matteoli. The motion was approved on a 4 Yes/0 No/1 Vacancy vote.

6. PUBLIC HEARING:

There were no Public Hearing items to consider.

7. OLD BUSINESS:

There were no Old Business items to consider.

8. NEW BUSINESS:

Item 8.A: Budget to Actuals
(6:08 pm)

Certified Public Accountant Merritt presented the staff report and fielded inquiries from the Board.

Vice President Dolk called for public comment.

Trish Harrington provided general comments regarding the presentation.

Roy Wilson provided general comments regarding the presentation.

Ted Costa provided general comments regarding the presentation.

Seeing no further comments, Vice President Dolk closed public comment.

Director Pratt made a motion to approve the Budget to Actuals. The motion was seconded by Director Matteoli. The motion was approved on a 4 Yes/0 No/1 Vacancy vote.

Item 8.B: Draft 2024/2025 Annual Budget
(6:36 pm)

General Manager Coyan presented the staff report and fielded inquiries from the Board.

General discussion, inquiries, and direction to staff ensued from the Board.

Vice President Dolk called for public comment. Seeing no one come forward, he closed public comment.

General Manager Coyan presented the CIP budget. General discussion, inquiries, and direction to staff ensued from the Board.

Vice President Dolk called for public comment.

Roy Wilson provided general comments regarding the presentation.

Seeing no further comments, Vice President Dolk closed public comment.

Vice President Dolk called a break at 7:46 pm. The meeting reconvened at 7:58 pm.

Item 8.C: LAFCo Resolution of Dissolution
(7:58 pm)

General Manager Coyan presented the staff report and fielded inquiries from the Board.

General discussion, inquiries, and direction to staff ensued from the Board. The Board directed staff to pursue the Prop218 loan and to not freeze the rate increase.

Vice President Dolk called for public comment.

Trish Harrington provided general comments regarding the presentation.

Roy Wilson provided general comments regarding the presentation.

Carol Rose provided general comments regarding the presentation.

Seeing no further comment, Vice President Dolk closed public comment.

Discussion and inquiries ensued amongst the Board. The Board directed staff to not pursue the Chase Account, not rescind CLASS, keep the resolution the same and move forward in a general way.

Director Matteoli provided written comments, which were entered into the record.

9. FIELD REPORT: Verbal report

(9:34 pm)

Item 9.A: Field Report on Current and Upcoming Projects

Field Supervisor Jenner summarized the staff report and fielded inquiries from the Board.

10. DIRECTOR REPORT ON COMMITTEE MEETINGS: Verbal report
Each Board Member will have 5 minutes to report out on all associated committees

Item 10.A: Director Dolk
American Water Works Association (AWWA)
Association of California Water Agencies (ACWA)

Item 10.B: Director Matteoli
Association of California Water Agencies (ACWA) Agriculture
Association of California Water Agencies (ACWA) Groundwater
Sacramento Groundwater Authority (SGA)

Item 10.C: Director Ross
California Rural Water Authority (CRWA)
California Special Districts Association (CSDA)

Item 10.D:
Joint Powers Insurance (JPIA)

Item 10.E: Director Pratt
Regional Water Authority (RWA)
Water Forum

(9:37 pm)

Director Pratt provided brief a report on committee meetings attended or would attend at future meetings.

11. GENERAL MANAGERS COMMENTS: Verbal report

(9:42 pm)

General Manager Coyan provided an update on general District matters.

12. CLOSED SESSION:

There were no Closed Session items to consider.

13. DIRECTORS COMMENTS: Verbal information, non-action comments.

(9:48 pm)

Director Ross noted he was disappointed a meeting was scheduled for May 22 when he was to be out of country and that the District's Legal Counsel was not present at the LAFCo public hearing regarding the District's dissolution. Assistant Legal Counsel Bernadette provided clarification on the matter.

14. FUTURE AGENDA REQUESTS: Directors can suggest topics they would like on future agendas
(9:51 pm)

Director Matteoli requested future agenda discussion regarding Legal Counsel researching grant funding, legal attendance at meetings, and filling vacancy on the Legal Issues Ad Hoc Committee. Support was provided by all Directors.

15. ADJOURNMENT: Next Regular Board of Directors meeting is scheduled for March 05, 2024

Director Ross made a motion to adjourn. Director Pratt seconded the motion. There being no further business, the Board of Directors meeting adjourned at 10:04 p.m.

APPROVAL:

Carl Dolk, Vice President of the Board

ATTEST:

Norma I. Alley, MMC, Clerk of the Board

The attached was submitted to be included in the May 07, 2024 meeting minutes by Director Matteoli

It has not been reviewed or approved by the full Board.

MAY 7, 2024
REGULAR BOARD MEETING
(NOTES: ROBERT J. MATTEOLI)

Item 8.B: Draft 2024-2025 Annual Budget

1. Why is there no allocation for Engineering?
   a. We are not combined yet. Not having engineering on retainers would be reckless. We should not go through that again.
   b. If SSWD is going to be providing engineering services, then have we become a Subsidiary District?
   c. Can a Subsidiary District be considered merged. That would make setting up a separate economic zone very easy.
2. We should pay off all our unfunded liabilities
   a. How much do we owe on unfunded liabilities?
   b. Can we use the LAFE Account?
3. We don't need:
   a. AWWA,
   b. RWA, or
   c. Water Forum
4. We need:
   a. ACWA for insurance
   b. CRWA incase a staff person leaves and for training opportunities
   c. SAWWA – for staff to receive training opportunities to help transfer into another job, where ever that may be.
   d. SGA – Pursuant to SGMA Legislation

Item 8.C: LAFCo Resolution of Dissolution

1. Former President Ryan Saunders established an ad hoc committee to review certain issues with Legal Counsel. Ryan and I were on the ad hoc committee. Certain issues need to be cleared up as we proceed through combination talks. If Director Ross has the time and is willing, I request acting President Dolk appoint Director Ross to the Legal Review Ad Hoc Committee, then he and I with Legal Counsel can resolve a couple of pending matters.
   a. Question to Legal Counsel: Can acting President Dolk make this appointment now before I move on to other matters I would like to present?
2. Our homeowners and rate payers have the right to know what agency into which they will be combined. SSWD and San Juan are renewing their merger talks. San Juan has set their policy for merger when they signed the 2-B report. San Juan has not changed their position. All SSWD needs to do is sign the 2-B report, and the SSWD-San Juan merger will move into Phase 3 of merger talks. I see no reason to delay Phase 3 until after the November elections. Therefore, I request LAFCo to consider the SSWD-DPMWD combination talks be included into the SSWD-San Juan merger talks. This would be transparent to DPMWD homeowners and ratepayers, and would resolve both issues in one administrative proceeding.
   a. Question to Legal Counsel: Can the Board give direction to General Counsel to make this request to LAFCO, or does the Board need an agenda discussion and action?

MSR – LAFCO - REVOLVING FUND
By Robert J. Matteoli
May 7, 2024 Regular Board Meeting

LAFCo's governance foundational argument to dissolve DPMWD and implement reorganization lies mostly with financing and being able to obtain funds from the Drinking Water State Revolving Fund (DWSRF) Program. Also, LAFCo has consistently stated that a full DPMWD merger with SSWD would give SSWD access to $60 million or more grant dollars from the DWSRF Program.

I do not find that LAFCo's position on receiving $60 million to $100 million dollars from the Revolving Fund is a reasonable expectation.

I contacted the Revolving Fund Program and talked to a staff person. I have been told and I believe the following information:

1. Funding is only for consolidations,
2. DPMWD would be in the Category A-D and/or Consolidation Projects – Non-DAC with MHI < 150% of Statewide MHI with footnote 2,
3. Projects should cover all phases of a grant (Note: this is much like a one overall project for a County Building Permit with different phases and possible change orders.),
4. An applicant will receive one grant award,
5. A second grant application would not be granted funding since that will disenfranchise other Applicant Projects,
6. Fact Sheet footnote 2 states: 'Except for case-by-case exceptions, maximum of $20 million per project for Medium DAC or Small Non-DAC',
7. The DPMWD project may not receive the full $20 million dollars,
8. Category E-F Projects only have a very, very remote possibility of being funded, and
9. Most of the funds will go to Category A, B, and C Projects – that is Disadvantaged Communities.

DPMWD may be qualified to apply for a loan, but very tenuous on being ranked high enough to receive a grant – especially for Mega-Millions.

I am not an attorney; my understanding needs to be fact checked. I have discussed my concerns on this matter several times with our General Manager, and LAFCo seems to have chosen not to vet my concerns.

Therefore, I request the Board give direction to:

1) Have Legal Counsel research Grant Funding in regards to Reasonable Expectations, Terms and Conditions, Deadlines, and so forth;
2) Have Legal Counsel discuss issues with Sacramento County and have a direct role in negotiating and drafting all agreements pertaining to Combination; and
3) Have Legal Counsel attend all meetings.

Question for Legal Counsel: Can the Board give direction to you now before I move on to my other two matters?

Water Boards

Fact Sheet

Drinking Water Grants – Drinking Water State Revolving Fund (DWSRF) Program

HELPFUL DEFINITIONS:

- **Disadvantaged Community (DAC)**: median household income (MHI) < 80% statewide MHI
- **Small Community**: < 3,300 connections or < 10,000 people.
- **Expanded Small Community**: 3,300 – 6,600 connections or 10,000 – 20,000 people.
- **Medium DAC**: 20,000 - 100,000 people and with MHI < 80% statewide MHI.
- **Consolidation**: joining 2 or more public water systems, state small water systems, or affected residences not served by a public water system, into a single public water system.
- **Category A-C Projects**: high priority projects that address public health issues (waterborne disease, water exceeds primary standards or surface water is inadequately treated, insufficient source or water delivery capacity, etc.).
- **Category D Projects**: address inadequate reliability (community water systems with a single source and no backup supply, water meters, etc.).
- **Category E-F Projects**: other eligible projects (water exceeds secondary standards, violations of Waterworks Standards, etc.).
- **Incentive Project:** a drinking water construction project, often separate from a consolidation project, that solely benefits a Receiving Water System.
- **Receiving Water System:** takes in a new service area as part of a consolidation.

CONSTRUCTION GRANTS / PRINCIPAL FORGIVENESS (PF):

<table>
<tr><th>Type of Community</th><th>Residential Water Rates as a % of MHI</th><th>% of Total Eligible Project Cost</th><th>Max Amount Per Connection[1]</th></tr>
<tr><td colspan="4">Category A – D and/or Consolidation Projects</td></tr>
<tr><td>Small DAC; Eligible NTNC That Serves a Small DAC; Expanded Small DAC; or Small Non-DAC with MHI < 150% of Statewide MHI[2]</td><td>N/A</td><td>up to 100%</td><td>$60,000[3]</td></tr>
<tr><td colspan="4">Category A – C and/or Consolidation Projects</td></tr>
<tr><td>Medium DAC[2]</td><td>N/A</td><td>up to 100%</td><td>$60,000[3]</td></tr>
<tr><td colspan="4">Category E - F Projects</td></tr>
<tr><td>Small DAC or
Eligible NTNC That Serves a Small DAC</td><td>N/A</td><td rowspan="2">up to 100%</td><td rowspan="2">$45,000[4]</td></tr>
<tr><td rowspan="2">Expanded Small DAC</td><td>>=1.5%</td></tr>
<tr><td><1.5%</td><td colspan="2">Not Eligible for PF/Grant</td></tr>
<tr><td colspan="4">[1] The Deputy Director of the Division of Financial Assistance (DFA) may approve financing for construction projects with a total eligible project cost up to $6 M regardless of the amount per connection.
[2] Except for case-by-case exceptions, maximum of $20 million per project for Medium DAC or Small Non-DAC.</td></tr>
</table>

Please contact DrinkingWaterSRF@waterboards.ca.gov **or (916) 327-9978 for any questions.**

[3] The Deputy Director of DFA may approve up to $80,000 per connection for good cause. For good cause, the Deputy Director of DFA may approve up to $100,000 per connection for projects addressing compliance with a mandatory consolidation order, or addressing a system with an appointed administrator.
[4] The Deputy Director of DFA may approve up to $60,000 per connection for good cause.

REPAYABLE CONSTRUCTION FINANCING TERMS

Type of Community	Residential Water Rates as a % of MHI	Interest Rate	Max Financing Term	Local Cost Share
Small Severely DAC or Eligible NTNC That Serves a Small DAC	N/A	0%	40 Years	Waived
Small DAC or Expanded Small DAC	>=1.5%			
	<1.5%	½ General Obligation Bond Rate		

PLANNING GRANTS / PF:

- Available for projects that serve small DACs. The Deputy Director of the DFA may approve grants/PF for small, non-DAC Category A-D and/or consolidation projects for good cause.
- No cap on planning grant. Rather, planning grants count towards the total cost a community is eligible for over a 5-year period including planning, technical assistance, and construction funding.
- For 100% nonrepayable planning projects, DFA will generally not require the applicant to submit a complete financial security package or undergo financial security review prior to receiving funding, but the planning project will address financial capacity.

CONSOLIDATION INCENTIVES:

During SFY 2023-24, the State Water Board plans to continue to offer incentives to encourage consolidation, especially of Public Water Systems (PWSs) experiencing serious drinking water public health issues. The Division of Financial Assistance may offer a Receiving Water System* the following for their Incentive Project in exchange for completing a consolidation(s):

- PWS fully consolidates 1 or more communities (at least 15 connections or 25 people)
  - Up to $10 million in 0% financing per consolidated community/water system for an Incentive Project; and
  - Grant funding up to $3k/connection when consolidating a system that does not qualify as a small DAC, $5k/connection when consolidating a small DAC, or up to $10k/connection when consolidating a small SDAC water system for an Incentive Project. Max of $5 million grant per consolidated community/water system.

- PWS either managerially consolidates or provides water via an interconnection (where separate water system permits still exist), or a master meter agreement to one or more small community water system (where separate water system permits still exist).
  - Up to $2 million in 0% financing for an Incentive Project; and
  - Grant funding of up to $2.5k/connection when managerially consolidating or providing water via an interconnection/master meter to a small DAC water system or up to $5k/connection for a small SDAC water system for an Incentive Project. Max of $1 million grant per water system.

- PWS acts as an administrator to one or more SCWSs.
  - Up to $5 million in 0% financing for an Incentive Project; or
  - Grant funding of up to $2.5k/connection when acting as an administrator for a small DAC water system or up to $5k/connection for a small SDAC water system for an Incentive Project. Max of $1 million grant per water system.

*** Receiving Water System must be a voluntary participant (not mandatory consolidation) to receive incentive funding.**

FUNDING FOR CONSOLIDATIONS:

DFA will continue to require that all funding applicants evaluate the feasibility of consolidation to be eligible for DWSRF construction funding. If the applicant determines consolidation is infeasible, the applicant will be required to discuss the reasons supporting that determination. If consolidation is determined to be feasible and the most sustainable solution by DFA based on the consolidation assessment or other supplemental factors, DFA may provide grant/PF for the applicable consolidation project only, and not any alternative to consolidation. There may be unique cases where DFA approves grant/PF funding for a non-consolidation improvement project on a case-by-case basis, if that project is necessary to address a high priority issue while consolidation is evaluated and implemented, and either of the following applies: (1) the improvements included in the project would be necessary and continue to operate as part of the identified future consolidation opportunities; or (2) the project or a key portion of the project is identified as consistent with, and approved for funding consistent with, the Urgent Drinking Water Needs approach outlined in the FEP, and funding source requirements are met. Examples of high priority issues that such projects might address include: a chronic water quality issue that cannot generally be mitigated with short-term, interim solutions (e.g., brown water that cannot be used to wash clothes; an imminent threat of tank failure, that requires immediate action to avoid a risk to public health and safety).

Consolidation projects will be prioritized for DWSRF and associated drinking water funding. Consolidation projects are eligible for one hundred percent (100%) grant/PF funding, regardless of project category, but will be prioritized based on their public health ranking. Funding limits are described in Appendices D and E. As part of a consolidation project, reasonable and necessary connection fees or source capacity fees may be eligible for grant/PF. If a Receiving Water System does not have sufficient capacity to serve the additional customers of the Subsumed Water System, grant/PF funding may be available to increase a Receiving Water System's water supply capacity. The Deputy Director of DFA may approve grant funding for necessary improvements to recently consolidated systems for good cause.

A PWS is generally not required to demonstrate financial capacity to operate and maintain its system if it will be consolidated into another PWS, but the Receiving Water System must satisfy financial capacity requirements. DFA may apply alternative financial capacity review for a Receiving Water system for construction project that consists solely of the consolidation of two or more PWSs into a single PWS under certain circumstances[1]:

- Receiving Water Systems must submit the appropriate TMF assessment form, including a five-year budget projection for the system, including the project, in lieu of a complete financial security package.
- DFA will require certain items that have been included in the financial security package, such as the authorizing resolution, to be submitted.

FUNDING FOR PRIVATELY-OWNED SYSTEMS:

Privately-owned water systems that serve small, expanded small or medium DACs may be eligible for grant/PF based on the following criteria:

- **Consolidation projects:** eligible for 100% grant/PF funding, regardless of project category.
  - The system owner's ability to pay will not be considered in determining funding for reasonable connection fees and constructed facilities that will be owned and operated by the Receiving Water System, except to the extent required by the funding source.
  - Eligible planning projects may receive 100% grant/PF or be funded through TA, depending on the requirements of the funding source.
  - For other work occurring on private property associated with the Subsumed Water System, the Deputy Director may waive the ability to pay analysis, to the extent allowed by the funding source, when available information indicates the system owner has no other commercial assets other than the property associated with the system.
  - In most cases, funding will be provided to the Receiving Water System. To the extent that the Receiving Water System requires infrastructure improvements (e.g., pipelines,

[1] DFA will generally require a complete financial security package and financial security review of the Receiving Water System if any of the following criteria are met : i) the number of connections will increase by more than 5% with the project or the allowable permitted number of connections will be exceeded with the project; ii) any financial risks were identified in the most recent DDW Drinking Water Needs Assessment; iii) other information readily available, including information submitted by the Receiving Water System to DFA for other projects, or information from DDW's most recent sanitary survey of the Receiving Water System, indicates further review is warranted (or generally if a sanitary survey of the Receiving Water System has not been done within the past three years); and iv) the size of the Receiving Water System indicates further review is warranted (generally, for small systems a full financial review will be conducted). DFA will require certain items that have been included in the financial security package, such as the authorizing resolution, to be submitted.

storage tank, new well, treatment) for the consolidation, those improvements may be eligible for 100% grant/PF. The Deputy Director of DFA may reduce or limit reimbursement of connection fees if infrastructure improvements are being funded with grant/PF.

- **Non-consolidation Category A-D projects**: work on private property may be eligible for up to 100% grant/PF. The system owner's ability to pay is considered when determining the grant/PF amount to be provided for construction projects. Planning projects may receive 100% grant/PF or be funded through Technical Assistance.
- **Non-consolidation Category E-F projects**: the system owner's ability to pay will be considered in determining whether to provide any financial assistance.

FUNDING FOR WORK ON PRIVATE PROPERTY RELATED TO DOMESTIC WELLS:

For projects that consist of consolidation of homes not currently served by a PWS, or for consolidations that may require work on private property associated with the residences served by a Subsumed Water System, the work on private property associated with the residences, including items such as laterals, well destruction, or backflow prevention, can qualify for grant/PF, if allowed by the funding source, if the community being consolidated is a DAC. If available MHI data for the community does not appear representative for some or all of the households served by the consolidation project, household income verification may be required. Exceptions to grant eligibility may apply if the total cost per connection for specific households is significantly higher than others in the community being consolidated, for example because there is a larger individual property with an exceptionally long lateral or a higher connection fee required.

Enclosed is the Board packet dated February 6, 2023; Agenda Item No. 8D; Subject: Resolution No. 23-0206-05 Declaring Insufficient Funds to Install Water Metering Devices.

The Board Packet includes:

- Report of General Counsel,
- Memorandum by General Counsel, and
- Resolution No. 23-0206-05.

As I understand:
Meters pursuant to SB552 for small water districts:

1. Are for leak detection,
2. Not required if there is a lack of funds, even after 2032, and
3. Expenditures to meet maximum fire flows are a higher priority than meters to monitor leaks; thus, meter funding can be based on priorities.

Now AB 2572 applies to Urban Water Districts:

4. Meters are required to measure usage, and
5. SEC. 6. (a) states: Install water meters on all municipal and industrial service connections located within its service area within 10 years of meeting the definition of urban water supplier.

Therefore, if we merge with SSWD, meters for measuring usage need not be installed until 2035, then higher priority matters can be addressed before 2035.

I have discussed my concerns on this matter several times with our General Manager, and LAFCo seems to have chosen not to vet my concerns.

General Counsel needs to review Resolution No. 23-0206-05 and my understanding of Resolution No. 23-0206-05.

In regards to meters, what type of meter is the MSR referring to? The MSR appears to be misleading and perhaps Non-Transparent. If not clarified, then would Brown Act issues need to be vetted?

As with the Grant Funding issue.

DEL PASO MANOR WATER DISTRICT

BOARD MEETING

DATE: February 6, 2023 **AGENDA ITEM NO. 8.D**

SUBJECT: Resolution No. 23-0206-05 Declaring Insufficient Funds to Install Water Metering Devices

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STAFF CONTACT:
General Counsel

BACKGROUND:
Pursuant to Assembly Bill 552, which became effective in January, 2022, Water Code section 10609.62 requires small water suppliers such as the District, subject to funding availability, to implement several drought resiliency measures. Subsection (e) of section 10609.62 specifically requires small water suppliers to "meter each service connection and monitor for water loss due to leakages" by no later than January 1, 2032.

As the District lacks funding to install metering devices, this resolution intends to reflect the fiscal reality of the District, and permit the District to remain compliant with state law without installing metering units until such time as funds are available.

FINANCIAL IMPACT:
None.

RECOMMENDATION:
Adopt Resolution 23-0206-05, declaring insufficient funds to install individual water meters.

Attachments:
Resolution No. 23-0206-05

KRONICK

KRONICK
MOSKOVITZ
TIEDEMANN
& GIRARD

MEMORANDUM

TO: Del Paso Manor Water District Staff

FROM: Mona G. Ebrahimi and Jenifer Ryan

DATE: January 30, 2023

RE: Senate Bill 552 checklist

AB 552 became effective in January 2022 as a drought planning measure for small water suppliers. It requires small water suppliers to comply with several new requirements with the deadlines specified by statute. Del Paso Manor Water District ("District") is a small water supplier as defined by the statute (see Water Code § 10609.62) and subject to new requirements in SB 552 (codified as Water Code section 10609.50 et seq.). The following check list provides the statutory deadlines for each new requirement. While the District already meets some of these requirements (e.g. established interties with Sacramento Suburban Water District, mutual aid agreements, etc), staff should monitor this list to ensure the District is meeting the balance of the targeted goals and deadlines.

Statutory deadline	**Statutory requirement**	**Completed? Y or N**
*January 1, 2023	Implement monitoring systems sufficient to detect production well groundwater levels. (Wat. Code § 10609.62)	
*January 1, 2023	Maintain membership in the California Water/Wastewater Agency Response Network (CalWARN) or similar mutual aid organization. (Wat. Code § 10609.62)	
[TBD – Possibly May 2023? – District will have to check state water	Report **annually** water supply condition information to the state board through the state board's Electronic Annual Reporting (eAR) System or other reporting tool, as directed by the state board. (Wat. Code § 10609.61) If the District needs to register for eAR, it can do so here: https://ear.waterboards.ca.gov/ "Water supply condition information includes, but is not limited to … [a]n inventory and assessment of each water supply source, including its	

board website]	available status and if any further investments or treatment are required for its utilization, any lead time required for its utilization, and its delivery parameters such as flow rate and total volume available [and] [t]he reporting year's total water demand volume for each month, and average and peak flowrate demand for each month and annually."	
July 1, 2023 and every 5 years thereafter	Develop and maintain onsite and online an abridged Water Shortage Contingency Plan (WSCP) that includes, at a minimum, all of the drought-planning elements specified in Water Code section 10609.60. (Wat. Code § 10609.60(b).) The WSCP shall also be provided for inspection upon demand to the state board's Division of Drinking Water. (Id.) Required elements for the WSCP are: 1. Drought-planning contacts, including: "(A) At least one contact at the water system for water shortage planning and response and the development of the plan. (B) Contacts for local public safety partners and potential vendors that can provide repairs or alternative water sources, including, but not limited to, local community-based organizations that work with the population in and around areas served by the water system, contractors for drilling wells, vended water suppliers, and emergency shower vendors. (C) State and local agency contacts who should be informed when a drought or water shortage emergency is emerging or has occurred. (D) Regional water planning groups or mutual aid networks, to the extent they exist." 2. "Triggering mechanisms and levels for action, including both of the following: (A) Standard water shortage levels corresponding to progressive ranges based on the water supply conditions. Water shortage levels shall also apply to catastrophic interruption of water supplies, including, but not limited to, a regional power outage, an earthquake, a fire, and other potential emergency events. (B) Water shortage mitigation, response, customer communications, enforcement, and relief actions that align with the water shortage levels required by subparagraph (A)." (Wat. Code § 10609.60(a).) A draft template is available on the State Water Resources Control Board's website at: https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/clearinghouse_drought_conservation_reporting.html	

*January 1, 2024	Provide adequate backup electrical supply to ensure continuous operations during power failures. (Wat. Code § 10609.62)	
*January 1, 2027	Have at least one backup source of water supply, or a water system intertie, that meets current water quality requirements and is sufficient to meet average daily demand. (Wat. Code § 10609.62)	
*January 1, 2032	Meter each service connection and monitor for water loss due to leakages. (Wat. Code § 10609.62)	
*January 1, 2032	Have source system capacity, treatment system capacity if necessary, and distribution system capacity to meet fire flow requirements. (Wat. Code § 10609.62)	

*Subject to funding availability (Wat. Code § 10609.62)

RESOLUTION NO. 23-0206-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DEL PASO MANOR WATER DISTRICT DECLARING INSUFFICIENT FUNDS TO INSTALL INDIVIDUAL WATER METERS

WHEREAS, Senate Bill 552 ("SB 552") became effective in January 2022. SB 552 requires small water suppliers "to develop and maintain an abridged Water Shortage Contingency Plan that includes specified drought-planning elements." (Leg. Counsel's Digest, SB 552, Ch. 245.) It is codified in Water Code section 10609.50 et seq.;

WHEREAS, small water suppliers are defined by Water Code section 10609.51(k) as "a community water system serving 15 to 2,999 service connections, inclusive, and that provides less than 3,000 acre-feet of water annually." Del Paso Manor Water District serves almost 2,000 connections, and provides less than 3,000 acre-feet annually, so it is a small water supplier as defined by section 10609.51(k);

WHEREAS, Water Code section 10609.62 requires small water suppliers, subject to funding availability, to implement several drought resiliency measures. Subsection (e) of section 10609.62 specifically requires small water suppliers to "meter each service connection and monitor for water loss due to leakages" by no later than January 1, 2032.

WHEREAS, the District is undergoing a Proposition 218 study to increase rates and pay for capital improvements. However, those improvements have been reduced in size and scope to ensure that ratepayers do not protest the rates by majority vote. The District has considered the required costs of installing meters on each service connection and evaluated those costs with other, more urgent, District priorities to meet basic water supply needs. Based on the District's limited funds and more urgent priorities, the District concludes it does not have the necessary funds to install meters on each service connection at this time.

WHEREAS, the District intends to re-visit this issue in five years, assuming there will be another Proposition 218 study to see if ratepayers could fund the cost of meters.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DEL PASO MANOR WATER DISTRICT:

1. The Board of Directors does hereby find that the foregoing recitals are true and correct and hereby incorporates them into its findings.

2. The Board of Directors finds that the District does not have the necessary funds at this time to install meters on each service connection as provided by Water Code section 10609.62(e).

3. The Board of Directors directs staff, in five years, to re-visit whether the District can conduct another Proposition 218 rate study to raise sufficient funds to install meters on each service connection as provided in Water Code section 10609.62(e).

I certify that the foregoing Resolution was adopted by the Board of Directors of the Del Paso Manor Water District at a Regular Meeting held on the 6th day of February 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____

Ryan Saunders, President
Board of Directors

ATTEST:

_____

Alan Gardner, General Manager

BILL NUMBER: AB 2572 CHAPTERED
BILL TEXT

CHAPTER 884
FILED WITH SECRETARY OF STATE SEPTEMBER 29, 2004
APPROVED BY GOVERNOR SEPTEMBER 29, 2004
PASSED THE ASSEMBLY AUGUST 24, 2004
PASSED THE SENATE AUGUST 19, 2004
AMENDED IN SENATE JUNE 28, 2004
AMENDED IN SENATE JUNE 21, 2004
AMENDED IN SENATE JUNE 14, 2004
AMENDED IN ASSEMBLY MAY 20, 2004
AMENDED IN ASSEMBLY MAY 4, 2004
AMENDED IN ASSEMBLY APRIL 12, 2004

INTRODUCED BY Assembly Member Kehoe
(Coauthors: Assembly Members Bermudez, Shirley Horton, Jackson, Nation, and Pavley)
(Coauthors: Senators Alpert and Perata)

FEBRUARY 20, 2004

An act to amend Section 521 of, to amend and renumber Sections 110 and 111 of, to add Sections 527, 528, 529, and 529.5 to, and to add the heading of Article 3.5 (commencing with Section 525) to Chapter 8 of Division 1 of, the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2572, Kehoe. Water meters.

Existing law generally requires the installation of a water meter as a condition of water service provided pursuant to a connection installed on or after January 1, 1992. Existing law declares that the state goal for measurement of water use is the achievement, on or before January 1, 1992, of the installation of water meters on all new water service connections after that date to systems owned or operated by a water purveyor.

This bill, with certain exceptions, would require an urban water supplier, as defined, on or before January 1, 2025, to install water meters on all municipal and industrial water service connections that are located in its service area.

The bill would require an urban water supplier, beginning on or before January 1, 2010, but subject to certain exceptions, to charge each customer that has a service connection for which a water meter has been installed, based on the actual volume of deliveries, as measured by a water meter.

The bill would require a water purveyor that becomes an urban water supplier on or after January 1, 2005, to install water meters on all municipal and industrial water service connections within 10 years of becoming an urban water supplier, and, with a certain exception, to charge each customer for which a meter has been installed, based on the actual volume of water delivered, as measured by the water meter, within 5 years of becoming an urban water supplier.

The bill would provide that these provisions supersede and preempt all enactments, including charter provisions and amendments thereto, and other local action of cities and counties, including charter cities and charter counties, and other local public agencies that

conflict with these provisions, other than enactments or local action that impose additional or more stringent requirements regarding matters set forth in the bill.

The bill, on and after January 1, 2010, would require an urban water supplier that applies for financial assistance from the state for a wastewater treatment project, drinking water treatment project, or water use efficiency project, or a permit for a new or expanded water supply, to demonstrate that the applicant meets certain requirements.

The bill would authorize a water purveyor, including an urban water supplier, to recover the cost of providing services related to the purchase, installation, and operation of a water meter from rates, fees, or charges.

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

SECTION 1. Section 110 of the Water Code is amended and renumbered to read:

525. (a) Notwithstanding any other provision of law, every water purveyor who sells, leases, rents, furnishes, or delivers water service to any person shall require, as a condition of new water service on and after January 1, 1992, that a suitable water meter to measure the water service shall be installed on the water service facilities in accordance with this chapter. The cost of installation of the meter shall be paid by the user of the water, and any water purveyor may impose and collect charges for those costs.

(b) Subdivision (a) applies only to potable water.

(c) Subdivision (a) does not apply to a community water system which serves less than 15 service connections used by yearlong residents or regularly serves less than 25 yearlong residents, or a single well which services the water supply of a single-family residential home.

SEC. 2. Section 111 of the Water Code is amended and renumbered to read:

526. (a) Notwithstanding any other provision of law, an urban water supplier that, on or after January 1, 2004, receives water from the federal Central Valley Project under a water service contract or subcontract executed pursuant to Section 485h(c) of Title 43 of the United States Code with the Bureau of Reclamation of the United States Department of the Interior shall do both of the following:

(1) On or before January 1, 2013, install water meters on all service connections to residential and nonagricultural commercial buildings constructed prior to January 1, 1992, located within its service area.

(2) On and after March 1, 2013, or according to the terms of the Central Valley Project water contract in operation, charge customers for water based on the actual volume of deliveries, as measured by a water meter.

(b) An urban water supplier that receives water from the federal Central Valley Project under a water service contract or subcontract described in subdivision (a) may recover the cost of providing services related to the purchase, installation, and operation and maintenance of water meters from rates, fees, or charges.

SEC. 3. Section 521 of the Water Code is amended to read:

521. The Legislature further finds and declares all of the following:

(a) Water furnished or used without any method of determination of the quantities of water used by the person to whom the water is furnished has caused, and will continue to cause, waste and

unreasonable use of water, and that this waste and unreasonable use should be identified, isolated, and eliminated.

(b) Water metering and volumetric pricing are among the most efficient conservation tools, providing information on how much water is being used and pricing to encourage conservation.

(c) Without water meters, it is impossible for homeowners and businesses to know how much water they are using, thereby inhibiting conservation, punishing those who conserve, and rewarding those who waste water.

(d) Existing law requires the installation of a water meter as a condition of water service provided pursuant to a connection installed on or after January 1, 1992, but the continuing widespread absence of water meters and the lack of volumetric pricing could result in the inefficient use of water for municipal and industrial uses.

(e) The benefits to be gained from metering infrastructure are not recovered if urban water suppliers do not use this infrastructure.

(f) This chapter addresses a subject matter of statewide concern. It is the intent of the Legislature that this chapter supersede and preempt all enactments and other local action of cities and counties, including charter cities and charter counties, and other local public agencies that conflict with this chapter, other than enactments or local action that impose additional or more stringent requirements regarding matters set forth in this chapter.

(g) An urban water supplier should take any available necessary step consistent with state law to ensure that the implementation of this chapter does not place an unreasonable burden on low-income families.

SEC. 4. The heading of Article 3.5 (commencing with Section 525) is added to Chapter 8 of Division 1 of the Water Code, to read:

Article 3.5. Metered Service

SEC. 5. Section 527 is added to the Water Code, to read:

527. (a) An urban water supplier that is not subject to Section 526 shall do both the following:

(1) Install water meters on all municipal and industrial service connections located within its service area on or before January 1, 2025.

(2) (A) Charge each customer that has a service connection for which a water meter has been installed, based on the actual volume of deliveries, as measured by the water meter, beginning on or before January 1, 2010.

(B) Notwithstanding subparagraph (A), in order to provide customers with experience in volume-based water service charges, an urban water supplier that is subject to this subdivision may delay, for one annual seasonal cycle of water use, the use of meter-based charges for service connections that are being converted from nonvolume-based billing to volume-based billing.

(b) A water purveyor, including an urban water supplier, may recover the cost of providing services related to the purchase, installation, and operation of a water meter from rates, fees, or charges.

SEC. 6. Section 528 is added to the Water Code, to read:

528. Notwithstanding Sections 526 and 527, any water purveyor that becomes an urban water supplier on or after January 1, 2005, shall do both the following:

(a) Install water meters on all municipal and industrial service connections located within its service area within 10 years of meeting the definition of urban water supplier.

(b) (1) Charge each customer for which a water meter has been

installed, based on the actual volume of water delivered, as measured by the water meter, within five years of meeting the definition of urban water supplier.

(2) Notwithstanding paragraph (1), in order to provide customers with experience in volume-based water service charges, an urban water supplier that is subject to this subdivision may delay, for one annual seasonal cycle of water use, the use of meter-based charges for service connections that are being converted from nonvolume-based billing to volume-based billing.

(c) For the purposes of this article, an "urban water supplier" has the same meaning as that set forth in Section 10617.

SEC. 7. Section 529 is added to the Water Code, to read:

529. (a) This article addresses a subject matter of statewide concern.

(b) Subject to subdivision (c), this article supersedes and preempts all enactments, including charter provisions and amendments thereto, and other local action of cities and counties, including charter cities and charter counties, and other local public agencies that conflict with this article.

(c) This article does not supersede or preempt any enactment or other local action that imposes additional or more stringent requirements regarding matters set forth in this article.

SEC. 8. Section 529.5 is added to the Water Code, to read:

529.5. On and after January 1, 2010, any urban water supplier that applies for financial assistance from the state for a wastewater treatment project, a water use efficiency project, or a drinking water treatment project, or for a permit for a new or expanded water supply, shall demonstrate that the applicant meets the requirements of this article.

7 MAY 2024 FIRE FLOW ISSUE

Page 42 of the MSR states, *"currently, with well #9 offline, DPMWD can only produce 2,060 gpm, which is less than their MDD of 3,130 gpm."*

- The numbers 2060 gpm and 3,130 gpm are correct,
- However, *which is less than their MDD of 3,130 gpm* appears to be a flawed extrapolation of the full data.

Title 22, Section 64554(c) reads: *'Community water systems using only groundwater shall have a minimum of two approved sources before being granted an initial permit. The system shall be capable of meeting MMD with the highest-capacity source off line.'*

The question is: What is an *'approved source'*?

Title 22, Section 64554(a)(1) reads: *"For systems with 1,000 or more service connections, the system shall be able to meet four hours of peak hourly demand (PHD) with source capacity, storage capacity, and/or emergency source connections".*

Thus, Section 64554(a)(1) appears to include interties as an emergency source connections and thus an approved source.

In addition, state general law SB 88; SEC. 2, 116682 (g) states: *"Extension of service" means the provision of service through any physical or operational infrastructure arrangement other than consolidation."*

Furthermore, SSWD has interties with Rio Linda Water District, which is on 100% groundwater. Yet, Rio Linda Water District was not forced to merge with SSWD.

Thus, LAFCo appears to have brushed aside the questions I posed to our General Manager.

Following are my rough estimates, and they may not be precisely accurate of needed fire flow demand. Yet, they should give an approximation of needed fire flow demand. Now, the intertie capacity is estimated pursuant to 5.0 (3) b) in LAFCo'S MSR for public review: *'even at 1/3 of their rated capacity and coupled with District Wells, fire flows should be met.'* I don't know the actual rated intertie capacity; I did not find that number in LAFCo's MSR for public review.

However, applying the 1/3 of their rated capacity to the lower number related to Maximum Daily Demand;

MDD	3,130 gpm
Well 9 Out	1,500 gpm
Difference	1,630 gpm
Bottom Line	2,060 gpm (adds good wells operating – Well 6 is > 500 gpm)
1/3 Intertie Capacity	1,070 gpm to bring back to MDD of 3,130 gpm
3/3 Intertie Capacity	3,210 gpm

As Applied To Fire Flow	
Fire Flow Demand	6,630 gpm
Minus Well 9	1,500 gpm
Difference	4,130 gpm
Bottom Line	2,060 gpm (adds good wells operating)
Subtract Bottom Line	4,570 gpm additional fire flow needs
3/3 Intertie Capacity	3,210 gpm
Deficit	1,360 gpm

Questions For General Manager:

1. How much extra gpm would Well 7 produce if we had received the grant and upgraded Well 7?
2. What volume of water in gpm could DPMWD expect from a 10-inch intertie from SSWD's 12-inch main down Maryal, say at Orville Wright Park?

I have discussed these estimates with our General Manager, and the MSR appears not to have vetted my concerns. No one has got back to me to with their review of my estimations. The fire flow demand issue appears to be non-transparent.

Cal. Code Regs. Tit. 22, § 64554 - New and Existing Source Capacity

(a) At all times, a public water system's water source(s) shall have the capacity to meet the system's maximum day demand (MDD). MDD shall be determined pursuant to subsection (b).

(1) For systems with 1,000 or more service connections, the system shall be able to meet four hours of peak hourly demand (PHD) with source capacity, storage capacity, and/or emergency source connections.

(2) For systems with less than 1,000 service connections, the system shall have storage capacity equal to or greater than MDD, unless the system can demonstrate that it has an additional source of supply or has an emergency source connection that can meet the MDD requirement.

(3) Both the MDD and PHD requirements shall be met in the system as a whole and in each individual pressure zone.

(b) A system shall estimate MDD and PHD for the water system as a whole (total source capacity and number of service connections) and for each pressure zone within the system (total water supply available from the water sources and interzonal transfers directly supplying the zone and number of service connections within the zone), as follows:

(1) If daily water usage data are available, identify the day with the highest usage

during the past ten years to obtain MDD; determine the average hourly flow during MDD and multiply by a peaking factor of at least 1.5 to obtain the PHD.

(2) If no daily water usage data are available and monthly water usage data are available:

(A) Identify the month with the highest water usage (maximum month) during at least the most recent ten years of operation or, if the system has been operating for less than ten years, during its period of operation;

(B) To calculate average daily usage during maximum month, divide the total water usage during the maximum month by the number of days in that month; and

(C) To calculate the MDD, multiply the average daily usage by a peaking factor that is a minimum of 1.5; and

(D) To calculate the PHD, determine the average hourly flow during MDD and multiply by a peaking factor that is a minimum of 1.5.

(3) If only annual water usage data are available:

(A) Identify the year with the highest water usage during at least the most recent ten years of operation or, if the system has been operating for less than ten years, during its years of operation;

(B) To calculate the average daily use, divide the total annual water usage for the year with the highest use by 365 days; and

(C) To calculate the MDD, multiply the average daily usage by a peaking factor of 2.25.

(D) To calculate the PHD, determine the average hourly flow during MDD and multiply by a peaking factor that is a minimum of 1.5.

(4) If no water usage data are available, utilize records from a system that is similar in size, elevation, climate, demography, residential property size, and metering to determine the average water usage per service connection. From the average water usage per service connection, calculate the average daily demand and follow the steps in paragraph (3) to calculate the MDD and PHD.

(c) Community water systems using only groundwater shall have a minimum of two approved sources before being granted an initial permit The system shall be capable of meeting MDD with the highest-capacity source off line.

(d) A public water system shall determine the total capacity of its groundwater sources by summing the capacity of its individual active sources. If a source is influenced by concurrent operation of another source, the total capacity shall be reduced to account for such influence. Where the capacity of a source varies seasonally, it shall be determined at the time of MDD.

(e) The capacity of a well shall be determined from pumping data existing prior to March 9, 2008 or in accordance with subsection (f) or (g). Prior to conducting a well capacity test pursuant to subsection (g), a system shall submit the information listed below to the State Board for review and approval. For well capacity tests conducted pursuant to subsection (f), the information shall be submitted to the State Board if requested by the State Board.

(1) The name and qualifications of the person who will be conducting the test;

(2) The proposed test's pump discharge rate, based on the design rate determined during well development and/or a step-drawdown test.

(3) A copy of a United States Geological Survey 7 ½ -minute topographic map of the site at a scale of 1:24,000 or larger (1 inch equals 2,000 feet or 1 inch equals less than 2,000 feet) or, if necessary, a site sketch at a scale providing more detail, that clearly indicates;

(A) The well discharge location(s) during the test, and

(B) The location of surface waters, water staff gauges, and other production wells within a radius of 1000 feet;

(4) A well construction drawing, geologic log, and electric log, if available;

(5) Dates of well completion and well development, if known;

(6) Specifications for the pump that will be used for the test and the depth at which it will draw water from the well;

(7) A description of the methods and equipment that will be used to measure and maintain a constant pumping rate;

(8) A description of the water level measurement method and measurement schedule;

(9) For wells located in or having an influence on the aquifer from which the new well will draw water, a description of the wells' operating schedules and the estimated amount of groundwater to be extracted, while the new well is tested and during normal operations prior to and after the new well is in operation;

(10) A description of the surface waters, water staff gauges, and production wells-shown in (3)(B);

(11) A description of how the well discharge will be managed to ensure the discharge doesn't interfere with the test;

(12) A description of how the initial volume of water in the well's casing, or bore hole if there is no casing at the time, will be addressed to ensure it has no impact on the test results; and

(13) A written description of the aquifer's annual recharge.

(f) To determine the capacity of a well drilled in alluvial soils when there is no existing data to determine the capacity, a water system shall complete a constant discharge (pumping rate) well capacity test and determine the capacity as follows:

(1) Take an initial water level measurement (static water level) and then pump the well continuously for a minimum of eight hours, maintaining the pump discharge rate proposed in subsection (e)(2);

(2) While pumping the well, take measurements of the water level drawdown and pump discharge rates for a minimum of eight hours at a frequency no less than every hour;

(3) Plot the drawdown data versus the time data on semi-logarithmic graph paper, with the time intervals on the horizontal logarithm axis and the drawdown data on the vertical axis;

(4) Steady-state is indicated if the last four hours of drawdown measurements and the elapsed time yield a straight line in the plot developed pursuant to subsection (3). If steady-state is not achieved, the pump discharge rate shall be continued for a longer period of time or adjusted, with paragraphs (2) and (3) above repeated, until steady-state is achieved.

(5) Discontinue pumping and take measurements of the water level drawdown no less frequently than every 15 minutes for the first two hours and every hour thereafter for at least six hours or until the test is complete; and

(6) To complete the test, the well shall demonstrate that, within a length of time not exceeding the duration of the pumping time of the well capacity test, the water level has recovered to within two feet of the static water level measured at the beginning of the test or to a minimum of ninety-five percent of the total drawdown measured during the test, whichever is more stringent.

(7) The capacity of the well shall be the pump discharge rate determined by a completed test.

(g) The capacity of a well whose primary production is from a bedrock formation, such that the water produced is yielded by secondary permeability features (e.g., fractures or cracks), shall be determined pursuant to either paragraph (1) or (2) below.

(1) The public water system shall submit a report, for State Board review and approval, proposing a well capacity based on well tests and the evaluation and management of the aquifer from which the well draws water. The report shall be prepared and signed by a California registered geologist with at least three years of experience with groundwater hydrology, a California licensed engineer with at least five years of experience with groundwater hydrology, or a California certified hydrogeologist. Acceptance of the proposed well capacity by the State Board shall, at a minimum, be based on the State Board's review and approval of the following information presented in the report in support of the proposed well capacity:

(A) The rationale for the selected well test method and the results;

(B) The geological environment of the well;

(C) The historical use of the aquifer;

(D) Data from monitoring of other local wells;

(E) A description of the health risks of contaminants identified in a source water assessment, as defined in section 64401.57 of Title 22, and the likelihood of such contaminants being present in the well's discharge;

(F) Impacts on the quantity and quality of the groundwater;

(G) How adjustments were made to the estimated capacity based on drawdown, length of the well test, results of the wells test, discharge options, and seasonal variations and expected use of the well; and

(H) The well test(s) results and capacity analysis.

(2) During the months of August, September, or October, conduct either a 72-hour well capacity test or a 10-day well capacity test, and determine the well capacity using the following procedures:

(A) Procedures for a 72 hour well capacity test:

1. For the purpose of obtaining an accurate static water level value, at least twelve hours before initiating step 2., pump the well at the pump

discharge rate proposed in subsection (e)(2) for no more than two hours, then discontinue pumping;

2. Measure and record the static water level and then pump the well continuously for a minimum of 72 hours starting at the pump discharge rate proposed in (e)(2);

3. Measure and record water drawdown levels and pump discharge rate:

a. Every thirty minutes during the first four hours of pumping,

b. Every hour for the next four hours, and

c. Every four hours thereafter until the water drawdown level is constant for at least the last four remaining measurements, and;

4. Plot the drawdown and pump discharge rate data versus time data on semi-logarithmic graph paper, with the time intervals on the horizontal logarithmic axis and the drawdown and pump discharge rate data on the vertical axis.

(B) Procedures for a 10 day well capacity test:

1. For the purpose of obtaining an accurate static water level value, at least twelve hours before initiating step 2., pump the well at the pump discharge rate proposed in subsection (e)(2) for no more than two hours, then discontinue pumping;

2. Measure and record the static water level and then pump the well continuously for a minimum of 10 days starting at the pump discharge rate proposed in (e)(2);

3. Measure and record water drawdown levels and pumping rate:

a. Every thirty minutes during the first four hours of pumping,

b. Every hour for the next four hours,

c. Every eight hours for the remainder of the first four days,

d. Every 24 hours for the next five days, and

e. Every four hours thereafter until the water drawdown level is constant for at least the last four remaining measurements, and;

4. Plot the drawdown and pump discharge rate data versus time data on semi-logarithmic graph paper, with the time intervals on the

horizontal logarithmic axis and the drawdown and pump discharge rate data on the vertical axis.

(C) To complete either the 72-hour or 10-day well capacity test the well shall demonstrate that, within a length of time not exceeding the duration of the pumping time of the well capacity test, the water level has recovered to within two feet of the static water level measured at the beginning of the well capacity test or to a minimum of ninety-five percent of the total drawdown measured during the test, whichever is more stringent. If the well recovery does not meet these criteria, the well capacity cannot be determined pursuant to subsection (g)(2) using the proposed pump rate. To demonstrate meeting the recovery criteria, the following water level data in the well shall be measured, recorded, and compared with the criteria:

1. Every 30 minutes during the first four hours after pumping stops,

2. Hourly for the next eight hours, and

3. Every 12 hours until either the water level in the well recovers to within two feet of the static water level measured at the beginning of the well capacity test or to a at least ninety-five percent of the total drawdown measured during the test, which ever occurs first.

(D) Following completion of a 72-hour or 10-day well capacity test, the well shall be assigned a capacity no more than:

1. For a 72-hour test, 25 percent of the pumping rate at the end of a completed test's pumping.

2. For a 10-day test, 50 percent of the pumping rate at the end a completed test's pumping.

(h) The public water system shall submit a report to the State Board that includes all data and observations associated with a well capacity test conducted pursuant to subsection (f) or (g), as well as the estimated capacity determination methods and calculations. The data collected during pumping and recovery phases of the well capacity tests shall be submitted in an electronic spreadsheet format in both tabular and graphic files.

(i) An assigned well capacity may be revised by the State Board if pumping data collected during normal operations indicates that the assigned well capacity was not representative of the actual well capacity.

(j) If directed by the State Board to do so, based on adverse conditions that may lead or may have led to a regional aquifer's inability to meet a water system's demand on such an aquifer, the water system shall submit a report to the State Board that includes regional aquifer recharge estimates and a water balance analysis. The report shall be prepared and signed by a California registered geologist with at least three years of experience with groundwater hydrology, a California licensed engineer with at least five years of experience with groundwater hydrology, or a California certified hydrogeologist.

(k) The source capacity of a surface water supply or a spring shall be the lowest anticipated daily yield based on adequately supported and documented data.

(l) The source capacity of a purchased water connection between two public water systems shall be included in the total source capacity of the purchaser if the purchaser has sufficient storage or standby source capacity to meet user requirements during reasonable foreseeable shutdowns by the supplier.

Notes

Cal. Code Regs. Tit. 22, § 64554

1. New section filed 2-8-2008; operative 3-9-2008 (Register 2008, No. 6).
2. Change without regulatory effect amending subsections (e), (g)(1) and (h)-(j) and amending NOTE filed 6-2-2015 pursuant to section 100, title 1, California Code of Regulations (Register 2015, No. 23).
3. Amendment of subsection (g)(1)(E) filed 6-17-2021; operative 7-1-2021 pursuant to Government Code section 11343.4(b)(3) (Register 2021, No. 25). Transmission deadline specified in Government Code section 11346.4(b) extended 60 calendar days pursuant to Executive Order N-40-20.

Note: Authority cited: Sections 116271, 116350 and 116375, Health and Safety Code. Reference: Sections 116275, 116375, 116540 and 116555, Health and Safety Code.

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Agenda 8C

Comments

Carol Rose

It is difficult to comment in advance of the meeting because I did not hear the board discussion tonight. Perhaps some of my concerns have already been addressed. These agenda items which can only be perceived as beginning to shut down the District are poorly timed. The Board has had a very short time to consider options. And, I dare say, LAFCo did not offer alternative options—They only offered just why they think we are no longer viable. I think this Board needs to investigate all possible alternatives to the future of DPMWD. That task could best be handled by an ad hoc committee. I heard two of our Board members just wave the white flag at the LAFCo meeting, i.e., it will be best if we consolidate. Really? Is that the best you can do for this District?

It may, indeed be time for DPM to consolidate, but I want us to go into that consolidation from a position of strength, not weakness! Shutting down ratepayer funding and not attempting to secure loans should not be the first step we take.

And this "pie in the sky" grant may never materialize. No one can guarantee we will get even a small amount of money from the State Revolving Fund, or any amount. If we agree to the consolidation path and then find we do not get any grant money, how is that a position of strength? And where do we go from there?

In the past year this Board has made some very questionable financial decisions, but this one would be the most egregious.

I think much further investigation is an absolute necessity before important decisions about our future. I'm hoping by this time, each of you have come to that decision, too.

A good decision is based on knowledge and not numbers."

- Plato