

10 JUL 21 P1:43



STATE PROCUREMENT OFFICE
STATE OF HAWAII

STATE PROCUREMENT OFFICE NOTICE OF AND REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

- 1. TO: Chief Procurement Officer
- 2. FROM: Health/Environmental Management/Safe Drinking Water

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:
 The Safe Drinking Water Branch is seeking qualified applicants (public water systems) to apply for Wellhead Protection - Financial Assistance Program funding to conduct wellhead protection planning and implementation activities. Protection planning and implementation activities include (but is not limited to: creating local wellhead protection workgroups; preparing wellhead protection programs and plans; prioritizing land for protection/control; preparing county water and planning documents that incorporate drinking water source protection; educating public officials, businesses, students, and residents; removing leaking underground storage tanks and cesspools/septic systems in protection areas; posting protection signs/markers around protection areas; providing technical assistance to small businesses, industries, and farmers; funding local staff to conduct wellhead protection activities; and other protection activities. Land acquisition, infrastructures, and construction are not eligible for funding under this financial assistance program.

4. Name of Vendor: SEE ATTACHED LIST OF QUALIFIED APPLICANTS Address:	5. Price: \$ 2.5 mil <i>dkk</i>
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6. Term of Contract: <i>upon CFO approval</i> From: Notice to Proceed To: Not to Exceed 3 year <i>24 months dkk</i>	7. Prior Exemption Ref. No.
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8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the State
 The Safe Drinking Water Branch has developed and implemented a Wellhead Protection - Financial Assistance Program (WHP-FAP) utilizing the Drinking Water State Revolving Fund- 15% set-aside. The WHP-FAP is to be used to fund public water systems' (as defined by drinking water regulations) efforts in protecting their drinking water source(s) from contamination by pollutants. The eligibility requirement for obtaining funding under this program is that the applicant must be a Community or Nontransient, noncommunity public water system which utilizes groundwater as a source of water, including of federally owned public water supplies. Therefore, the list of potential applicants is limited to State of Hawaii public water systems regulated by the Hawaii Department of Health - Safe Drinking Water Branch - list is attached).

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
 Potential applicants will be mailed information and an application on the availability of the WHP-FAP funds for protection planning and implementation activities. Notice to potential applicants (public water systems') will also be given through "The WaterSpot", the Safe Drinking Water Branch newsletter, be placed on the SDWB website, and announced at Source Water Protection training events held throughout the year. Project applicants will submit a "Proposed Project for Hawaii Wellhead Protection - Financial Assistance Program Funding" application (See attached). The application identifies the project title and description, information related to its status as a public water system, project function and funding requested. The proposed projects are selected based on selection criteria using the "Application, Evaluation, and Selection Process" (See attached).

10. A description of the agency's internal controls and approval requirements for the exempted procurement:

 A Contractual Agreement or Memorandum of Agreement will be prepared for all projects selected for funding. The Agreement will contain a detailed Scope of Work/Services that specifies the activities to be conducted under this project. The Safe Drinking Water Branch will oversee the project, conduct periodic review of the project, and ensure completion of the project using the "Project Oversight, Review, and Completion Process" (See attached).

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:		
Name	Position	Involvement in Process
Stuart Yamada	Branch Chief	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Daniel Chang	Environmental Health Specialist	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Melvin Hamano	Engineer	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: Health Contact Name: Stuart Yamada/Daniel Chang Phone Number: (808) 586-4258 Fax Number: (808) 586-4351
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Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*


 Department Head

JUL 20 2010

Date

Reserved for SPO Use Only

15. Date Notice Posted 7-22-10

The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer
 State Procurement Office
 P.O. Box 119
 Honolulu, Hawaii 96810-0119

Chief Procurement Officer's comments:

Although no written delegated procurement authority is required for a *Request for Exemption from Chapter 103D, HRS*, it is noted that Messrs. Stuart Yamada and Daniel Chang have not taken the appropriate required mandatory procurement training. As a reminder, Messrs. Yamada and Chang cannot participate in procurement activities until the requirements of Procurement Delegation No. 2008-01 and/or Procurement Circular No. 2008-05 have been met. This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply. This award is required to be posted on the Awards Reporting System.

16. APPROVED DISAPPROVED NO ACTION REQUIRED


 Chief Procurement Officer

Date

12/1/2010

SYSNLI	SYSNAME	OWNER	POP	DADDR3	DADDR4	DADDR5
101	Hilo	DWS Hawaii	39,814	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
102	Laupahoehoe-Kapehu	DWS Hawaii	1,210	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
103	Ninole	DWS Hawaii	149	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
104	Ookala	DWS Hawaii	266	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
105	Hononu	DWS Hawaii	666	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
106	Pepeekeo	DWS Hawaii	1,413	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
107	Papaikou	DWS Hawaii	2,262	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
108	Waiohinu-Naalehu	DWS Hawaii	2,829	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
109	Pahala	DWS Hawaii	1,316	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
110	Kalapana	DWS Hawaii	229	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
111	Pahoa	DWS Hawaii	2,563	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
112	Olaa-Mountain View	DWS Hawaii	6,501	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
114	Punalu'u	S.M. Investment Partners	200	Punaluu Water & Sanitation	P.O. Box 190	Pahala, HI 96777
115	Mauna Loa Macadamia Nut	Mauna Loa Macadamia Nut	300	Mauna Loa Macadamia Nut C	16-701 Macadamia Drive	Keaau, HI 96749-8020
117	Hawaiian Beaches	Hawaiian Beaches Water Company, I	3,430			
129	North Kohala	DWS Hawaii	4,822	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
130	South Kohala	DWS Hawaii	12,109	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
131	North Kona	DWS Hawaii	28,122	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
132	South Kona	DWS Hawaii	6,504	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
133	Kukuihaele	DWS Hawaii	463	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
134	Paauiilo	DWS Hawaii	721	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
135	Waikoloa	Hawaii Water Service Company	12,100	P.O. Box 384809	Waikoloa, HI 96738-4809	
139	Niulii	DWS Hawaii	275	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
144	Kilauea Military Camp	Pural Water Specialty Co.	220	Honokaa, HI 96727		
145	Pohakuloa Training Area	Pural Water Specialty Co.	120	Honokaa, HI 96727		
146	Hawaii Volcanoes Nat.Park	U.S. Dept. of Interior	3,374			
150	Napu'u Water	Napu'u Water Inc.	468			
151	Kohala Ranch Water Co.	Kohala Ranch Water Co., LLC	805	P.O. Box 2083	Kamuela, HI 96743	
153	Hawaii National Guard Youth Ch	Hawaii National Guard	250	P.O. Box 5210	Hilo, HI 96720	
154	Hakalau-Wailea	DWS Hawaii	389	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
156	Hawaiian Shores	Hawaiian Shores Association	1,680			
160	Lalamilo	DWS Hawaii	1,810	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
161	Haina	DWS Hawaii	1,790	Department of Water Supply	889 Leilani Street	Hilo, HI 96720
162	Waiki'i Ranch	Waiki'i Ranch Homeowners	84			
163	Kaupulehu	Kaupulehu Water Company	1,500			
164	Kawathae Unit #1	Dept. of Hawaiian Home Lands	193	P.O. Box 125	Kamuela, HI 96743	
165	Kona Water Service Company	Hawaii Water Service Company	260			

SYSNI	SYSNAME	OWNER	POP	DADDR3	DADDR4	DADDR5
166	Wood Valley	Wood Valley Water and Farm Cooper	75			
167	Pepeekeo Water Association, Inc	Pepeekeo Water Association, Inc.	10			
201	Hana Water Resources	Hana Ranch Partners, L.L.C.	816			
203	Kailua	Ohanui Corporation	90			
204	Kapalua	Kapalua Water Co., Ltd.	4,150			
205	Kaanapali	Hawaii Water Service Company	8,000			
209	Olowalu	Olowalu Elua Associates	100			
212	Wailuku	DWS Maui	61,346	County of Maui	614 Palapala Drive	Kahului, HI 96732
213	Makawao	DWS Maui	27,642	County of Maui	614 Palapala Drive	Kahului, HI 96732
214	Lahaina	DWS Maui	17,967	County of Maui	614 Palapala Drive	Kahului, HI 96732
215	Upper Kula	DWS Maui	6,600	County of Maui	614 Palapala Drive	Kahului, HI 96732
217	Hana	DWS Maui	1,122	County of Maui	614 Palapala Drive	Kahului, HI 96732
218	Honokohau	DWS Maui	42	County of Maui	614 Palapala Drive	Kahului, HI 96732
219	Keanae	DWS Maui	246	County of Maui	614 Palapala Drive	Kahului, HI 96732
220	Nahiku	DWS Maui	97	County of Maui	614 Papapala Drive	Kahului, HI 96732
222	Haleakala National Park	National Park Service	1,200	P.O. Box 369	Makawao, HI 96768	
229	Kualapuu	Waiola O Molokai	500	P.O. Box 259	Maunaloa, HI 96770	
230	Hoolehua	Dept of Hawaiian Home Lds	1,900	Dept. of Hawn Home Lands	P.O. Box 2009	Kaunakakai, HI 96748
231	Maunaloa-Kaliakoi	Waiola O Molokai/MPU	1,000	P.O. Box 259	Maunaloa, HI 96770	
233	Ualapue	DWS Maui	1,001	County of Maui	614 Palapala Drive	Kahului, HI 96732
234	Kaunakakai	DWS Maui	3,384	County of Maui	614 Palapala Drive	Kahului, HI 96732
235	Kalae	DWS Maui	321	County of Maui	614 Palapala Drive	Kahului, HI 96732
237	Lanai City	Castle & Cooke Resorts, LLC	3,000			
238	Manele Bay	Castle & Cooke Resorts, LLC	520			
239	Kalaupapa NHP	National Park Service	110	Kalaupapa, HI 96742		
240	Hawaii Nature Center	Hawaii Nature Center	75	875 Iao Valley Road	Wailuku, HI 96793	
243	Hana Water Company	Hana Ranch Partners, L.L.C.	160			
245	Kipu	Waiola O Molokai	80	P.O. Box 259	Maunaloa, HI 96770	
247	Lower Kula	DWS Maui	3,213	County of Maui	614 Palapala Drive	Kahului, HI 96732
248	Kawela Plantation	Kawela Homeowners Assn.	160	HC01 Box 104	Kaunakakai, HI 96748	
249	Kahakuloa	Kahakuloa Acres Water Co.	150	1962B Wells Street	Wailuku, HI 96793	
251	Mahanalua Nui Subdivision	Launiupoko Water Company, Inc.	587			
252	West Kulaaha Meadows	W. Kulaaha Mdws. Homeowners Assn.	45	1962B Wells Street	Wailuku, HI 96793	
254	Maunaolu Plantation	Maunaolu Plant Homeowners Assn	100	1955 Vineyard Street	Wailuku, HI 96793	
255	Kula Nani	Kula Nani Estates Community Assn	80	1955 Vineyard Street	Wailuku, HI 96793	
256	Maui Highlands	Highland Services, LLC	19	1955 Vineyard Street	Wailuku, HI 96793	
258	Consolidated Baseyards	Consolidated Baseyards LLC	24	1955 Vineyard Street	Wailuku, HI 96793	

SYSNU	SYSNAME	OWNER	POP	DADDR3	DADDR4	DADDR5
303	Kunia Village	Hawaii Agriculture Research Center	650	P.O. Box 700489	Kapolei, HI 96709	
304	Hawaii Country Club	Hawaii Country Club	400			
306	Waimano Ridge	Department of Health	400			
309	Waialua Sugar Pump 2	Dole Food Co., Inc.	400	Waialua, HI 96786		
312	The Queen's Medical Center	The Queen's Medical Center	3,400	The Queen's Medical Center	1301 Punchbowl Street	Honolulu, HI 96813
314	St Stephen's Diocesan Center	Roman Catholic Church, HI	37			
315	Kahuku Air Base	Diversified Ag Promotions LLC	75			
319	Kamehameha Schools	Kamehameha Schools	4,000			
320	Mililani Memorial Park	Mililani Memorial Park	100	P.O. Box 457	Pearl City, HI 96782-0457	
324	Punahou School	Punahou School	4,000	1601 Punahou Street	Honolulu, HI 96822	
325	Lale Water Company	Lale Water Company	5,577			
326	Dillingham Ranch	North Shore Water, LLC	100	Waialua, HI 96786		
328	Kipapa Acres C.P.R.	Kipapa Acres C.P.R.	43	94-500 G Kam. Hwy	Waipahu, HI 96797	
330	Sheraton Hotels	Kyo-ya Co., Ltd.	2,830	120 Kaiulani Avenue	Honolulu, HI 96815	
331	Honolulu-Windward-Pearl Harbor	BWS Honolulu	661,004	630 South Beretania Street	Honolulu, HI 96843	
332	Waialua	BWS Honolulu	12,904	630 South Beretania Street	Honolulu, HI 96843	
333	Waialua	BWS Honolulu	24,464	630 South Beretania Street	Honolulu, HI 96843	
334	Waipio Heights	BWS Honolulu	17,125	630 South Beretania Street	Honolulu, HI 96843	
335	Waipahu-Ewa-Waianae	BWS Honolulu	170,921	630 South Beretania Street	Honolulu, HI 96843	
337	Aliamanu	US Army Dir of Public Wks	3,197	947 Wright Avenue	Wheeler Army Airfield	Schofield Barracks, HI 9
338	Dillingham	Dept. of Transportation	1,800	Honolulu International Airport	300 Rodgers Blvd., # 12	Honolulu, HI 96819-1830
341	Fort Shafter	US Army Dir of Public Wks	3,197	947 Wright Avenue	Wheeler Army Airfield	Schofield Barracks, HI 9
345	Schofield Barracks	US Army Dir of Public Wks	28,057	947 Wright Avenue	Wheeler Army Airfield	Schofield Barracks, HI 9
346	Tripler Army Medical Cntr	US Army Dir of Public Wks	3,318	947 Wright Avenue	Wheeler Army Airfield	Schofield Barracks, HI 9
348	Waialua Correctional Facility	Dept. of Public Safety	334	1955 Vineyard Street	Wailuku, Hawaii 96793	
350	Hickam	USAF, 15Air Wing	12,853			
354	Camp Stover	NAVFAC Hawaii	595			
355	Barbers Point	NAVFAC Hawaii	5,256			
356	Marine Corps Base Hawaii	U.S. Marine Corps	15,961			
357	NECTAMS EASTPAC	NAVFAC Hawaii	2,851			
358	NAVMAG Lualualei	NAVFAC Hawaii	114			
360	Pearl Harbor	NAVFAC Hawaii	52,326			
365	Kahuku	BWS Honolulu	3,297	630 South Beretania Street	Honolulu, HI 96843	
366	Waialeale-Sunset Beach	BWS Honolulu	4,178	630 South Beretania Street	Honolulu, HI 96843	
367	Mililani	BWS Honolulu	36,973	630 South Beretania Street	Honolulu, HI 96843	
368	Waiahole	Hawaii Housing Finance & Developm	300			
370	Palehua Solar Observatory	50th Space Wing Commander	50	99-1135 Iwaena Street, #6	Aiea, HI 96701	

SYSNI	SYSNAME	OWNER	POP	DADDR3	DADDR4	DADDR5
400	Lihue-Kapaa	DW Kauai	30,000	P.O. Box 1706	Lihue, HI 96766-5706	
401	Anahola	DW Kauai	2,174	P.O. Box 1706	Lihue, HI 96766-5706	
402	Anini	DW Kauai	109	P.O. Box 1706	Lihue, HI 96766-5706	
403	Hanalei	DW Kauai	1,023	P.O. Box 1706	Lihue, HI 96766-5706	
404	Hanapepe-Eleeele	DW Kauai	4,430	P.O. Box 1706	Lihue, HI 96766-5706	
406	Kekaha-Waimea	DW Kauai	5,135	P.O. Box 1706	Lihue, HI 96766-5706	
407	Kilauea	DW Kauai	3,758	P.O. Box 1706	Lihue, HI 96766-5706	
415	Haena-Wainiha	DW Kauai	1,120	P.O. Box 1706	Lihue, HI 96766-5706	
417	Gay & Robinson	Gay & Robinson, Inc.	1,500	Gay and Robinson, Inc.	P. O. Box 156	Kaunakani, HI 96747-0
421	Koloa	Grove Farm Co., Inc. (managed by)	40	3560 Koloa Road	Kalaheo, HI 96741	
422	Kahii Mountain Park	Seventh Day Adventist (managed by)	150	3560 Koloa Road	Kalaheo, HI 96741	
423	Kealia	Kealia Water Co. Holdings, LLC	260	3560 Kalaheo Road	Kalaheo, HI 96741	
425	Kokee State Park	DLNR State Parks	2,000			
426	Poilihale State Park	DLNR State Parks	300			
428	Princeville	Princeville Utilities Co., Inc	1,698	Princeville Utilities Co., Inc.	P. O. Box 223040	Princeville, HI 96722
430	PMRF	U.S. Dept. of the Navy	1,200	Pacific Missile Range Facility	P. O. Box 128	Kekaha, HI 96752-0128
432	Anahola Farm Lots	Dept of Hawaiian Home Lds	385	Kalaheo, HI 96741		
434	Kalaheo-Koloa	DW Kauai	15,108	P.O. Box 1706	Lihue, HI 96766-5706	

HAWAII WELLHEAD PROTECTION - FINANCIAL ASSISTANCE PROGRAM

An addendum to the Hawaii Wellhead Protection Program Plan to allow the use of 15% Drinking Water State Revolving Fund (DWSRF) set-aside funds to plan and implement protection activities.

BACKGROUND

1995 EPA approves Hawaii Wellhead Protection Program Plan

The 1986 Amendments to the Federal Safe Drinking Water Act (SDWA) mandated that each state develop a Wellhead Protection Program (WHPP), to protect groundwater resources which supply drinking water to public water supply systems from contamination. The Hawaii Department of Health (HiDOH) has developed the Hawaii Wellhead Protection Program as a one which is (1) voluntary and community-based, (2) comprehensive in scope, and (3) preventive.

1999 EPA approves Hawaii Source Water Assessment Program Plan

In 1996, Congress amended the SDWA and added several new programs that would enhance the protection of our drinking water. One of these new programs was the Source Water Assessment Program. The objective of this program was to assess the susceptibility of all drinking water sources to activities that have a significant potential to release contaminants to these water sources. Each state was required to submit a plan that identifies and describes the methodology and procedures to be followed to determine the susceptibility of a drinking water source and public water supply system. The State was required to submit this Plan to EPA no later than February 6, 1999. Upon EPA approval of the Plan in November 1999, the State was required to conduct Source Water Assessments on all drinking water sources within the State.

2004 Hawaii completed Source Water Assessment for 450+ Drinking Water Sources

In 2004, through a contract with the University of Hawaii - Water Resources Research Center (UH-WRRC), source water assessments for over 450 existing drinking water sources in the State of Hawaii were completed. Due to security concerns in the aftermath of September 11, 2001, the Safe Drinking Water Branch (SDWB) turned over the source water assessment reports to the appropriate public water systems for review and use.

2005 Additional 25 Source Water Assessments completed for Drinking Water Sources

In 2005, an additional 25 source water assessments were conducted and completed on new drinking water sources brought into operation after the initial assessments were completed. The SDWB will continue to conduct source water assessments on new drinking water sources brought into operation.

2005 Hawaii Source Water Assessment Program Moves Toward Source Water Protection

With the source water assessments completed for existing drinking water sources, the primary focus now shifts towards the protection of these drinking water sources. To further the protection planning and implementation efforts within the State of Hawaii, the SDWB is creating a Hawaii Wellhead Protection - Financial Assistance Program to provide funding for these activities.

¹ Revised March 31, 2008

WELLHEAD PROTECTION FINANCIAL ASSISTANCE PROGRAM

The Wellhead Protection Financial Assistance Program provides funding to qualified recipients for developing and implementing wellhead protection plans and projects. Under this program, qualified recipients include community public water systems and non-transient non-community water systems can plan, develop, and implement protection projects. State and County agencies, community groups, planning agencies, and schools may also be qualified recipients if their protection projects is part of a public water system protection plan or the public water system is a partner in the project. The proposed work must benefit active and future drinking water sources. Planning, educational, and inspection activities are fundable activities and should be implemented on a county-wide/ system-wide basis. Infrastructures, construction, and land acquisitions are not eligible activities for funding under the Wellhead Protection Financial Assistance Program. A loan program may be created in the future to provide monies for such purposes.

This program was developed in support of the 1996 SDWA Amendments and the SDWB's Source Water Assessment and Protection Program. Funding is provided from the DWSRF.

FINANCIAL ASSISTANCE APPLICANT(S) QUALIFICATIONS/REQUIREMENTS

Applicant qualifications/requirements (PWS).

- (1) Community and nontransient, noncommunity public water supplies that utilize groundwater as a source of water, exclusive of federally owned public water supplies, may qualify for financial assistance.
- (2) A public water supply that applies for financial assistance may be required to provide a local match (as determined by the SDWB) equal to the financial assistance requested in the financial assistance application. The SDWB may waive the match requirement for qualified projects.
- (3) A public water supply that receives financial assistance shall be able to complete the financial assistance-eligible activities specified in the financial assistance application within 3 years from the time the financial assistance is awarded to the public water supply.

Qualifications/requirements for Other Applicants (Non-PWS)

- (1) Applicant can be a not-for-profit organization, government agency, or educational institution, planning agency, or community group.
- (2) Must be partnered with a PWS or part of a PWS's Source Water/Wellhead Protection Plan.
- (3) Work must benefit drinking water sources.
- (4) Have authorization for protection activity (land use, ...) on a State-wide or County-wide or System-wide basis.

ELIGIBLE ACTIVITIES

Eligible activities for funding under the Hawaii Wellhead Protection - Financial Assistance Program will fall into two categories: planning and implementation.

Eligible planning activities will include (but are not limited to): local wellhead protection workgroups; preparing wellhead protection plans; prioritizing land for protection/control; preparing county water and planning documents that incorporate/address drinking water source protection.

Eligible implementation activities will include (but are not limited to): educating public officials, businesses, students, and residents; removing underground storage tanks and cesspools/septic systems; posting wellhead protection signs around protection areas; provide technical assistance to small businesses, industries, and farmers; and funding a local staff person to conduct wellhead protection activities such as inspecting potential contaminating activities.

Program will work with and encourage qualified recipients to use/apply for other eligible funding sources first, before tapping into the Hawaii Wellhead Protection - Financial Assistance Program.

A complete list of eligible and ineligible funding activities may be found in Appendix A of this document.

QUALIFYING FOR PROTECTION IMPLEMENTATION PROJECT FUNDS

In order to qualify for wellhead protection implementation project funds, the qualified recipient must submit a protection strategy/plan containing the requirements for a State-accepted/endorsed wellhead protection plan (as described in Appendix B of this document) to the SDWB for review and acceptance/ endorsement. Upon acceptance/endorsed, the water system/protection plan will be placed on a list of qualified recipients for implementation project funds.

AVAILABILITY OF FINANCIAL ASSISTANCE FUNDS

(1) Financial assistance shall be provided to an eligible/qualified applicant to the extent that financial assistance funds are available as determined by the SDWB.

(2) An eligible/qualified applicant denied financial assistance during the year a financial assistance program priority list is developed shall be prioritized on the next annual financial assistance program priority list using the same criteria, unless the applicant submits an amendment to the financial assistance application that alters the applicant's status on the financial assistance program priority list or unless conditions change for the original financial assistance application submittal.

(3) An applicant that has not received financial assistance upon application in any previous fiscal year shall be placed on the financial assistance program priority list ahead of an applicant who was funded in a previous year and funded in the current fiscal year of application if all of the following provisions apply:

- (a) The applicant meets the qualification requirements (criteria) for funding on the priority list score as specified in Appendix D.
- (b) The awarding of financial assistance to the applicant is in compliance with disbursement of financial assistance requirements.
- (c) Financial assistance funds are available.
- (d) Projects may be partially funded to allow for greater use and availability of funds to as many eligible/qualified projects, as possible.

APPLYING FOR FINANCIAL ASSISTANCE PROGRAM FUNDING

Planning Funding

For planning funding, qualified recipients include community public water systems and non-transient non-community water systems, State and County agencies, and planning agencies.

Initial funding may be used to develop Local Source Water Protection Workgroups/Teams on in each County (or on each island) and for specific planning projects with the primary county water agencies.

Beginning in FY-08, the SDWB will issue a Notice to Apply that describes the application procedures and funding priorities and contain the necessary application forms, for the funding year. Applications will be accepted throughout the year until planning funds are depleted. The first "Notice to Apply" is expected to be sent to public water systems and applicable agencies (as well as included in the SDWB newsletter and website).

The SDWB will set schedule/deadlines for applications - - although applications will be accepted throughout the year - - funds will be provided only if available. Additional funding may be awarded if remaining funds are available and no viable applications have been received. Qualified recipients will be awarded funds based on the merit and scope of the protection planning activities, as determined by the selection/review committee.

Protection Implementation Funding

Only qualified recipients that have a State accepted/endorsed Wellhead Protection Plan and have been placed on the list of qualified recipients may apply for protection implementation funding. State and County agencies, community groups, planning agencies, and schools may also be qualified recipients if their protection projects is part of a public water system protection plan or the public water system is a partner in the project (The public water system must be a qualified recipient for protection implementation funding).

Beginning in FY-08, the SDWB will issue a Notice to Apply that describes the application procedures and funding priorities and contain the necessary application forms, for the funding year. Applications will be accepted throughout the year until implementation funds are depleted. The first "Notice to Apply" is expected to be sent to public water systems and applicable agencies (as well as included in the SDWB newsletter and website).

The SDWB will set schedule/deadlines for applications - - although applications will be accepted throughout the year - - funds will be provided only if available. Additional funding may be awarded if remaining funds are available and no viable applications have been received. Qualified recipients will be awarded funds based on the merit and scope of the protection implementation activities, as determined by the review and selection committee.

Qualified recipients may be required to provide non-Federal matching funds of up to 25% of the total cost of the protection implementation project. The match may be cash if in-kind contributions, such as salaries paid to the project managers and supplies/equipment purchased for the project. Match requirement may vary or be waived by the Safe Drinking Water Branch upon review (by the review and selection committee) of the project application and discussion with the qualified recipient.

Submission of applications.

(1) An applicant for financial assistance shall apply to the SDWB on the Hawaii Wellhead Protection - Financial Assistance Program (WHP-FAP) application form provided by the SDWB. See Appendix C.

(2) The SDWB shall establish an annual deadline for initial submission of applications in the financial assistance application process and shall notify applicants of the application deadline on the WHP-FAP application form provided by the SDWB.

(3) An applicant shall provide a description of the financial assistance-eligible activities for which the financial assistance is to be applied.

For Protection Implementation Projects Only

(4) An application shall include proof, through 1 of the following, of a local match to the financial assistance and proof that the financial assistance and local match will be expended on financial assistance-eligible activities, as applicable:

(a) Providing documentation of a line item budget dedicated to the financial assistance-eligible activities identified in the financial assistance application. The line item budget shall include the dedication of funds to financial assistance-eligible activities in an amount equal to the financial assistance plus the local match.

(b) Providing documentation of a contractually binding agreement committing the applicant to an expenditure of funds in an amount equal to the financial assistance plus the local match for the financial assistance-eligible activities identified in the financial assistance application.

(c) Providing documentation of previous expenditures on financial assistance-eligible activities equivalent to or greater than the financial assistance requested in the financial assistance application. or

(d) The applicant may request a waiver from the local match requirement. The application will be reviewed and the local match waived if it meets the criteria for waiver (as determined by the Selection Committee).

(5) Non-PWS applicants must provide proof/documentation of partnership with a qualified PWS. Information will be verified.

Long-term commitment to wellhead protection.

- (1) A qualified applicant shall demonstrate a long-term commitment to the development, implementation, and maintenance of a wellhead protection program by providing both of the following:
 - (a) A time line for completion of the financial assistance-eligible activities.
 - (b) A time line for the completion of each of the elements required of a state-approved wellhead protection program.
 - (c) How applicant will ensure protection after project has been completed.

- (2) The applicant shall demonstrate the establishment of a local team whose goal is to facilitate the development, implementation, and maintenance of a wellhead protection program.

PROJECT EVALUATION AND SELECTION PROCESS

Financial assistance applications will be evaluated in a multi-step process that involves participation of SDWB staff and protection program staff from various Federal, State, and County agencies. The second level of review (project selection) will be conducted by SDWB and EPA Wellhead Protection staff using selected evaluation factors prior to awards being approved by the SDWB chief. The Project Selection Process will be determine which projects are selected and the level of funding to be awarded to each project.

Application Evaluation Process

The applications will be evaluated to ensure that it meets the qualification requirements and listed by the SDWB SWP staff on the eligible/qualified list. The application and list will then be reviewed by a group of Federal and State agencies' water protection staff. A final list of qualified projects will be prepared by the SDWB SWP Coordinator for review by the Project Selection Committee.

Qualified Applicants List.

- (1) Annually, the department shall develop a Hawaii Wellhead Protection - Financial Assistance Program qualified applicants list containing those applicants deemed eligible for funding assistance.

- (2) For the purpose of providing financial assistance, the financial assistance program qualified applicants list shall take effect on the first day of each fiscal year.

- (3) The financial assistance program qualified applicants list shall be based upon all of the following criteria:
 - (a) the establishment of a Local Source Water Protection Workgroup/Team.
 - (b) coordination of the local team with the public, state, stakeholders, etc.
 - (c) the adoption of a local ordinance or resolution related to wellhead protection.
 - (d) identified protection measures.
 - (e) the manner in which the local match is provided.
 - (f) the proposed time line for completion of a wellhead protection program.
 - (g) incorporation of the wellhead protection program into other land use planning strategies.

- (h) assessment report information.
- (i) overall benefit to protecting the water source and public health.
- (j) other factors as identified/determined by the Review and Selection committees.

Priority Activities for FY-2008 and FY-2009

The following are the priority activities for Hawaii Wellhead Protection - Financial Assistance Program funding:

Planning Activities

- (1) Creating and implementing Local Source Water Protection workgroups;
- (2) Preparing wellhead protection plans; and
- (3) Preparing county water and planning documents that incorporate/address drinking water source protection.

Protection Implementation Activities

- (1) Educating public and government officials, businesses, students, and residents;
- (2) Removing or upgrading underground storage tanks and cesspools/septic systems;
- (3) Provide technical assistance to small businesses, industries, and farmers; and
- (4) Funding a local staff person to conduct wellhead protection activities such as inspecting potential contaminating activities.

Project Selection Process

Financial assistance applications evaluated and placed on the list of qualified projects will be sent to the Project Selection Committee. The Project Selection Committee consisting of the SDWB and EPA Wellhead Protection staff will use selected evaluation factors to determine which projects are selected and the level of funding to be awarded. The Project Selection Committee will submit the selected projects and level of funding to the SDWB chief for approval prior to notifying the selected projects.

Selected Projects

The selected projects will be required to submit a formal proposal (including work activities, budgets, and reported outcomes) and sign a Project Memorandum of Agreement with the Safe Drinking Water Branch.

Disbursement of financial assistance.

- (1) The SDWB shall disburse the financial assistance upon submittal of a project report demonstrating that the applicant has completed the financial-eligible activities identified in the financial assistance application.
- (2) The SDWB may provide a partial disbursement of the financial assistance upon submittal of a project report demonstrating that the applicant has completed a corresponding and appropriate portion of the financial assistance-eligible activities identified in the financial assistance application. A partial disbursement of the financial assistance should not exceed 50%

of the total cost of the corresponding and appropriate portion of the financial assistance-eligible activities for which the partial disbursement is requested.

(3) The SDWB may provide a partial disbursement of the financial assistance at the beginning of the project upon the submittal and acceptance of a statement of need (justifying the need for advance funding).

Contact(s) for the Wellhead Protection - Financial Assistance Program

If you have any questions or need additional information regarding the Hawaii Wellhead Protection - Financial Assistance Program, please contact:

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