

Mid-Kaweah GSA  
Agenda Item Report

**September 16, 2017**

**Agenda Item 3.d.: Kaweah Sub-Basin Coordination**

**Report Author: Paul Hendrix – Tulare ID**

**Background Discussion:**

Facilitation Process – Discussions continue among the Management Team members, the Mid-Kaweah being represented by Mike Olmos, Joe Carlini and Paul Hendrix. A Coordination MOU is being drafted which will govern the use of consultants, cost sharing and committee functions to develop a SGMA-required Coordination Agreement amongst the three GSAs within the sub-basin. Considerable technical work and common understandings will be needed among the GSAs to arrive at a basis to share responsibilities in achieving sustainability. These shared responsibilities will be reflected in the GSPs that are to be prepared by each GSA. A draft of the MOU is attached, and it is anticipated that a final version will be presented to the Board within the next two months.

Role of GEI Consultants – The sub-basin GSAs have all agreed to the use of GEI to undertake the technical work necessary to develop a Coordination Agreement. To this end a GEI services agreement and series of task orders are being developed for approval by all three GSAs. The ultimate budget for all work is projected to be on the order of \$539,000. The services agreement will specify that the Mid-Kaweah GSA is to serve as the fiscal agent for administering the work to be performed. It is anticipated that this services agreement and initial task order will be brought to this GSA board for approval commensurate with the aforementioned MOU.

Dedication of Tulare County Funds – The County has about \$194,000 of remaining funds dedicated to Kaweah Sub-Basin coordination work from its Prop 1 "stressed basin" grant awarded in 2016. Of this amount, \$28,000 is to be applied to further facilitation services and the remainder of \$166,000 is being devoted to a services agreement with GEI for coordination work. These funds will supplement the work by GEI under contract with the three GSAs and, taken together, will provide the projected \$705,000 needed for hydrogeologic and other technical analyses needed for coordination and GSP formulation. The services agreement is anticipated to be approved by the County Supervisors within the next month.

Contributions from Other GSAs – it has been recognized by representatives of the three sub-basin GSAs that some of the work conducted by Mid-Kaweah under its existing contract with GEI is applicable and provides benefits to the other two in carrying out coordination work. This mutually-beneficial work has been identified to amount to \$124,200, and the East Kaweah and Greater Kaweah boards have each agreed to reimburse Mid-Kaweah for one-third of this cost, i.e., \$41,400.

**Attachments:** Draft MOU for Cooperation and Coordination of the Kaweah Sub-Basin

**MEMORANDUM OF UNDERSTANDING  
FOR COOPERATION AND COORDINATION  
OF THE KAWEAH SUBBASIN**

**THIS MEMORANDUM OF UNDERSTANDING** (“Coordination MOU”) is entered into this \_\_\_ day of \_\_\_\_\_, 2017, by and between the Mid-Kaweah Groundwater Sustainability Agency (“MKGSA”), Greater Kaweah Groundwater Sustainability Agency (“GKGSA”), and East Kaweah Groundwater Sustainability Agency (“EKGSA”) (individually also referred to as “Party” or “GSA” and collectively referred to as “Parties”).

**RECITALS**

**WHEREAS**, the Parties are all located within the Tulare Lake Hydrologic Region, San Joaquin Valley Groundwater Basin, Kaweah Subbasin, a groundwater Subbasin recognized by the California Department of Water Resources (“DWR”) Bulletin 118 (2003) as Groundwater Basin Number 5-22.11;

**WHEREAS**, the Sustainable Groundwater Management Act (“SGMA”) requires Groundwater Sustainability Agencies to develop and implement Groundwater Sustainability Plans (“GSP”) to achieve certain sustainability goals;

**WHEREAS**, SGMA allows local agencies or a combination of local agencies overlying a groundwater basin to serve as a GSA to develop and implement one or more GSPs;

**WHEREAS**, pursuant to Water Code §10727 a GSP may be any of the following: (1) A single GSP covering the entire basin developed and implemented by one GSA; (2) A single GSP covering the entire basin developed and implemented by multiple GSAs; or (3) Multiple GSPs implemented by multiple GSAs that are subject to a single Coordination Agreement that covers the entire basin.

**WHEREAS**, pursuant to Water Code §10727.6 and Code of Regulations §357.4, a Coordination Agreement must be prepared if multiple GSPs will be implemented within a basin which requires the Parties to ensure that the GSPs utilize the same data and methodologies within the basin for the following items: (a) groundwater elevation data; (b) groundwater extraction data; (c) surface water supply; (d) total water use; (e) change in groundwater storage; (f) water budget; and (g) sustainable yield;

**WHEREAS**, the Parties acknowledge that multiple GSAs were formed within the Kaweah Subbasin and the Parties presently intend to develop and implement multiple GSPs;

**WHEREAS**, the Parties acknowledge that the data analysis and other technical information required for a Coordination Agreement in the Kaweah Subbasin have not been completely collected and the Parties agree that under this Coordination MOU they will cooperate

with the data collection and related efforts necessary for preparation of a Coordination Agreement;

**WHEREAS**, the purpose of this Coordination MOU is to provide for a cooperative means of gathering this information and establishing processes required for the preparation of a Coordination Agreement that will serve to coordinate development and implementation of multiple GSPs by the GSAs, and to provide a framework among the Parties to collectively manage the Kaweah Subbasin in accordance with the requirements of SGMA.

**NOW, THEREFORE**, it is mutually understood and agreed as follows:

### **SECTION 1: DEFINITIONS**

- 1.1. “Kaweah Subbasin” or “Kaweah Basin” refers to that Subbasin identified and described in California Department of Water Resources California’s Groundwater Bulletin 118 as part of the Tulare Lake Hydrologic Region, San Joaquin Valley Groundwater Basin, Kaweah Subbasin, also identified as Groundwater Basin Number 5-22.11 as delineated in Exhibit A.
- 1.2. “Groundwater Sustainability Plan” or “GSP” means a plan of a GSA proposed or adopted under SGMA as defined in Water Code § 10721(k).
- 1.3. “Coordination Agreement” shall be the agreement to ensure coordination of the data and methodologies used in all GSPs within the Kaweah Basin for the following assumptions: (a) groundwater elevation data; (b) groundwater extraction data; (c) surface water supply; (d) total water use; (e) change in groundwater storage; (f) water budget; (g) sustainable yield, all as mandated by SGMA and as defined by Water Code § 10727.6 and California Code of Regulations §357.4.
- 1.4. “SGMA” refers to the Sustainable Groundwater Management Act, codified at Part 2.74 of the California Water Code, and any related statutes and regulations.

### **SECTION 2: PURPOSE AND GOALS**

- 2.1. The purpose of this Coordination MOU is to:
  - 2.1.1. Set forth the Parties mutual agreement to prepare and enter into a Coordination Agreement.
  - 2.1.2. Provide for the acquisition of the data and analyses required for the Coordination Agreement.
  - 2.1.3. Set forth a structure for communication and recommendation procedures between the Parties for preparation and finalization of a Coordination Agreement.

### **SECTION 3: CONSULTANT**

3.1. *Consultant.* The Parties agree that it will be necessary for certain consultants to be engaged to prepare various data and technical analysis required for the Coordination Agreement and possibly other Kaweah Subbasin SGMA compliance needs that the Parties deem valuable to handle collectively.

3.2. *Contracting Entity.* The Parties agree the MKGSA shall be the contracting entity for purposes of entering into an agreement with a consultant for required work to be conducted in furtherance of the Coordination Agreement. The MKGSA shall only enter into a contract after approval of said contract by all GSAs.

**Commented [AM1]:** GK GSA is fine with MKGSA being the contracting entity for work the parties may need to fulfill in furtherance of the MOU.

**Commented [R. Patel2]:** I could be wrong, but my memory is that we needed a term like this just to allow MKGSA to be the lead agency for purposes of applying for Prop 1 funding. I'm not sure why it is necessary for MKGSA to be the "contracting entity" for the purposes of developing the suggested data.

#### SECTION 4: COST SHARING

4.1. *Cost Sharing of Consultant.* The Parties agree to share equally in costs of any consultants retained for purposes of fulfilling any recommendations under this Agreement. The Parties understand that each individual GSA may retain the same consultants for GSA-specific work, and costs for consultant work only applicable to an individual GSA shall not be shared by the Parties collectively.

4.2. *Grant Funds.* The Parties entered into a Letter of Intent ("LOI") on [date], which is incorporated by reference to this Coordination MOU and attached hereto as Exhibit WW. The LOI outlines the cost sharing provisions agreed to for purposes of applying for Prop 1 Funding GSPs and other Projects, as well as the division of any potential awards, of which funds will go towards this Coordination Agreement and the Parties individual GSP preparation.

**Commented [AM3]:** Reason for "WW"?

4.3. *Other Costs.* The Parties acknowledge that other costs may arise in the future to fulfill the terms of the Coordination Agreement and this Coordination MOU. All additional costs must be approved by each GSA, in a proportion to be decided at such time.

#### SECTION 5: COMMITTEES

5.1. *Formation of Joint-Committees.* The Parties agree that communication between the GSAs is necessary to accomplish goals of this Coordination MOU. To that end, the parties shall form the following joint-committees: the Management Team Committee and the Subbasin Technical Advisory Committee. All committee meetings shall be subject to the Ralph M. Brown Act.

**Commented [AM4]:** Not sure I follow the term "Joint-Committees." Is this intended to reference members amongst several GSAs?

5.2. *Management Team Committee.*

5.2.1. *Purpose and Responsibilities.* The Management Team Committee shall be responsible for making recommendations to the GSAs regarding:

5.2.1.1. A scope of work, schedule, and budget for the development of all common data and descriptions required for the Coordination Agreement, including, but not limited to, data and descriptions

identified in Water Code section 10727, and California Code of Regulations, Title 23, sections 354.12, 354.14, 354.18, and 357.4;

5.2.1.2. The adoption, for the purposes of preparing the Coordination Agreement, of common data and descriptions, including data and descriptions identified in Water Code section 10727, and California Code of Regulations, Title 23, sections 354.12, 354.14, 354.18, and 357.4;

5.2.1.3. Any other matters of common understanding that must be reached between the GSAs for the preparation of a Coordination Agreement that will comply with SGMA; and

5.2.1.4. Any other matters, by the unanimous direction of the GSAs.

5.2.2. *Membership.* Each GSA shall appoint three (3) representatives to the Management Team Committee. Each GSA's respective representatives shall serve at the pleasure of his or her appointing GSA.

5.2.3. Each GSA will be entitled to one (1) vote on the Management Team Committee. The process for declaring such vote must be determined by each respective GSA. Recommendations to the GSAs shall be made by the Management Team Committee only upon the unanimous vote of the Management Team Committee. Should unanimity not be reached, the votes shall be reported to each GSA's Board of Directors for further direction.

5.3. *Subbasin Technical Advisory Committee.*

5.3.1. *Purpose and Responsibilities.* The Subbasin Technical Advisory Committee ("Subbasin TAC") shall be responsible for making technical recommendations to the Management Team Committee regarding:

5.3.1.1. A scope of work, schedule, and budget for the development of all common data and descriptions required for the Coordination Agreement, including, but not limited to, data and descriptions identified in Water Code section 10727, and California Code of Regulations, Title 23, sections 354.12, 354.14, 354.18, and 357.4;

5.3.1.2. The adoption, for the purposes of preparing the Coordination Agreement, of common data and descriptions, including data and descriptions identified in Water Code section 10727, and California Code of Regulations, Title 23, sections 354.12, 354.14, 354.18, and 357.4;

5.3.1.3. Any other matters of common understanding that must be reached between the GSAs for the preparation of a Coordination Agreement and GSPs that will comply with SGMA; and

**Commented [AM5]:** In general, we specifically wanted to avoid the level of detail Stephanie added to the Agreement. It is our understanding no party is wedded to Stephanie's version and such language was not added at the direction of any party. I have also spoken to Denise England at the County who also is not wedded to any language provided by Stephanie.

**Commented [AM6]:** Same comment above regarding the Management Committee.

5.3.1.4. Any other technical matters, as requested by the Management Team Committee.

5.3.2. *Membership.* Each GSA shall appoint two (2) representatives to the Subbasin TAC. Each GSA's respective representatives shall serve at the pleasure of his or her appointing GSA.

5.4. *Adoption of Committee Recommendations:* Recommendations made by the Management Team Committee will not be ratified without unanimous approval by the Board of Directors for each GSA. If a GSA fails to approve a recommendation of the Management Team Committee, the Parties shall enter into the dispute resolution process outlined in Section 5.5. Notwithstanding this requirement, any recommendations made pursuant to Section 5.2.1.1 may be approved by the GSAs where a 2/3rds majority consent recommendation of the Management Team Committee is made, if, after a good faith effort pursuant to the process specified in Section 5.5, no unanimous consent has been reached.

**Commented [AM7]:** Describes the recommendation process for the Management Team only – reference to process for recommendations from the TAC has been removed. Suggest going back to language provided in August 10<sup>th</sup> version.

**Commented [AM8]:** To “ratify” is to officially approve an act of the entity through staff or otherwise that did not have the authority at the time to officially approve. Don’t think we want to use that term here.

5.5. *Dispute Resolution.* The Parties acknowledge that they may not be able to reach the consensus, in some instances. In the case that the parties have reached an impasse on consideration of any recommendation from the Management Team Committee, any GSA may choose to initiate a dispute resolution process by serving written notice to the remaining GSAs of the following: (1) identification of the conflict; (2) description of how the conflict may negatively impact the sustainability of the Kaweah Subbasin; and (3) a proposal for one or more resolutions. The Parties agree to designate representatives to meet and confer with each other within thirty (30) days of the date such notice is given and said representatives shall then meet within a reasonable time to address all issues identified in the notice. Should the representatives be unable to reach a resolution within ninety (90) days of the written notice, the Parties shall enter into informal mediation in front of a mutually agreeable mediator.

**Commented [AM9]:** We do not agree. If unable to reach consensus, we agree to the dispute resolution process. We do not agree to binding the GKGSA to anything by a 2/3 committee vote of any committee derived out of this subbasin MOU.

**Commented [AM10]:** The “impasse” begins at the committee level, with GSA representatives only, not official action of the GSA. Suggest going back to previous language provided in August 10<sup>th</sup> version.

## SECTION 6: GENERAL PROVISIONS

6.1. *Term.* This Coordination MOU shall become effective on the date first written above and shall remain so until the Coordination Agreement becomes effective.

6.2. *Third Party Beneficiaries.* This MOU shall not create any right of interest in any non-Party or in any member of the public as a third party beneficiary.

6.3. *Construction and Interpretation.* This MOU was finalized through negotiations of the Parties. Each Party has had a full and fair opportunity to review and revise the terms herein. As a result, the normal rules of construction that any ambiguities are to be interpreted against the draft Party shall not apply in the construction or interpretation of this MOU.

6.4. *Good Faith.* Each Party shall use its best efforts and work in good faith for the expeditious completion of the purposes and goals of this Coordination MOU and the satisfactory performance of its terms.

- 6.5. *Execution.* This Coordination MOU may be executed in counterparts and the signed counterparts shall constitute a single instrument. The signatories to this Coordination MOU represent that they have the authority to sign this Coordination MOU and to bind the Party for whom they are signing.
- 6.6. *Amendment.* This MOU may be amended or modified in writing and executed by each of the Parties.
- 6.7. *Notices.* All notices, requests, demands or other communications required or permitted under this MOU shall be in writing unless provided otherwise in this MOU, and shall be deemed to have been duly given and received on: (i) the date of service if personally served or served by electronic mail or facsimile transmission on the Party to whom notice is to be given at the address(es) below; (ii) on the first day after mailing, if mailed by Federal Express, U.S. Express Mail, or other similar overnight courier service; or (iii) on the third day after mailing if mailed to the Party to whom notice is to be given by first class mail, registered certified as follows:

TO:  
Paul Hendrix  
Mid-Kaweah Groundwater Sustainability Agency  
6826 Avenue 240  
Tulare, CA 93274  
[jph@tulareid.org](mailto:jph@tulareid.org)

TO:  
Mark Larsen, Secretary  
Greater Kaweah Groundwater Sustainability Agency  
2975 N. Farmersville Blvd.  
Farmersville, CA 93223  
[mlarsen@kdwcd.com](mailto:mlarsen@kdwcd.com)

TO:  
Mike Hagman, Executive Director  
East Kaweah Groundwater Sustainability Agency  
315 E. Lindmore St.  
Lindsay, CA 93247  
[mhagman@lindmoreid.com](mailto:mhagman@lindmoreid.com)

IN WITNESS WHEREOF, the Parties have entered into this MOU as of the date executed below.

MKGSA:

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

Chairman David Bixler

Date

By: \_\_\_\_\_  
J. Paul Hendrix

\_\_\_\_\_  
Date

GKGSAs:

By: \_\_\_\_\_  
Chairman Don Mills

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Secretary Mark Larsen

\_\_\_\_\_  
Date

EKGSA:

By: \_\_\_\_\_  
Chairman Edward Milanesio

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Secretary Michael D. Hagman

\_\_\_\_\_  
Date

Agenda Item Report

**September 16, 2017**

**Agenda Item 3.f.i:** Prop 1 Grant Application – Letter of Intent

**Report Author:** Paul Hendrix – Tulare ID

**Staff Recommendation:**

It is recommended that the Mid-Kaweah GSA execute a Letter of Intent defining costs and grant award distributions among the three sub-basin GSAs.

**Background Discussion:**

The state's Prop 1 grant program for GSP preparation requires that a single GSA serve as an applicant and that the application addresses the needs of the entire sub-basin. It has been determined that the Mid-Kaweah GSA shall serve in this capacity. Due to time constraints associated with the grant application schedule, it was deemed necessary to develop a LOI to address the specific coordination and financial understandings needed to submit a grant on behalf of the Kaweah Sub-Basin. The maximum grant award is \$1.5 million for basins in a state of critical overdraft, as is the Kaweah Sub-Basin.

The LOI identifies a one-third share for each GSA of (a) the cost to prepare a grant application, (b) any grant award made by the state, and (c) any local cost match as may be required to secure the full grant award. The LOI further describes Mid-Kaweah's role as the grant agent, a communication process for sub-basin GSA involvement, and specifies GEI as the consultant to prepare the application. The LOI as attached has been approved for execution by the respective boards of the East Kaweah GSA and the Greater Kaweah GSA.

**Recommended Motion:** I move to authorize the Chair and other authorized representatives to execute the Letter of Intent.

**Attachments:** Letter of Intent re Kaweah Sub-Basin Coordinated GSA Activities

**LETTER OF INTENT****KAWEAH SUBBASIN COORDINATED GROUNDWATER  
SUSTAINABILITY AGENCY ACTIVITIES**

This Letter of Intent (“LOI”) by and between the Mid-Kaweah Groundwater Sustainability Agency (“MKGSA”), the Greater Kaweah Groundwater Sustainability Agency (“GKGSA”), and the East Kaweah Groundwater Sustainability Agency (“EKGSA”) (individually referred to also as “Party” and collectively referred to as “Parties”), is entered into by the Parties based upon the following commonly understood facts:

1. The California Legislature enacted the Sustainable Groundwater Management Act of 2014 (“SGMA”), which, as amended, establishes a statewide framework for the sustainable management of groundwater resources. SGMA authorizes the formation of a Groundwater Sustainability Agencies (“GSAs”), one or more of which are authorized to be responsible for implementing provisions of SGMA.
2. SGMA allows local agencies or a combination of local agencies overlying a groundwater basin to serve as GSAs to develop and implement one or more Groundwater Sustainability Plans (“GSPs”) over an entire basin, subbasin, or a portion of a basin.
3. Pursuant to Water Code Section 10727, SGMA allows for the preparation of a GSP by three methods: (1) A single GSP covering the entire basin/subbasin developed and implemented by one GSA; (2) A single GSP covering the entire basin/subbasin developed and implemented by multiple GSAs; (3) Multiple GSPs implemented by multiple GSAs that are subject to a single Coordination Agreement that covers the entire basin/subbasin.
4. SGMA requires that if multiple GSPs will be implemented within a basin or subbasin then a Coordination Agreement must be prepared to ensure that the GSPs within a basin or subbasin utilize certain common data and methodologies as specified in Water Code Section 10727.6.
5. The Parties acknowledge that multiple GSAs have been formed within the Kaweah Subbasin and that each Party intends to develop and implement its own GSP. The Parties further acknowledge that careful coordination amongst GSAs within a subbasin is necessary and critical to achieve and maintain SGMA compliance.

The purpose of this LOI is to memorialize the mutual understandings and agreements of the Parties regarding the coordinated activities the Parties intend to undertake to comply with the aforementioned SGMA mandates, with principal emphasis

focusing on the Parties' collective pursuit of Category 2, Tier 1 grant funds from the Sustainable Groundwater Planning ("SGWP") Grant Program being implemented by the California Department of Water Resources ("DWR") and authorized by the Water Quality, Supply and Infrastructure Improvement Act of Act of 2014 ("Prop 1"). The current Category 2, Tier 1 funding opportunity shall be referred to hereinafter as the "Prop 1 Funding for GSPs and other Projects."

The Parties hereby agree to the following principles and parameters regarding their pursuit of Prop 1 Funding for GSPs and other Projects:

1. Each Party shall be responsible for third-party consultant costs associated with application preparation costs for the Prop 1 Funding for GSPs and other Projects pursuant to the following proportions:

MKGSA	33.3%
GKGSA	33.3%
EKGSA	33.3%

Each Party shall be responsible for its own costs associated all efforts or activities undertaken by said Party's personnel, the personnel of said Party's members, and each Party's legal counsel for the Prop 1 Funding for GSPs and other Projects.

2. The Parties agree to utilize the services of third-party consultant GEI Consultants, Inc. for the purpose of preparing all necessary application materials for the Prop 1 Funding for GSPs and other Projects.
3. The Parties agree that the MKGSA will serve as the administrative point of contact and fiscal agent for the Parties for the purposes of entering into the third-party consultant contract with GEI Consultants, Inc. specifically pertaining to the preparation of application materials for the Prop 1 Funding for GSPs and other Projects, and if such funding is awarded, for purposes of serving as the administrative point of contact and contracting party with DWR.
4. The Parties agree to communicate and coordinate with each other in the preparation of the application for the Prop 1 Funding for GSPs and other Projects, and continue to communicate and coordinate should such funds be awarded, including but not limited to attending regularly scheduled meetings. To the extent that the MKGSA is serving as the administrative point of contact and fiscal agent for the preparation of the application for the Prop 1 Funding for GSPs and other Projects, the MKGSA ensures that the representatives for the EKGSA and GKGSA are adequately consulted with and integrated into said process and activities. In no event shall an application for the Prop 1 Funding for GSPs and other Projects be submitted to DWR without the prior approval of the Parties.

5. Any application materials for the Prop 1 Funding for GSPs and other Projects shall propose a grant award such that, if awarded, each Party would be entitled to the grant award to the following proportions:

MKGSA	33.3%
GKGSA	33.3%
EKGSA	33.3%

6. In the event the Parties are awarded Prop 1 Funding for GSPs and other Projects, each Party shall be entitled to said funding pursuant to the following proportions:

MKGSA	33.3%
GKGSA	33.3%
EKGSA	33.3%

7. Notwithstanding the agreement of the Parties to share equally in the Prop 1 Funding for GSPs and other Projects if awarded, the Parties intend to dedicate their proportionate share of the funding first towards third-party consultant costs associated with the development of certain common data and methodologies as specified in Water Code Section 10727.6 (“Coordination Agreement Preparatory Work”). The Parties acknowledge that they are currently negotiating the terms and conditions of a “Memorandum of Understanding” that they will utilize for purposes of determining the scope and nature of the Coordination Agreement Preparatory Work, as well as the selection of third party consultants necessary for same. Any remaining Prop 1 Funding for GSPs and other Projects will be distributed equally to each Party for that party to utilize in the preparation of its GSP.
8. It is anticipated that work plans and budgets for the following projects will be included in the grant application: (1) Coordination Agreement Preparatory Work, (2) GSP for MKGSA, (3) GSP for GKGSA, and (4) GSP for EKGSA (“Projects”). The Parties shall ensure that the application Prop 1 Funding for GSPs and other Projects shall contain a sufficient number of eligible Projects and sufficient detail such that the total proposal costs are at least equal to the maximum potential grant award (\$1.5 million, as of the execution of this LOI).
9. At this time, the draft proposal solicitation package for the Prop 1 Funding for GSPs and other Projects indicates that a minimum cost share of 50% of the total proposal costs will be required. In this instance, the total of proposal costs for the Projects must be at least \$3 million to secure the maximum grant award. However, the possibility exists that DWR costs sharing for funded project proposals may be waived or reduced in certain circumstances. In the event that a cost share is required, each Party be responsible for identifying its cost share match pursuant to the following proportions:

MKGSA 33.3%  
GKGSA 33.3%  
EKGSA 33.3%

Pursuant to the draft proposal solicitation package, each Party may cover this cost share match with either GSP-related expenditures incurred after May 18, 2016, or by identifying additional projects that said Party desires to undertake as may be necessary.

For purposes of communications pursuant to this LOI, the point of contact for each Party shall be as follows:

Mid-Kaweah Groundwater Sustainability Agency

J. Paul Hendrix  
Mid-Kaweah Groundwater Sustainability Agency  
411 E. Kern Ave.  
Tulare, CA 93274  
[jph@tulareid.org](mailto:jph@tulareid.org)

Mark Larsen  
Greater Kaweah Groundwater Sustainability Agency  
2975 N. Farmersville Blvd.  
Farmersville, CA 93223  
[mlarsen@kdwcd.com](mailto:mlarsen@kdwcd.com)

Michael D. Hagman  
East Kaweah Groundwater Sustainability Agency  
315 E. Lindmore St.  
Lindsay, CA 93247  
[mhagman@lindmoreid.com](mailto:mhagman@lindmoreid.com)

The Parties have entered into this LOI as of the last date executed below.

MKGSA:

By: \_\_\_\_\_  
Chairman David Bixler Date

By: \_\_\_\_\_  
J. Paul Hendrix Date

GKGSa:

By: \_\_\_\_\_  
Chairman Don Mills                      Date

By: \_\_\_\_\_  
Secretary Mark Larsen                      Date

EKGSa:

By: \_\_\_\_\_  
Chairman Edward Milanesio                      Date

By \_\_\_\_\_  
Secretary Michael D. Hagman                      Date

Mid-Kaweah GSA  
Agenda Item Report

**September 16, 2017**

**Agenda Item 3.f.ii:** Prop 1 Grant Application – GEI Task Order MKGSA-01.2017

**Report Author:** Paul Hendrix – Tulare ID

**Staff Recommendation:**

It is recommended that the Mid-Kaweah GSA approve a task order with GEI identifying work and costs associated with preparing a DWR Prop 1 grant application for coordination and GSP development.

**Background Discussion:**

The final guidelines have been published for solicitation of grant applications under the state's Prop 1 GSP grant program. The open filing period for Phase 1 awards has been determined to be November 13<sup>th</sup>. Mid-Kaweah staff have been working with the other GSAs in identifying a timely process to apply for funding under the Phase 1 application period. Given GEI's role in GSP and coordination work within the sub-basin, as well as the firm's prior experience in applying for and securing state grant funds, it was agreed that they be tasked with preparing the grant application. The anticipated cost for this work is not to exceed \$30,000, and Mid-Kaweah is to contract for the work under its existing services agreement with GEI. The GEI task order outlining this work and associated cost is attached. As committed to in the LOI, each GSA will ultimately be responsible for one-third of this cost.

**Recommended Motion:** I move to approve Task Order MKGSA-01.2017 with GEI Consultants for the preparation of a Prop 1 GSP grant application.

**Attachments:** GEI Task Order MKGSA-01.2017



Consulting  
Engineers and  
Scientists

August 27, 2017

Paul Hendrix  
General Manager  
Tulare Irrigation District  
6826 Ave 240  
Tulare CA 93274

**PROFESSIONAL SERVICES AGREEMENT  
BETWEEN  
GEI CONSULTANTS, INC.,  
AND  
MID-KAWEAH GSA  
For  
Proposition 1 Sustainable Groundwater Planning Grant Program  
TASK ORDER NO. MKGSA-01.2017**

The Sustainable Groundwater Management Act (SGMA) requires sustainable groundwater management in the Kern Sub-Basin by 2040. The California Department of Water Resources has finalized regulations that specify the contents of Groundwater Sustainability Plans (GSPs) to be developed by Groundwater Sustainability Agencies (GSAs). GEI Consultants, Inc. (GEI) and the Mid-Kaweah Groundwater Sustainability Agency (MKGSA) entered into a Professional Services Agreement (PSA) on April 5, 2016 for GEI and its subconsultants to provide support to the MKGSA for compliance with SGMA. This Task Order defines a Scope of Services, Schedule, and Budget for work to be completed by GEI for the MKGSA per the terms and conditions of the PSA, except as amended herein.

This Scope of Work addresses preparation of a Sustainable Groundwater Planning Grant Program application for the Kaweah Sub-basin. This work is scheduled to begin in August and will be completed with the submittal of the grant application package within the specified nine-week application period ending on November 13, 2017.

### **SCOPE OF SERVICES**

#### **Task 1 – Project Management and Coordination**

This task includes the coordination of the project activities and overall administration of the project contract during the project duration, including general communication with the Mid-Kaweah GSA as the contracting entity and the Kaweah Sub-Basin Management Team as the management entity for this task order.

## **Task 2: Grant Strategy, Eligibility, and Guideline Updates**

DWR's Draft PSP was released for review in May 2017. Over 40 commenters submitted comments on the draft. DWR released a Frequently Asked Questions document (FAQ) in early August 2017 which provided additional information on grant criteria and application content. The Final PSP is expected sometime in August, at which time an expected nine-week application period will start. If this schedule holds, the applications will be due sometime in October for this first filing phase. In public meetings on the Draft PSP, DWR suggested it would provide feedback on applications submitted before the deadline, so early completion could provide greater assurance of a successful application.

This task will consist of the following sub-tasks:

- Perform an immediate review of Final PSP requirements to determine new deadlines, participation requirements, and other changes that could affect the grant application and its timing.
- Confirm eligibility of Kaweah Sub-Basin GSA members. The Guidelines are ambiguous regarding compliance required for receiving grant funds; despite the aforementioned FAQ it is not clear whether non-compliant members of GSAs can receive the grant-funded benefits of sub-basin wide activities. Depending on the requirements in the Final PSP, and if necessary, a recommendation will be made regarding how participation of the three GSAs or its member entities in grant funded activities may be ensured.

## **Task 3: Collect Compliance Documentation**

Demonstrated compliance with a number of existing state programs is required for applicant of a Proposition 1 GSP Grant. The Grant Program Guidelines are ambiguous regarding whether only the applicant or any beneficiary entity will be required to demonstrate this compliance. These compliance criteria include completion of Groundwater Management Plans, inclusion in the California Statewide Groundwater Elevation Monitoring (CASGEM) program, completion of Urban Water Management Plans and Agricultural Water Management Plans, filing of surface water diversion reports, and establishment of water conservation (SBx7-7) targets. In anticipation of the Final PSP requiring these certifications for all benefiting agencies and GSAs, GEI will collect these from the three sub-basin GSAs and their member entities (e.g. cities, water districts, etc.), as appropriate. The Kaweah Sub-Basin TAC may provide assistance with this compliance documentation effort as well.

The estimated cost is based on several assumptions regarding the sub-basin GSA's conformity with certain eligibility documentation as identified in the PSP:

- Compliance with the requirements for CASGEM.
- DWR verifications for 2015 Agricultural and Urban Water Management Plans, as applicable, for each GSA. If the verifications are not available, the grant submittal will require an explanation and anticipated date for the verification.
- SWRCB verifications for surface water diversion reporting, as applicable, for each GSA. If the verifications are not available, the grant submittal will require an explanation and anticipated date for the verification.

#### Task 4: Meetings with Kaweah Sub-Basin GSAs and Management Team

GEI will facilitate meetings with individual GSAs and the Management Team to coordinate work plan development and integration, the draft application package, and the final package. It is anticipated that the sub-basin Management Team will engage the TAC in this review process. This task will be guided by the Letter of Intent “Kaweah Sub-Basin Coordinated Groundwater Sustainability Agency Activities,” which LOI is anticipated to be executed by all three GSAs by early September.

#### Task 5: Grant Writing and Submittal

GEI will prepare a draft and final grant application package, including a document that contains information for the on-line entries and the attachment documents: Project Justification (Attachment #3), Work Plan (Attachment #4), Budget (Attachment #5), and Schedule (Attachment #6). The Mid-Kaweah GSA will provide an appropriate resolution regarding the submittal of the application as Authorizing Documentation (Attachment #1) and the self-certification/compliance documents for the Eligibility (Attachment #2). Regarding the disadvantaged community qualifications (Attachment #s 7-9), GEI will ensure that the sub-basin is afforded sufficient recognition as a SDAC/DAC/EDA region so as to minimize any local cost match for a grant award. GEI will carefully review the draft to ensure all criteria have been addressed, and emphasize issues important to the funding agency. Where applicable, GEI will reference the DWR 2015 Grant Program Guidelines in preparing materials for each attachment. The scoring criteria for the grant are appended as Table 1.

It is envisioned that the work plan will consist of four "Projects" as described in the Draft PSP and FAQ. These are one Project each for the three GSPs of each GSA, and one Project for the coordination elements such as development of the sub-basin setting, numerical modeling, a data management system and other required coordination elements.

The grant application will be structured to follow the DWR GSP Regulations (see Figure 1), and sequenced to follow a logical progression of activities. Use of work products already under development by individual GSAs will be integrated into the work plan. We will utilize the December 2016 DWR Preparation Checklist for GSP Submittal<sup>1</sup> supplemented with our working knowledge of SGMA to ensure completeness and efficiency.

The grant application will include all elements required by the PSP, including a project justification, work plan, itemized budget and schedule. The work plan will include a structured regional outreach and stakeholder engagement plan.

GEI will incorporate comments from the GSAs and Management Team to produce a final package for submittal during the first filing phase. GEI will produce copies of the grant application package for the three sub-basin GSAs.

### **SCHEDULE**

<sup>1</sup> [http://www.water.ca.gov/groundwater/sgm/pdfs/GD\\_GSP\\_Checklist\\_Final\\_2016-12-23.pdf](http://www.water.ca.gov/groundwater/sgm/pdfs/GD_GSP_Checklist_Final_2016-12-23.pdf)

Figure 1- Major GSP Topic Areas



We anticipate the following completion schedule; however, this schedule may be modified according to the final PSP:

- August/September 2017 – DWR publishes the Final PSP, starting a nine-week application period. Early submittals may be reviewed by DWR for completeness, providing an opportunity to discover and correct any potential flaws or weaknesses in the application.
- Mid-September, 2017 – Workshop to discuss/coordinate individual GSA and sub-basin wide work plan Projects and determine associated content to include in grant request.
- September 2017 – Certifications and/or expressions of intent for UWMPs, AgWMPs, surface water diversions, SBx7-7, etc. to be collected.
- September 27, 2017 – Kaweah Sub-Basin Management Team discussion of draft application.
- Mid-October, 2017 – Presentation of the final grant application for approval by the Mid-Kaweah GSA.

October 2017 – Submit grant application (within nine weeks from release of Final PSP).

## **BUDGET**

Billing for all work completed under this Task Order will be in accordance with the terms of the Professional Services Agreement between GEI and the Mid-Kaweah GSA (April 5, 2016), with labor billed at 3.05 times labor rate. The budget for the above-described work is \$30,000. This budget estimate is based on our current understanding of the scope and schedule requirements. If the Mid-Kaweah GSA or the Management Team determines that additional tasks or effort is required to meet its needs, then GEI will work with the Mid-Kaweah GSA to revise this scope and budget as appropriate.

## **AUTHORIZATION**

This Task Order is authorized and made an attachment to the above-identified Professional Services Agreement through the signatures below.

Authorized by:  
MID-KAWEAH GSA

Accepted by:  
GEI CONSULTANTS, INC.

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

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

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

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

Table 1 - Draft DWR Prop 1 GSP Grant Scoring Criteria

May 2017

Table 7 – Application Evaluation Criteria for Category 2				
Q#	Questions	Attachment(s)	Possible Points	Scoring Guidance
<b>Proposal Level Evaluation</b>				
1	Does the Proposal Summary describe a well-coordinated Proposal including GSPs that encompass the entire basin or describes why a portion of the basin is not covered in the Proposal?	3	4	0 – No; 1 – Marginally addressed; 2 – Partially addressed, with activities necessary for the success of the Project not fully described or included in the Work Plan; 3 – Mostly addressed, with minor details not included or unclear; 4 – Fully addressed
2	Collectively, do the Budget and Schedule demonstrate that all of the projects will be completed by the SGMA deadline for the respective basin (January 31, 2020 for critically overdrafted basins or January 31, 2022 for other high and medium priority basins)?	5, 6	2	0 – No; 1 – Less than fully addressed, 2 – Fully addressed
<b>Project Level Evaluation</b>				
3	Has the applicant addressed all of the items requested in the Project Justification Section of Attachment 3 (i.e., Proposal Summary and Project Support)?	3	4	0 – No; 1 – Marginally addressed; 2 – Partially addressed, with activities necessary for the success of the Project not fully described or included in the Work Plan; 3 – Mostly addressed, with minor details not included or unclear; 4 – Fully addressed
4	Does the applicant provide an explanation of the Technical Need for the project?	3	2	0 – No; 1 – Less than fully addressed, 2 – Fully addressed
5	Does the applicant provide an explanation of the Financial Need for the project?	3	2	0 – No; 1 – Less than fully addressed, 2 – Fully addressed
6	Does the application contain a detailed Work Plan that includes tasks for developing, preparing, and submitting a complete GSP?	4	4	0 – No; 1 – Marginally addressed; 2 – Partially addressed, with activities necessary for the success of the Project not fully described or included in the Work Plan; 3 – Mostly addressed, with minor details not included or unclear; 4 – Fully addressed
7	Does the application contain a complete Budget that is reasonable to execute the Work Plan on the Schedule provided?	5	2	0 – No; 1 – Less than fully addressed, 2 – Fully addressed
8	Given the level of effort described in the Work Plan, does the Schedule seem reasonable?	6	1	0 – No; 1 – Yes
<b>Total Range of Possible Points</b>			<b>0-21</b>	
<b>Total Project Level Score for all projects</b>				
<b>Average Project Level Score = (Total Project Score/# of Projects); rounded to nearest whole number</b>				
<b>Enter Proposal Level Score</b>				
<b>Total Proposal Score</b>				

Mid-Kaweah GSA  
Agenda Item Report

**September 16, 2017**

**Agenda Item 3.f.iii:** Prop 1 Grant Application – Resolution No. 2017-01

**Report Author:** Paul Hendrix – Tulare ID

**Staff Recommendation:**

It is recommended that the Mid-Kaweah GSA Board adopt a resolution to accompany the grant application under the state's Sustainable Groundwater Planning (SGWP) Grant Program.

**Background Discussion:**

DWR requires that a resolution be adopted designating an authorized representative to submit the SGWP grant application and execute an agreement with the state if awarded a grant. The resolution is to be provided as part of the grant application.

**Recommended Motion:** I move to adopt Resolution No. 2017-01 authorizing the Mid-Kaweah GSA to submit an application to obtain a grant under the 2017 SGWP Grant Program and designating the Chair or designee to file such application and execute a grant agreement.

**Attachments:** Resolution No. 2017-01

GSA RESOLUTION 2017-01

A RESOLUTION OF THE MID-KAWEAH GROUNDWATER SUSTAINABILITY  
AGENCY AUTHORIZING SUBMITTAL OF A GRANT APPLICATION  
UNDER THE 2017 SGWP GRANT PROGRAM

WHEREAS, the Mid-Kaweah GSA resides within the Kaweah Sub-Basin which sub-basin has been designated as a critically-overdrafted sub-basin within the San Joaquin Valley Basin of California; and,

WHEREAS, the Kaweah Sub-Basin is determined to be eligible to apply for funding under Category 2, Tier 1 of the state's 2017 Sustainable Groundwater Planning Grant Program; and,

WHEREAS, it is the intent of the Mid-Kaweah GSA to coordinate with the Greater Kaweah GSA and the East Kaweah GSA, all three of which collectively encompass the entire Kaweah Sub-Basin, and to develop a Groundwater Sustainability Plan (GSP) in compliance with the state's Sustainable Groundwater Management Act; and,

WHEREAS, the estimated costs to undertake the necessary Coordination Agreement work and GSP preparation are substantial, and financial assistance in the form of a grant from the state would be beneficial to the sub-basin; and,

WHEREAS, the Mid-Kaweah GSA has secured the support of the Greater Kaweah GSA and the East Kaweah GSA, which agencies occupy the balance of the sub-basin, to submit a grant application on behalf of the entire sub-basin.

NOW, THEREFORE BE IT RESOLVED by the Mid-Kaweah Groundwater Sustainability Agency that application be made to the California Department of Water Resources to obtain a grant under the 2017 Sustainable Groundwater Planning Grant Program pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) (Water Code §79700 *et seq.*), and to enter into an agreement to receive a grant for the "Kaweah Sub-Basin Coordination Activities and Groundwater Sustainability Plans Preparation" proposal; and ,

BE IT FURTHER RESOLVED THAT the Chair of the Mid-Kaweah Groundwater Sustainability Agency, or designee, is hereby authorized and directed to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement with the California Department of Water Resources.

THE FOREGOING RESOLUTION WAS ADOPTED at a special meeting of the Board of Directors of the Mid-Kaweah Groundwater Sustainability Agency held this 21<sup>st</sup> day of September, 2017.

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Chair of the Mid-Kaweah Groundwater  
Sustainability Agency Board

ATTEST:

STATE OF CALIFORNIA )  
COUNTY OF TULARE ) ss.  
CITY OF TULARE )

I, Roxanne Yoder, Board Secretary to the Mid-Kaweah Groundwater Sustainability Agency Board, certify the foregoing is the full and true GSA Resolution 2017-01 passed and adopted by the Mid-Kaweah Groundwater Sustainability Agency Board at a special meeting held on September 21, 2017, by the following vote:

Aye(s) \_\_\_\_\_

Noe(s) \_\_\_\_\_ Absent/Abstention(s) \_\_\_\_\_.

Dated:

MID-KAWEAH GROUNDWATER  
SUSTAINABILITY AGENCY BOARD  
SECRETARY

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Roxanne Yoder

Mid-Kaweah GSA

Agenda Item Report

**September 16, 2017**

**Agenda Item 3.g.i:** GSP Preparation – Approval of GEI Task Order MKGSA-02.2017

**Report Author:** Paul Hendrix – Tulare I.D.

**Staff Recommendation:** It is recommended that the Mid-Kaweah GSA approve a task order with GEI for the development of a GSP.

**Background Discussion:**

GEI's existing services agreement with the GSA identified preliminary work necessary for the preparation of a GSP under a series of task orders. That work has been completed and the transition to actual preparation of a GSP must begin soon. While coordination efforts with the East Kaweah and Greater Kaweah GSAs is an essential process which must be well underway prior to writing an individual GSP, a basic GSP template and initial elements of a plan need to accompany this sub-basin coordination. Further, if awarded a Prop 1 grant from the state, some of the funds may be devoted to GSP preparation, and a scope of work for this should be defined to guide the effort and justify reimbursement from DWR. Attached is the proposed scope of work for GSP development, along with the first task order to be undertaken now. This task order, along with others that will follow to complete the GSP, are proposed to fall under Mid-Kaweah's existing services agreement with GEI.

**Recommended Motion:** I move to approve Task Order MKGSA-02.2017 with GEI Consultants for the initial stages of GSP formulation and preparation.

**Attachment:** GEI Task Order MKGSA-02.2017



Consulting  
Engineers and  
Scientists

September 18, 2017

Paul Hendrix  
General Manager  
Tulare Irrigation District  
6826 Ave 240  
Tulare CA 93274

**PROFESSIONAL SERVICES AGREEMENT  
BETWEEN  
GEI CONSULTANTS, INC.  
AND  
MID-KAWEAH GSA  
For  
Groundwater Sustainability Plan**

**TASK ORDER NO. MKGSA-02.2017**

The Sustainable Groundwater Management Act (SGMA) requires sustainable groundwater management in the Kaweah Sub-Basin by 2040. The California Department of Water Resources has finalized regulations that specify the contents of Groundwater Sustainability Plans (GSPs) to be developed by Groundwater Sustainability Agencies (GSAs). GEI Consultants, Inc. (GEI) and the Mid-Kaweah Groundwater Sustainability Agency (MKGSA) entered into a Professional Services Agreement (PSA) on April 5, 2016 for GEI and its subconsultants to provide support to the MKGSA for compliance with SGMA. This Task Order defines a Scope of Services, Schedule, and Budget for work to be completed by GEI for the MKGSA per the terms and conditions of the PSA, except as amended herein.

This scope of work addresses preparation of a portions of a GSP on behalf of MKGSA for submittal to the Department of Water Resources. This work is scheduled to begin in mid-September and will be completed with the submittal of the GSP for review and approval by the Department of Water Resources in January 2020.

**SCOPE OF SERVICES**

GEI has developed a MKGSA GSP Workplan that includes a list of major tasks and estimated budgets for the development of a GSP. The table below shows the workplan with estimated budgets, the tasks and budgets included in this Task Order, and the remaining estimated budget. The MKGSA GSP Workplan also acknowledges and will depend upon data and products developed through the Kaweah Sub-Basin coordination effort under a GEI contract with the three Sub-Basin GSAs.

The remainder of this Task Order provides the detailed Scope of Services for this Task Order. Future task

orders will be developed by GEI for completion of tasks initiated under this Task Order or those yet to be initiated. This Task Order also acknowledges and will depend upon data and products developed under a GEI contract with Tulare County for development of the Kaweah Sub-Basin Basin Setting.

<b>Mid-Kaweah GSA Tasks</b>		<b>Estimated Costs</b>	<b>Task Order 02.2017</b>	<b>Remaining Budget</b>
<b>Task 1</b>	<b>Data Management System (Maintenance)</b>	<b>\$30,000</b>	<b>\$20,000</b>	<b>\$10,000</b>
<b>Task 2</b>	<b>Numerical Modeling (GSA Specific Runs and Data Management)</b>	<b>\$50,000</b>		<b>\$50,000</b>
<b>Task 3</b>	<b>GSP Development</b>			
<b>Task 3a</b>	Introduction	\$25,000	\$25,000	\$0
<b>Task 3b</b>	Basin Setting (majority completed under current scope)	\$40,000	\$30,000	\$10,000
<b>Task 3c</b>	Sustainability Goal and Undesirable Results	\$50,000	\$25,000	\$25,000
<b>Task 3d</b>	Monitoring Network	\$25,000		\$25,000
<b>Task 3e</b>	Min Thresholds, Measurable Objectives, & Interim Milestones	\$60,000		\$60,000
<b>Task 3f</b>	Water Supply Accounting	\$40,000	\$30,000	\$10,000
<b>Task 3g</b>	Projects, Management Actions, and Adaptive Management	\$40,000		\$40,000
<b>Task 4</b>	<b>Outreach (within GSA)</b>	<b>\$60,000</b>	<b>\$40,000</b>	<b>\$20,000</b>
<b>Task 5</b>	<b>References and Recordkeeping</b>	<b>\$20,000</b>		<b>\$20,000</b>
<b>Task 6</b>	<b>Project Management</b>	<b>\$75,000</b>	<b>\$50,000</b>	<b>\$25,000</b>
<b>Total Estimated Costs:</b>		<b>\$515,000</b>	<b>\$220,000</b>	<b>\$295,000</b>

The tasks included in this Task Order retain the numeration from the workplan above. A general schedule for all MKGSA task as well as the tasks that will completed at the Sub-Basin level are shown in Attachment A to this Task Order.

### **Task 1 – Data Management**

The Data Management System (DMS) will function as a data storage, analysis, visualization, and reporting tool for groundwater-related information within the Kaweah Sub-Basin and for each GSA in the Sub-Basin, including the MKGSA. The DMS will store and display information from previous, ongoing, and future groundwater studies and monitoring programs and will protect against the loss of valuable data. Additional data that will be incorporated into the DMS includes groundwater elevations as well as other relevant monitoring and modeling/analysis data required to assess the potential undesirable results, as specified by SGMA. It also facilitates direct production of tables, charts, and graphs needed for GSP reporting and analysis.

The development of the DMS was initiated under the original GEI-MKGSA contract. The majority of the DMS will be developed at the Sub-Basin wide level through a Sub-Basin coordination effort. This Task Order will support the development of the Sub-Basin DMS through the collection of necessary and existing information from the Cities of Tulare and Visalia and Tulare Irrigation District (TID). The data will be reviewed and formatted for integration into the Kaweah Sub-Basin DMS.

**Deliverables:**

- The collection and delivery of various existing hydrogeologic, hydrologic, land use, and other necessary data to the Kaweah Sub-Basin DMS platform.
- Generation of preliminary tables, charts, and graphs representing hydrogeologic, hydrologic and land use data for the MKGSA area.

**Estimated Cost:**

This Task Order represents 67-percent of the estimated workplan budget for DMS development or \$20,000. If required a separate Task Order will be developed for completion of the DMS for the MKGSA.

**Task 3a – GSP Introduction**

GEI will prepare a draft Introduction section for the MKGSA GSP. This draft will include following information, as required by SGMA:

- General information – purpose of GSP
- GSP implementation costs
- GSP funding plan
- Description of plan area
  - 8 maps
  - Document surface conditions
  - General plans summary
- Identify and describe GSP effects on parties in basin
- Outreach/stakeholder communication compilation

This task will cover development of a draft Introduction section of the GSP. Should GEI anticipate that additional effort, beyond this Task Order, is required to complete the GSP section for this item, GEI will work with MKGSA management to refine the services and effort needed to complete this item for inclusion in MKGSA GSP. GEI will prepare materials for and participate in one (1) committee meetings specifically focused on Sustainability Goals and Undesirable Results for the MKGSA.

**Deliverables:**

- Draft Introduction Section for MKGSA GSP.

**Estimated Cost:**

This Task Order represents 100-percent of the estimated workplan budget for the Introduction section of the MKGSA GSP, or \$25,000. If required, a separate Task Order will be developed for completion of this item as described above.

**Task 3b – GSP Basin Setting**

The majority of the Basin Setting information and data required for the MKGSA will be developed through the Kaweah Sub-Basin coordination effort. The Sub-Basin effort will support the development of a GSA/GSP level basin settings and to ensure that each GSA utilizes consistent and compatible data and methods in the development of their GSPs.

As needed to support the Sub-Basin effort, GEI will collect necessary and existing information from the Cities of Tulare and Visalia and TID to support the Sub-Basin coordination effort. All data will be reviewed and formatted for integration into the Kaweah Sub-Basin Basin Setting.

GEI will also prepare a several technical memoranda conveying the information needed in the Basin Setting section of the MKGSA GSP. These technical memoranda will include information on the following major components, consistent with the requirements of SGMA, and will support the future development of the Basin Setting section of the MKGSA GSP:

- Hydrogeologic Conceptual Model & Groundwater Conditions
  - Identification of principal aquifers and aquitards
  - Geologic map and cross-sections
  - Groundwater-level contour maps
  - Groundwater electrical conductance contour maps
  - Change in storage maps for two periods
  - Electrical conductance cross-sections
  - Map of land subsidence
  - Map of recharge/discharge areas
  - Map of interconnected surface water systems
  - Other (per regulations)
- Water Budget & Sustainable Yield
- Consideration of Management Areas

This task will cover the preliminary development of Basin Setting information and data, as described above, for the MKGSA. GEI anticipates that additional effort, beyond this Task Order, will be required to complete the GSP section for this item. As necessary, GEI will work with MKGSA management to refine the services and effort needed to complete this item for inclusion in MKGSA GSP. GEI will prepare materials for and participate in two (2) committee meetings specifically focused on the Basin Setting for the MKGSA.

The deliverables listed below for the basin setting and water budget will be prepared under the direction of Tim Nicely (GSI Water Solutions, Inc.), a registered Professional Geologist.

**Deliverables:**

- Participation and integration with the Kaweah Sub-Basin coordination effort for the development of Basin Setting
- Technical Memorandum: MKGSA Basin Setting
- Technical Memorandum: MKGSA Water Budget and Sustainable Yield

**Estimated Cost:**

This Task Order represents 75-percent of the estimated workplan budget for completion of a Basin Setting for the MKGSA GSP, or \$30,000. If required, a separate task order will be developed for completion of this item as described above.

**Task – 3c – Sustainability Goals and Undesirable Results**

GEI will assist MKGSA in the development of narrative descriptions that encompass the values and

objectives of the entire Kaweah Sub-Basin through the Sub-Basin coordination effort. The Sub-Basin level goals and undesirable results evaluation will provide guidance for GSA level goals and undesirable results evaluation to ensure consistency with the GSPs developed in the Sub-Basin.

GEI will also assist MKGSA in the development of more specific narratives for Sustainability Goals and Undesirable Results for the MKGSA that will be used to guide the development of Measurable Objectives. Development of these narratives will be coordinated and reviewed with the MKGSA Technical Advisory Subcommittee and Advisory Committee.

This task will cover the preliminary development of Sustainability Goals and Undesirable Results for the MKGSA. GEI anticipates that additional effort, beyond this Task Order, will be required to complete the GSP section for this item. If necessary, GEI will work with MKGSA management to refine the services and effort needed to complete this item for inclusion in MKGSA's GSP. GEI will prepare materials for and participate in two (2) committee meetings specifically focused on Sustainability Goals and Undesirable Results for the MKGSA.

**Deliverables:**

- Participation and coordination with the Kaweah Sub-Basin coordination effort for the development of Sub-Basin wide Sustainability Goals and Undesirable Results.
- Technical Memorandum: Preliminary Narratives for Sustainability Goals and Undesirable Results for the MKGSA

**Estimated Cost:**

This Task Order represents 50-percent of the estimated workplan budget for Sustainability Goals and Undesirable Results development or \$25,000. If required a separate Task Order will be developed for completion of this item as described above.

**Task 3f – Water Supply Accounting**

The MKGSA GSP Workplan identifies the development of a water supply accounting framework. This effort was initiated in the original GEI-MKGSA contract, specifically the work developed to characterize groundwater utilization within the MKGSA. The Kaweah Sub-Basin coordination effort will also engage on development of a water supply accounting framework to ensure that all water management components of a water balance within the Kaweah Sub-Basin are consistently defined and based on the same methodology. GEI will support the Sub-Basin effort as needed to represent the interests of the MKGSA. Relying on the development of the Kaweah Sub-Basin water supply accounting framework, GEI will develop a consistent accounting framework for the MKGSA.

This task will cover the preliminary development of the water supply accounting framework for the MKGSA. GEI anticipates that additional effort, beyond this Task Order, will be required to complete the GSP section for this item. If necessary, GEI will work with MKGSA management to refine the services and effort needed to complete this item for inclusion in MKGSA GSP. GEI will prepare materials for and participate in two (2) committee meetings specifically focused on water supply accounting for the MKGSA.

**Deliverables:**

- Participation and integration with the Kaweah Sub-Basin coordination effort for the development of a Sub-Basin Water Supply Accounting Framework.
- Technical Memorandum: Preliminary Water Supply Accounting Framework for the MKGSA

**Estimated Cost:**

This Task Order represents 67-percent of the estimated workplan budget for Water Supply Accounting development, or \$30,000. If required a separate Task Order will be developed for completion of this item as described above.

**Task 4 – Outreach**

GEI will design a facilitated process to build consensus among stakeholders within the MKGSA regarding development of the MKGSA GSP. GEI will develop an Outreach Strategy that will include stakeholder assessments for those that have interest and standing under SGMA to provide input to GSA and GSP development. Stakeholders will be engaged at various intervals throughout this effort, but specifically to develop consensus for the sustainability goals and strategies for groundwater sustainability. GEI will assist with Advisory Committee work towards framing a Communications and Engagement Plan for stakeholder outreach. As appropriate, GEI will coordinate development of outreach materials and strategies with the Kaweah Sub-Basin coordination effort to ensure consistency in messaging and to identify potential collaboration and efficiencies.

This task will cover the development of an Outreach Strategy for the MKGSA. GEI anticipates that additional effort, beyond this Task Order, will be required to facilitate outreach through the completion of the GSP. As necessary, GEI will work with MKGSA management to refine the services and effort needed to complete this item. GEI will prepare materials for and participate in four (4) public meetings specifically focused on local stakeholder engagement within the MKGSA.

The outreach effort will be developed under the direction of Craig Moyle (MWH Global), the GEI Team's outreach and communication specialist.

**Deliverables:**

- Technical Memorandum: MKGSA Outreach Strategy
- Presentation materials for stakeholder engagement

**Estimated Cost:**

This Task Order represents 67-percent of the estimated workplan budget for MKGSA Outreach, or \$40,000. As required, a separate Task Order will be developed for completion of this item as described above.

**Task 6 – Project Management**

GEI will support the MKGSA efforts to comply with SGMA, coordinate with MKGSA agencies (City of Visalia, City of Tulare and TID), coordinate with the Kaweah Sub-Basin coordination effort, and coordinate and manage the MKGSA technical effort described in this Task Order. GEI will prepare monthly "Activity Reports" corresponding with monthly billings. This task also includes periodic internal (GEI project team)

coordination meetings and periodic coordination meetings and/or communication with the MKGSA management.

Over the course of this Task Order, GEI anticipates preparing several additional Task Orders for technical work identified in the MKGSA GSP Workplan, as directed by the MKGSA manager. Development of future Task Orders will be included in this task.

GEI will also participate in management and committee meetings to discuss business of the MKGSA and to review technical information being developed by GEI and/or other consultants and contractors. Additionally, GEI will participate in meetings of the Kaweah Sub-Basin coordination effort as needed to support MKGSA's commitment to the Sub-Basin effort. GEI will attend and participate in these meetings, as described below.

#### **Management Committee Meetings**

GEI will attend and provide progress updates at regular Management Committee meetings, including coordination with Committee members, regarding the agenda or materials to be presented at the meetings.

#### **Technical Advisory Subcommittee and Advisory Committee Meetings**

GEI will attend and participate in TAC/AC Committee meetings, including coordination with committee Chairs on agendas and preparation of other materials and presentations, as requested.

#### **Kaweah Sub-Basin Coordination Meetings**

To support coordination among with the Kaweah Sub-Basin GSAs, GEI will attend Sub-Basin meetings as a representative of the MKGSA, as requested.

GEI anticipates that additional effort, beyond this Task Order, will be required to facilitate project management through the completion of the GSP. As necessary, GEI will work with MKGSA management to refine the services and effort needed to complete this item.

#### **Deliverables**

- Monthly Activity Reports
- Task Orders for additional technical work
- Attendance and participation in up to six (6) Management Committee meetings
- Attendance and participation in up to six (6) TAC/AC Committee meetings
- Attendance and participation in up to six (6) Kaweah Sub-Basin meetings

#### **Estimated Cost:**

This Task Order represents 67-percent of the estimated workplan budget for MKGSA Outreach, or \$50,000. As required, a separate Task Order will be developed for completion of this item as described above.

#### **SCHEDULE**

Work on this Task Order will begin upon a notice to proceed or execution of this Task Order. Deliverables will be ongoing through January 31, 2020. The schedule for the task included in this task order are generally represented in Attachment A. Should a revision to the schedule become necessary, GEI will coordinate with the MKGSA.

This Task Order will terminate on December 31, 2018, unless extended by amendment.

**BUDGET**

Billing for all work completed under this Task Order will be in accordance with the terms of the Professional Services Agreement between GEI and the MKGSA (April 5, 2016), with labor billed at 3.05 times labor rate. The budget for the above-described work is \$220,000. This budget estimate is based on our current understanding of the scope and schedule requirements. If the MKGSA or the Management Team determines that additional tasks or effort is required to meet its needs, then GEI will work with the MKKGSa to revise this scope and budget as appropriate.

**AUTHORIZATION**

This Task Order is authorized and made an attachment to the above-identified Professional Services Agreement through the signatures below.

Authorized by:

MID-KAWEAH GSA

Accepted by:

GEI CONSULTANTS, INC.

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

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

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

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



Mid-Kaweah GSA

Agenda Item Report

**September 16, 2017**

**Agenda Item 3.g.ii:** GSP Preparation – Authorization to Submit GSP Notice of Preparation

**Report Author:** Paul Hendrix – Tulare I.D.

**Staff Recommendation:** It is recommended that the Mid-Kaweah GSA submit to DWR a notice of intent to prepare a GSP as required thereby.

**Background Discussion:**

With GSA formation complete and the existence of three GSAs in the Kaweah Sub-Basin, discussions now focus on basin-wide coordination and GSP preparation. While work towards coordination issues must to some degree precede the full development of a GSP, foundational work on the GSP must begin now in order for a complete plan to be considered by the Board for adoption prior to January 31, 2020 (the deadline for submittal of an adopted GSP and Coordination Agreement to DWR). In accordance with §10727.8 of SGMA and §353.6 of DWR's GSP Regulations, a notice of intent to prepare a GSP must be submitted to DWR prior to developing a GSP and initial formulation of its management actions. The notice shall also be made available to the public, along with general information as to the manner in which "Interested Parties" may participate in the development and implementation of the plan. The proposed notice is attached.

**Recommended Motion:** I move that a notice of intent to prepare a GSP be submitted to DWR and that said notice be made available to the public and disseminated to other local governmental agencies as required in §10727.8 of SGMA.

**Attachment:** Notice of Intent to Prepare a GSP

## Mid-Kaweah GSA

### Interested Parties per SGMA §10723.2; 10723.8(a)(4)

The Mid-Kaweah Joint Powers Authority (referred to herein as a GSA) intends to use the following strategies and methods, and any other ways later discovered, for contacting interested parties listed as well as any later discovered interested parties:

- Conducting regular fully noticed public meetings in accordance with California law;
- Use reports, press releases, and coverage of the public meetings in news distribution media to make the public, interested parties, and potentially interested parties aware of the issues and GSA discussions and actions;
- Direct mailings to those requesting special notice and to any known well owners or operators with regard to significant communications;
- Websites on the existing three GSA members sites (Tulare Irrigation District and cities of Visalia and Tulare) and on a GSA website implemented after initial formation formalities;
- Participation and sharing GSA related information in the context of mediations, meetings, and other activities with other agencies and property owners overlying the Kaweah Sub-Basin including, but not limited to, such activities with the largest overlying entities such as the County of Tulare and the Kaweah Delta Water Conservation District as well as the newly-formed Greater Kaweah GSA and East Kaweah GSA;
- Participation and sharing GSA information at conferences (both within and outside of its jurisdictional boundaries);
- Inclusion of information of GSA significance within billing materials for the City of Tulare and Tulare Irrigation District and within other City of Visalia sponsored mailings to its residents, including those prepared by Calif. Water Service Co., the municipal water purveyor for the Visalia area;
- Outreach and communication with known and discovered advocates for disadvantaged communities within the GSA and surrounding areas;
- Communication using each of the above methods with any other water purveyors, retailers, wholesalers, and the like who either pump or distribute water within the jurisdictional boundaries of the GSA;
- Compliance with the California Public Records Act with regard to information requested by any party.

Organizing documents of the GSA require regular noticed public meetings conducted consistently with California public meeting laws within the boundaries of the GSA. Part of the

motivation for forming the GSA was to create a readily accessible public forum for discussion and official actions. This is seen as a primary opportunity for regular communication with interested parties through the notification and open meeting and media reporting cycle. In this way interested parties (who may not yet even be fully known to the GSA) and the public can be fully informed of the activities and discussions of the GSA with regard to Groundwater Sustainability Plan (GSP) formulation and methods to be applied to achieve the goals of SGMA. In addition to the aforementioned strategies and methods, the GSA will remain open to finding new opportunities and techniques for expanding communication avenues with the public and other interested parties.

The joint powers authority/GSA organizing documents likewise include formation of an Advisory Committee, where interested parties will have the opportunity to interface with the GSA and provide opportunities to interface on various important SGMA implementation issues related to GSA operations and GSP preparation. In addition, there is also to be established a Technical Advisory Sub-Committee to the Management Committee, which will also allow stakeholders and their agents with technical expertise to engage on pertinent topics related to development of a GSP and its implementation.

Specific Interested Parties situated within the Mid-Kaweah GSA and outer Kaweah Sub-Basin as identified per SGMA §10723.2 are identified following. Where appropriate, the listing includes recognition of how such entities may serve within the governance and committee structure of the GSA and means of involvement with GSP implementation. The listing is not intended to be exhaustive and, should additional entities emerge and be identified, they will be contacted and engaged with accordingly.

(a) Groundwater Right Holders

(1) Agricultural Users:

- **Landowners/water users within Tulare ID service area** — Representation on GSA board through TID board appointments thereon; GSP activities/actions to reflect groundwater dependence and well operations of all farmers within TID, within the context of sustainable management.
- **Agricultural organizations – Tulare County Farm Bureau**

(2) Domestic Well Owners

- **Homestead owners within Tulare ID** — GSP activities/actions to reflect groundwater dependence and well operations of all property owners with domestic wells within TID, within the context of sustainable management. Many domestic well owners are TID landowners/farmers.

(b) Municipal Well Operators

- **Pratt Mutual Water Co.** — GSP activities/actions to reflect groundwater dependence and well operations of all well operators within GSA boundaries, within the context of sustainable management.
- **Souls Mutual Water Co.** — Same as above
- **Okieville.** — Same as above
- **Mooney Grove Park** — Same as above
- **Cutler Park** (outside of city limits) — Same as above
- **Saputo Dairy Food USA** — Same as above
- **Visalia Industrial Park** — Same as above
- **Mobile Home Parks (MHP)** – Mooney Grove Manor, Royal Oaks, Westlake Village, Willow Glen, County Manor, Mountain View — Same as above
- **The Lakes** — Same as above

(c) Public Water Systems

- **City of Tulare** — Representation on GSA board through City appointments thereon; appointments of City staff to one or more GSA committees. GSP activities/actions to reflect groundwater dependence and well operations of the City, within the context of sustainable management.
- **City of Waukena** — GSP activities/actions to reflect groundwater dependence and well operations of school districts, within the context of sustainable management. Possible appointments to one or more stakeholder/advisory committees of GSA.
- **Calif. Water Service Co.** — GSP activities/actions to reflect groundwater dependence and well operations of Cal Water, within the context of sustainable management. Appointment to one or more stakeholder/advisory committees of GSA.
- **Tulare Irrigation District** — Representation on GSA board through District appointments thereon; appointments of District staff to one or more GSA committees. GSP activities/actions to reflect groundwater dependence and well operations of TID and District water users, within the context of sustainable management.

- **Rural school districts** – Buena Vista, Liberty, Oak Valley, Palo Verde, Waukena, Sundale and Packwood — GSP activities/actions to reflect groundwater dependence and well operations of school districts, within the context of sustainable management. Possible appointments to one or more stakeholder/advisory committees of GSA.
- **Water districts in adjacent sub-basins** - Kings Co. WD, Corcoran ID, Lakeside WD — Communication and coordination re GSA formation, boundary consistency, and GSP preparation

(d) Local land Use Planning Agencies

- **City of Tulare** — Member of GSA with representatives on GSA board; to be represented on management, technical and advisory committees.
- **City of Visalia** — Member of GSA with representatives on GSA board; to be represented on management, technical and advisory committees.
- **Tulare County** — Signatory to Coordination Agreement among Kaweah Sub-Basin GSAs; appointment to one or more stakeholder/advisory committees of GSA. GSP implementation to incorporate role of County in management of unincorporated areas within existing and future city limits of Visalia and Tulare.
- **Tulare County LAFCO** — GSP implementation to incorporate role of LAFCO in management of unincorporated areas within existing and future city limits of Visalia and Tulare.

(e) Environmental Users of Groundwater

- None yet identified

(f) Surface Water Users

- **Landowners within Tulare ID**

(g) Federal Government

- No sites identified

(h) Calif. Native Tribes

- **Santa Rosa Rancheria Tachi-Yokut Tribe**

- **Wuksache Tribe**

(i) Disadvantaged Communities

- **Souls Tract**
- **Lone Oak Tract**
- **Matheny Tract**
- **E. Tulare Tract**
- **Okieville**
- **City of Waukena**
- **Mobile Home Parks** — Those identified as DACs
- **DAC organizations** – Self-Help Enterprises, Community Water Center

(j) §10927 Groundwater Monitoring/Reporting Entities

- **Tulare ID** — Member of GSA with representatives on GSA board; to be represented on management, technical and advisory committees. GSP implementation to incorporate role of TID in surface water deliveries, sub-basin water management, and monitoring and data collection efforts.
- **City of Tulare** — Member of GSA with representatives on GSA board; to be represented on management, technical and advisory committees. GSP implementation to incorporate role of City in surface water deliveries, sub-basin water management, and monitoring and data collection efforts.
- **Kaweah Delta WCD** — member of Greater Kaweah GSA; appointment to one or more stakeholder/advisory committees of GSA. GSP implementation to incorporate role of KDWCD in surface water distribution, sub-basin water management, and monitoring and data collection efforts.
- **Calif. Water Service Co.** — Appointment to one or more stakeholder/advisory committees of GSA. GSP implementation to incorporate role of Cal Water in groundwater monitoring and extraction/usage data collection efforts.



**Mid-Kaweah Groundwater Sustainability Agency**

Trevor Joseph – Section Chief  
Sustainable Groundwater Management Section  
Calif. Department of Water Resources  
901 P Street  
Sacramento California 94236

Subject: Notice of Intent Re Groundwater Sustainability Plan

Dear Mr. Joseph:

The Mid-Kaweah GSA is an exclusive GSA within the Kaweah Sub-Basin of the greater San Joaquin Valley Basin. Its members include the City of Visalia, City of Tulare, and the Tulare Irrigation District. By this notice, and in accordance with §10727.8 of the Calif. Water Code and §353.6 of DWR's Emergency Regulations for Groundwater Sustainability Plans, Mid-Kaweah expresses its intent to initiate the development of a Groundwater Sustainability Plan (GSP) applicable for its jurisdictional area.

At its formation in the fall of 2015, an Interested Party listing and process leading to development of a Communications and Engagement Plan for the general public was prepared which is attached for reference. The Board of Directors has since established an Advisory Committee which has been conveyed and will play an integral role in formulating this Plan. It is through this Plan that the identified Interested Parties, and stakeholders and public in general, may actively participate in the development and implementation of the Mid-Kaweah GSP. Information pertaining to governance activities of the GSA, data dissemination, and public outreach are to be posted on the Mid-Kaweah website, [www.midkaweah.com](http://www.midkaweah.com). Should you or your staff have any questions regarding this notice or our GSP process in general, please contact the GSA Secretary, Roxanne Yoder, at 559-684-4200.

Sincerely,

David G. Bixler  
Chair

Attachment



September 25, 2017

**Agenda wording:** GSA Advisory Committee – Status Report

**Author:** Leslie B. Caviglia, City of Visalia

**Discussion:** There are currently three vacancies on the Advisory Board, two that were purposely left vacant by the GSA Board, and a third that occurred as a result of the person no longer being qualified for the category they were appointed to represent. Given that there will be significant work on the Plan beginning in 2018, a recruitment is underway so the Board can fill the vacant positions on the Committee.

**Background:** In October, 2015, the GSA Board adopted policies regarding Advisory Committee appointments (included below). The adopted policy indicates there can be between seven and eleven members, with up to three members representing the agricultural community, up to three may represent other government agencies operating within the GSA, and up to three members may represent environmental interests and/or disadvantaged communities. The remaining members would be considered at-large.

In March, 2016, based on recommendations from the Management Committee, the Board appointed nine members:

Mark Boyles (at-large, Tulare)	Brett Taylor (at-large, Visalia)
Eric Charles (at-large; Visalia)	Jerri Snyder (disadvantaged communities, Visalia)
Richard Garcia (environmental, Visalia)	Blake Wilbur (ag, Tulare)
Edward Henry (government, Tulare)	James Nichols (ag, Visalia)
Soapy Mulholland (environmental; Visalia)	

At the time, the Board purposely left two positions vacant to be filled as the GSA discussions progressed and the Board determined certain expertise was needed. Since that time, a change on the Tulare Board of Public Utilities resulted in Dr. Henry no longer being eligible to serve, so there are currently eight members on the Advisory Committee.

With the GSA Plan due in January, 2020, significant input will be needed from the GSA Advisory Committee as discussions about the Plan ensue. State law requires that there be significant community outreach and involvement in the development of the Plan, so the appointment of additional committee members will be on the GSA Board's October meeting agenda. A recruitment for additional applications is being conducted utilizing the media and social media. Copies of the recruitment announcement have also been sent out to the GSA Board and the Advisory Board members. The deadline for applications is Sept. 29, and the applications will be brought forth to the GSA Board at the October 10, 2018 meeting.