This document, a Memorandum of Commitment (“MOC”), is intended to affirm the commitment by all Mountain Counties Funding Area Integrated Regional Water Management groups (collectively referred to here as the “IRWMs”) to equally divide Proposition 1 Integrated Regional Water Management Implementation funds (“Prop 1 funds”). By doing so the IRWMs also agree to forego a competitive application process with the California Department of Water Resources (“DWR”) regarding division of Proposition 1 funding allocated to the IRWMs of the Mountain County Funding Area. IRWMs include:

* Cosumnes-American-Bear-Yuba
* Madera
* Mokelumne-Amador-Calaveras
* Northern Sacramento Valley
* Southern Sierra
* Tuolumne-Stanislaus
* Upper Feather River
* Yosemite-Mariposa
* Yuba County

The above IRWMs represent all participating Integrated Regional Water Management areas within the Mountain Counties Funding Area (“MCFA”), as designated under Proposition 1 (excluding the American River Basin IRWM, as it has opted out of participation and funding). The previous competitive process has been unsatisfactory to the IRWMs, as such competitive applications require extensive time and resources and too often result in no funding. Given the probability of denial and the relatively small amount of money available through Proposition 1, a competitive application process would deter some IRWMs from participating. To address this problem, the IRWMs have proposed and independently ratified an agreement to each apply for no more than one-ninth (1/9th) of available Prop 1 funds in both rounds of Prop 1 funding.

As specified in DWR’s April 2019 Round 1 IRWM Implementation Grant Proposal Solicitation Package (“April 2019 PSP”), there is $10,316,094 available in implementation funding for the MCFA, of which $1,300,000 is devoted specifically to Disadvantaged Communities (“DACs”) and Tribes, and $9,016,094 for general projects. This document affirms that the IRWMs have agreed to pre-allocate the available funding among the participants as more fully described in Exhibit A below.

Specifically, the IRWMs agree to the following:

1. The funding allocation has been agreed upon and is affirmed by the signatories. The MOC is inclusive of both Round 1 and Round 2 of the Prop 1 funding process. The MOC is binding for Round 1 and Round 2 of the Prop 1 funding process.
2. If any IRWM elects not to affirm this MOC, notice of their failure to comply with this and pre-existing agreements will be shared with the remaining IRWMs and this MOC shall be invalidated.
3. The funding amounts specified in Exhibit A represent the maximum amount of implementation funding that may be made available to each IRWM, barring specific agreements to the contrary. Any IRWM may choose to apply for less than this amount, in which case that IRWM may choose to designate an alternate recipient for its unclaimed portion of funding, or the unused portion will be made available for other IRWMs based on further discussion and agreement. IRWMs may choose to divide their total allocation of Prop 1 funding between Round 1 and Round 2 as they see fit, pursuant to the Round 1 and Round 2 maximum funding limits established by DWR.
   1. Any IRWM intending to apply for either more or less than their total allocation amount as specified in Exhibit A shall notify Sierra Institute for Community and Environment (“Sierra Institute”) and the other IRWMs not later than 90 days prior to the application deadline for Round 2 of Prop 1 funds. Any IRWM applying for more than its total allocation of funds, as specified in Exhibit A, must receive written consent from the other IRWMs.
   2. All IRWMs must notify Sierra Institute and the other IRWMs in writing of their anticipated application amount for Round 2 of Prop 1 funds not later than 30 days prior to the application deadline for Round 2, to allow time for confirming the total requested amount from the MCFA.
4. For any MCFA IRWM to which DAC and Tribe implementation funding is allocated, said funding may only be used for projects that provide at least 75% of benefits to DACs or Tribes, pursuant to the requirements in the April 2019 PSP, or future Prop 1 Program solicitations. The IRWMs collectively pledge to utilize all $1,300,000 of available Prop 1 funding dedicated for DACs and Tribes. To that end, no IRWM may choose to request a proportionally greater share of General implementation funds and proportionally lower share of DAC and Tribe implementation funds without an express written agreement by another IRWM to use the increased share of DAC and Tribe funding.

**Exhibit A**

**MCFA Proposition 1 IRWM Implementation Grant Funding Available per IRWM**

|  |  |  |  |
| --- | --- | --- | --- |
|  | ***DAC/Tribe Implementation*** | ***General Implementation*** | ***Total Implementation Funding*** |
| **Round 1** | $50, 555.55 | $500,894.11 | $551,449.66 |
| **Round 2** | $93,888.88 | $500,894.11 | $594,782.99 |
| **Total** | $144,444.43 | $1,001,788.22 | $1,146,232.65 |

**Signatories**

**Cosumnes-American-Bear-Yuba**

Representative Name:

Representative Organization:

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

**Madera**

Representative Name:

Representative Organization:

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

**Mokelumne-Amador-Calaveras**

Representative Name:

Representative Organization:

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

**Northern Sacramento Valley**

Representative Name:

Representative Organization:

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

**Southern Sierra**

Representative Name:

Representative Organization:

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

**Tuolumne-Stanislaus**

Representative Name:

Representative Organization:

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

**Upper Feather River**

Representative Name:

Representative Organization:

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

**Yosemite-Mariposa**

Representative Name:

Representative Organization:

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

**Yuba County**

Representative Name:

Representative Organization:

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