



## TECHNICAL ASSISTANCE (TA) WORK PLAN

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UNIVERSITY OF CALIFORNIA DAVIS  
AND  
CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

AOKI WATER JUSTICE CLINIC

AGREEMENT NUMBER (NO.) D22-17007

**TA WORK PLAN NO. 7101-A**  
**TA START DATE: 12/15/2023**

**AMOUNT: \$70,572**

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Whereas through the passage of Senate Bill 200 in July 2019, the State Water Resources Control Board (State Water Board) is authorized to make Safe and Affordable Drinking Water Funds (SADW Funds) available for projects meeting certain criteria; and

Whereas through the passage of Senate Bill 170 in September 2021, the State Water Board is authorized to make General Fund monies available for projects meeting certain criteria; and

Whereas the State Water Board has determined that this Project is eligible for certain SADW funds and certain General Fund monies;

Therefore, the parties hereby amend the Agreement, originally executed on May 3, 2023, and incorporated herein, to add:

**TA WORK PLAN NO. 7101-A** (7 pages attached) \*\*

\*\* Entire Exhibit Added

All other terms and conditions shall remain the same.

### RECIPIENT:

By: \_\_\_\_\_

Name: Robert Mullaney

Title: Director, Aoki Water Justice Clinic, UC Davis School of Law

Date: \_\_\_\_\_

### STATE WATER RESOURCES CONTROL BOARD:

By: \_\_\_\_\_

Name: Joe Karkoski

Title: Deputy Director, Division of Financial Assistance

Date: \_\_\_\_\_

**Technical Assistance (TA) Work Plan**

**TA Type:**  Drinking Water     Wastewater     Storm Water     Groundwater  
**Grant Agreement No.:** D22-17007  
**TA Start Date:** 12/15/2023  
**TA Recipient(s):** Lake Francis Mutual Water Company, CA5800805  
**Community/System Information:** Population Served: 60  
 Number of Connections: 21  
 Median Household Income (MHI): \$50,511  
 MHI Source: Lower bound MHI, American Community Survey 2015-2019  
**Community/System Contact:** Anna Romano, President, 530-324-5511, anna@qbooksas.com  
  
**Work Plan No.:** Work Plan No. 7101-A  
**Work Plan Title:** Lake Francis Mutual Water Company – Legal Assistance to Amend Corporate Documents  
**Work Plan Submittal Date:** March \*\*, 2024

**A. Technical Assistance Details**Water System Description:

Lake Francis Mutual Water Company (Lake Francis or the Company) operates a community water system located in Yuba County in Dobbins, CA. The system currently serves 60 people through 21 active service connections. Water is currently stored in used, uncoated railroad car water tanks (31,000 gallons total capacity), which have not been cleaned or serviced since installation and do not provide sufficient storage capacity for the system or for fire flow. One of the two wells for this system is high in arsenic; Lake Francis blends the water from its two wells for potable use. The wells each have a capacity of 35 gallons per minute. The system's wells, pumps, pipes, and tanks are over 50 years old. The system has experienced several water main breaks due to high water system pressure and experiences frequent leaks in the distribution system. A consultant, Rose Water System Management, prepared a water system assessment report in March 2021, which identified critical engineering needs and recommended well maintenance and the installation of a new storage tank, a portable generator, water meters, and a SCADA system.

Current and Past Compliance Issues:

The system has no record of compliance orders or violations.

Need for Technical Assistance:

On December 15, 2023, the State Water Board assigned a Technical Assistance Request No. 7101-A to the Aoki Water Justice Clinic at UC Davis School of Law (UCD) to provide legal assistance to Lake Francis. The water system's infrastructure is over 50 years old and has experienced several water main breaks due to high water system pressure and frequent leaks in the distribution system. In addition, one of the two wells for this system is high in arsenic. When Lake Francis applied for funding to upgrade its water system and address these issues, the Water Board reviewed the Company's corporate documents and determined that its Bylaws were not consistent with the Company's current operations. In particular, the Company's board members serve two-year terms rather than one year as stated in the Company's Bylaws.

Because Lake Francis does not have an attorney, the State Water Board requested UCD to assist the Company in revising and adopting new Bylaws. UCD will undertake the following tasks:

- (1) Needs Assessment and Work Plan. Identify the scope of work, deliverables, schedule, and budget for technical assistance needed.
- (2) Revise Corporate Documents. UCD will revise the Company's corporate documents to be consistent with Company's current operations.
- (3) Tax Exemption Application. UCD will file an application for federal tax exemption.
- (4) Compliance Checklist. UCD will prepare a compliance checklist after IRS approval.
- (5) Project Management. UCD will conduct project meetings, coordinate with the State Water Board Project Manager (PM), and prepare a close out summary.

Other TA Providers:

Rural Community Assistance Corporation (RCAC) assisted Lake Francis in applying for DWSRF funding to address the Company's compromised water quality, inadequate storage, and distribution system failures. RCAC's work plan was closed on November 7, 2023, after the planning application had been completed.

**B. Summary of Proposed Deliverables and Activities**

No.	Task	Notes and Details Regarding Related Activities	Lead TA Provider staff/consultant(s)	Deliverable & Due Date <sup>1</sup>	Budget <sup>2</sup>
1	Perform Needs Assessment and Prepare Work Plan	<ul style="list-style-type: none"> <li>▪ Identify the TA work plan stakeholders.</li> <li>▪ Conduct a kickoff meeting with all stakeholders, including representatives from Lake Francis and the State Water Board. Distribute meeting agenda and notes.</li> <li>▪ Identify the scope of TA, deliverables, schedule, and budget.</li> <li>▪ Submit information requests to stakeholders as necessary.</li> <li>▪ Prepare a final work plan incorporating stakeholders' comments and submit to the State Water Board PM for the Division of Financial Assistance's (Division) approval.</li> </ul>	UC Davis Aoki Water Justice Clinic	Draft TA Work Plan - Complete	\$13,569
2	Revise and Finalize Corporate Documents	<ul style="list-style-type: none"> <li>▪ Revise and finalize the Company's corporate documents to be consistent with Company's current operations.</li> </ul>	UC Davis Aoki Water Justice Clinic	Submit Revised Bylaws – 7-8-2024	\$17,726
3	Apply for Federal Tax Exemption	<ul style="list-style-type: none"> <li>▪ Contact IRS</li> <li>▪ Draft power of attorney form</li> <li>▪ Draft application for tax exemption</li> <li>▪ Respond to IRS requests and comments</li> </ul>	UC Davis Aoki Water Justice Clinic	Submit application to IRS – 7-31-2024	\$21,035
4	Compliance Checklist	<ul style="list-style-type: none"> <li>▪ Prepare compliance checklist after IRS approval</li> </ul>	UC Davis Aoki Water Justice Clinic	Submit checklist – April 30, 2025	\$5,856

No.	Task	Notes and Details Regarding Related Activities	Lead TA Provider staff/consultant(s)	Deliverable & Due Date <sup>1</sup>	Budget <sup>2</sup>
5	Project Management	<ul style="list-style-type: none"> <li>▪ Coordinate with project stakeholders.</li> <li>▪ Conduct project meetings; distribute agenda and meeting notes for each meeting.</li> <li>▪ Coordinate with the State Water Board PM on work plan execution and to provide response to questions.</li> <li>▪ Monitor work plan scope, schedule, and budget.</li> <li>▪ Prepare AR close out summary upon completion or cancellation of the TA work plan.</li> </ul>	UC Davis Aoki Water Justice Clinic	AR Close Out Summary – August 29, 2025	\$12,386

<sup>1</sup> Deliverables shall be uploaded to the Financial Assistance Application Submittal Tool unless otherwise specified. Final deliverables associated with a funding application shall be uploaded to the FAAST proposal identification number (PIN) for the application. All other deliverables shall be uploaded to the FAAST PIN associated with this Project.

<sup>2</sup> Budget may be shifted between tasks upon written approval from the State Water Board PM.

**C. Total Budget (direct costs, including fringe) <sup>1</sup>**

Budget Category	Total Amount Requested
Personnel	\$69,572
Expenses and Supplies	
Equipment (>\$5,000)	
Travel	\$1,000
Professional and Consultant Services	
<b>Total Costs</b>	<b>\$70,572</b>

<sup>1</sup> Costs may be shifted between line items upon written approval from the State Water Board PM. Any costs exceeding the total amount requested will require an amendment to this work plan.

**Budget Assumptions:**

An allocated amount of \$1,000 covers travel for meetings with Lake Francis representatives.

**D. California Environmental Quality Act (CEQA) Certification**

Please indicate if all the work you will implement in connection with this work plan is consistent with one of the following CEQA exemptions:

- Feasibility and planning studies with no ground disturbing activities (California Code Regulations, Title 14, § 15262)
- Includes information collection via pilot studies, test wells, boreholes, etc. (California Code Regulations, Title 14, § 15306)

If proposed work includes ground disturbing activities in an area(s) with a potential for environmental impacts, including riparian habitat, wetland, endangered species habitat or sensitive cultural resources areas, you must notify your State Water Board PM of the nature and scope of such work and receive approval prior to commencing ground disturbing activities.

**E. Environmental Conditions**

If this work plan includes the development of environmental documents required by the CEQA or by the environmental application package of a funding application for a construction project, the Recipient agrees to the following conditions:

- The Recipient shall not identify the State Water Board as the CEQA Lead Agency for the construction project without prior coordination with and written consent from the State Water Board, Division of Financial Assistance (Division), Environmental Section. The State Water Board generally will not consent to be the CEQA Lead Agency if the TA recipient is a public entity.
- The Recipient shall inform the Division if a CEQA Lead Agency (such as the city or county) has not been identified for the construction project. The Division will coordinate with the Recipient and local public agencies where the construction project is located, as applicable, to identify the CEQA Lead Agency for the construction project.
- If an agency other than the State Water Board is identified as the CEQA Lead Agency for the construction project, the Recipient shall coordinate with the CEQA Lead Agency to determine the appropriate CEQA documents to be prepared for the construction project and to submit all final CEQA documents and notices for the construction project to the Governor's Office of Planning and Research, State Clearinghouse. The Recipient shall be responsible for the California Department of Fish and Wildlife (CDFW), CEQA Environmental Document Filing Fees. A copy of all such CEQA documents and notices shall be submitted to the Division via the Financial Assistance Application Submittal Tool (FAAST).
- If the State Water Board consents to be the CEQA Lead Agency for the construction project, the Recipient shall coordinate with the Division to determine the appropriate CEQA documents to be prepared for the construction project, and the following conditions shall apply:
  - The State Water Board is solely responsible for carrying out consultations with Native American tribes for compliance with Assembly Bill (AB) 52. The Recipient and/or the environmental consultant is not authorized and shall not initiate any such consultations. For further guidance on AB 52 requirements contact Division's Environmental Review Staff and/or the PM.

- The Recipient shall coordinate with the Division and provide all technical studies needed to support CEQA findings such as, California Emissions Estimator Model (CalEEMod) outputs, a biological report, a cultural resources report, a wetland delineation report and a geotechnical report. The Recipient shall prepare and submit all CEQA document(s), appendices to the CEQA document, public comments received (including response to comments), and notices agreed upon after consultation with the Division for the construction project for review and written approval by the Division.
- The CEQA documents and notices shall be prepared to meet the Web Content Accessibility Guidelines 2.1 Level AA Standards in addition to the requirements of Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794d).
- The Recipient shall be responsible for the CDFW, CEQA Environmental Document Filing Fees due to the Governor's Office of Planning and Research, State Clearinghouse upon the Division's adoption of the CEQA document and approval of the construction project. The Recipient shall coordinate with the Division prior to paying the CDFW filing fees.
- The Recipient shall submit to the Division a Biological Assessment Report or an updated previously prepared Biological Assessment Report for the construction project that meets the requirements of Section 7 of the Endangered Species Act (ESA) for the purposes of initiating consultation with the United States Fish and Wildlife Service and/or the National Marine Fisheries Service. This condition applies to (1) all projects that receive Clean Water State Revolving Fund funding, (2) all projects that receive Drinking Water State Revolving Fund funding that are subject to Tier I environmental review, and (3) other projects, at the discretion of the Division. For applicability of this condition and further guidance on Section 7, ESA requirements contact Division's Environmental Review Staff and/or the PM.
- The Recipient shall submit to the Division a Historic Properties Identification Report (HPIR) or an updated previously prepared HPIR for the construction project, authored by a qualified archaeologist that meets the requirements of Section 106 of the National Historic Preservation Act (NHPA) for the purposes of initiating consultation with the Office of Historic Preservation. This condition applies to (1) all projects that receive Clean Water State Revolving Fund funding, (2) all projects that receive Drinking Water State Revolving Fund funding that are subject to Tier I environmental review, and (3) other projects, at the discretion of the Division. For applicability of this condition and further guidance on Section 106, NHPA requirements contact Division's Environmental Review Staff and/or the PM.
- During the term of this planning Agreement, the Recipient shall request approval of any change(s) to the Scope of Work of the construction project before making those changes. Thereafter, the Division shall notify the Recipient whether additional environmental review is necessary as a result of the change(s).
- The Recipient shall not initiate any ground disturbing/construction activities unless and until the environmental review process is complete and all applicable notices are filed by the CEQA Lead Agency.

#### **F. Additional Work Plan Conditions**

- This work plan is subject to cancellation if two or more deliverable due dates are missed, or if work and work products are not adequate. In implementing this work plan, the Recipient agrees to advance the mission of the Safe and Affordable Funding for Equity

and Resilience (SAFER) Program, and to provide consistent, accurate messaging, as agreed upon working in cooperation with State Water Board staff and other relevant stakeholders.

- This work plan is also subject to cancellation if the Recipient fails to work cooperatively with the State Water Board in advancing the goals of the SAFER program, including messaging at public meetings, communication with assistance recipients, and solution proposals. Tasks conducted under this work plan shall not be disruptive to the implementation of solutions within a community, as determined by the Division.
- Any access or right-of-entry agreements developed pursuant to this work plan must ensure that the State Water Board, the State Auditor, or any authorized representative of the foregoing, will have safe and suitable access to the project site at all reasonable times through the useful life of the project.
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