REGULAR MEETING AGENDA
January 9, 2020
2:00 PM
County of Merced Board Chambers, Third Floor
2222 M Street, Merced, CA

Bob Kelley, Stevinson Water District
Chair
Nic Marchini, Western White Area Representative
Vice Chair

George Park, Lone Tree Mutual Water Company
Kole Upton, Le Grand-Athlone Water District
Lloyd Pareira, County of Merced
Michael Gallo, Eastern White Area Representative

1. CALL TO ORDER/ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. PUBLIC COMMENT PERIOD
   Public opportunity to speak on any matter of public interest within the Board's jurisdiction
   including items on the Board's agenda. Testimony limited to three minutes per person.
4. APPROVAL OF MINUTES
   Action to approve the meeting minutes from the special meeting on December 9, 2019.
5. BUDGET UPDATE
   Budget update on SGMA Compliance Landowner Fee Revenue and GSP Development costs.
6. FIRST ANNUAL REPORT
   Action to approve a budget and scope of work for Woodard and Curran to proceed with preparing
   the first annual report due to the Department of Water Resources on April 1, 2020.
7. STAFF REPORT
8. BOARD REPORTS
9. NEXT REGULAR MEETING
10. ADJOURNMENT
Alternate formats of this agenda will be made available upon request by qualified individuals with disabilities. Appropriate interpretive services for this meeting will be provided if feasible upon advance request by qualified individuals with disabilities. Please contact the Secretary at (209) 385-7654 for assistance and allow sufficient time to process and respond to your request. Copies of agendas and minutes will be available at the Merced County Community and Economic Development Department and at www.countyofmerced.com/MercedSubbasinGSA.
I. CALL MEETING TO ORDER

The special public meeting of the Merced Subbasin Groundwater Sustainability Agency Joint Powers Authority Governing Board was called to order at 2:00 p.m., on December 09, 2019, in the Board Chambers located at 2222 "M" Street, Third Floor, Merced, California.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF BOARD MEMBERS

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<tr>
<th>Board Members</th>
<th>Present:</th>
<th>Absent: None</th>
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<td>Bob Kelley</td>
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<td>Nic Marchini</td>
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<td>Michael Gallo</td>
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<td>Supervisor Lloy Pareira</td>
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<td>Staff Present:</td>
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<td>Mark Hendrickson</td>
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<td>Ana Muniz-Laguna</td>
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<td>Lacey Kiriakou</td>
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<td>Merced County Water Resources Coordinator</td>
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IV. PUBLIC COMMENT PERIOD

Mr. Eric Swenson, Merquin Water District representative, stated that at the September 18, 2019 joint board meeting he made public comments on behalf of the Merquin Water District and the summary that Woodard and Curran included in the GSP does not reflect comments made. Mr. Swenson stated he has provided Woodard and Curran with a transcript of his statements in regards to Zones of Groundwater Management and not Management Zones and stated he has not heard back on whether the GSP will be updated to reflect the statements provided. Mr. Swenson also suggested that the Merced SGMA website reflect both public comments made in writing and comments made in person to be located in the same comments section of the webpage for easy reference.
Mr. Dave Nervino, Merquin Water District, asked how some of the proposed water district boundary changes will impact the work that’s been done so far and how it impacts what will be presented to the Department of Water Resources (DWR). Chairman Kelley responded that the boundaries to the Merced Subbasin GSA would not be changing and the amount of acreage will remain the same.

Public Comment Closed.

V. **APPROVAL OF MINUTES**

Action to approve the meeting minutes from the regular meeting on July 11, 2019 and October 10, 2019.

No Public Comment.

**MOTION:** M/S PAREIRA – GALLO, AND CARRIED BY A VOTE OF 6 – 0, THE BOARD APPROVES THE MINUTES FROM THE JULY 11, 2019 AND THE OCTOBER 10, 2019 MEETINGS.

VI. **PUBLIC HEARING TO CONSIDER ADOPTION OF THE MERCED SUBBASIN GROUNDWATER SUSTAINABILITY PLAN**

1). Open the public hearing and receive testimony

2). Close the public hearing

3) Consider approval of the resolution adopting the Merced Subbasin Groundwater Sustainability Plan.

Ms. Lacey Kiriakou gave background info on the Sustainability Groundwater Management Act (SGMA), the development of Groundwater Sustainability Plan (GSP), and the next steps of the GSP adoption process.

Public Comment Opened at 2:26pm.

No Public Comment.

Public Comment Closed at 2:27pm.

Vice-Chair Marchini commended staff for their work on the GSP process. Chairman Kelley commented that there is more work to do on allocation framework and sustainable yield before moving forward with demand reduction. He also stated that both staff and the Coordinating Committee have done a good job thus far.
MOTION: M/S MARCHINI- GALLO, AND CARRIED BY A ROLL CALL VOTE OF 6-0;

BOARDMEMBER PARK- YES,  
BOARDMEMBER UPTON- YES,  
BOARDMEMBER GALLO- YES,  
BOARDMEMBER PAREIRA- YES,  
BOARD VICE-CHAIR MARCHINI- YES,  
BOARD CHAIRMAN KELLEY- YES,  
THE BOARD APPROVES ACTION TO ADOPT THE MERCED SUBBASIN GROUNDWATER SUSTAINABILITY PLAN.

VII. COMMENT LETTER TO LAFCO

Action to approve joining a joint comment letter from the Merced Subbasin GSAs to LAFCO regarding the application of a new water district in the Merced Subbasin and authorize the chair to sign the letter.

Ms. Kiriakou informed that the Local Area Formation Commission of Merced County has notified the Merced Subbasin GSA of the formation of a new California Water District consisting of approximately 7,800 acres to be known as the Owens Creek Water District and related creation of a district sphere of influence: and corresponding reduction of the Merced Irrigation District sphere of influence. The application submitted to LAFCO for the formation of the Owens Creek Water District includes statements about there being no existing service to address SGMA compliance, as well as an intention of the proposed water district to form a Groundwater Sustainability Agency. She informed that three GSAs in the Merced Subbasin are coordinating together to draft a comment letter to LAFCO informing the commission of the SGMA services provided throughout the Merced Subbasin by the current GSAs in the basin, including opportunities for landowner and stakeholders to participate in the GSAs and the Groundwater Sustainability Plan development process. Additionally, the GSAs do not intend to support the formation of or alter current jurisdictional boundaries for additional GSAs in the basin. Ms. Kiriakou stated that any letter drafted would be reviewed by GSAs counsel and also informed that the Turner Island Water District discussed this item at their November meeting and approved the drafting and joining of a joint letter.

Chairman Kelley asked if the letter would include any other statement other than stating the GSAs have no intention to alter their geographic zones for the formation of a new GSA. Ms. Kiriakou responded that statements in the letter could include the mention of SGMA services already provided, opportunities for participation, the GSAs intention of not allowing the formation of new GSAs, as well as reference that the area has had a history of exporting water.

Boardmember Gallo asked what would happen if the GSA did not take part in the joint letter. Chairman Kelley responded that not joining in a letter might indicate that the GSA does not have an opinion to the formation of a new water district. Ms. Kiriakou stated that
LAFCO has provided the GSA with an opportunity to give comments on the application received and if the GSA chooses to not provide a response, then the LAFCO commissioners would not have a position from the GSA Board on the matter. Ms. Kiriakou informed that LAFCO submitted the application to the GSA Board for review. Chairman Kelley stated he has viewed the submitted application and there were concerns with statements provided.

Boardmember Marchini informed that the letter’s intent is to address the application’s argument that there are no services provided. Ms. Kiriakou further clarified that the letter could state that there are SGMA services currently provided and also inform on the Merced Subbasin GSA’s position of not supporting new GSAs being formed.

Boardmember Park wanted clarification that the GSA is not disputing the validity of them forming a new water district and Ms. Kiriakou responded that a statement could be added to the letter clarifying that this GSA does not have any comments on the validity of the water district.

Public Comments:

Mr. Dave Nervino, Merquin, stated that he encourages the GSA to approve the writing of the letter as he is concerned for this new water district to try and pursue their own GSA and possibly undermine regulations set by this GSA. He stated it would be hard to control groundwater all over the basin if there are different pockets forming their own GSA’s and conflicts would arise if it’s not controlled by one GSA.

Brad Samuelson, manager at Amsterdam Water District, commented that the Amsterdam Water District has no intention of becoming a GSA and after this GSP is approved, their intention is to become more involved in this GSA.

MOTION: M/S MARCHINI- PARK, AND CARRIED BY A VOTE OF 6-0, THE BOARD APPROVES JOINING A JOINT COMMENT LETTER FROM THE MERCED SUBBASIN GSA’S TO LAFCO REGARDING THE APPLICATION OF A NEW WATER DISTRICT IN THE MERCED SUBBASIN AND AUTHORIZE THE CHAIR TO SIGN THE LETTER.

VIII. COORDINATION COMMITTEE UPDATE

None

IX. BOARD REPORTS

Boardmember Pareira addressed the recent rain and the current water recharge that has come from it in the north end of the county. Chairman Kelley stated he attended an ACWA Conference and discussed the lack of snowpack in the Sierras and reiterated how important groundwater is and will continue to be in the future.
X. **NEXT REGULAR MEETING:**

Next meeting will be held on January 9, 2020.

XI. **ADJOURNMENT**

There being no further business, the meeting adjourned at 2:45 p.m.
BOARD ACTION ITEM

TO:   MEMBERS OF MERCED SUBBASIN GSA GOVERNING BOARD
FROM:  MARK HENDRICKSON, SECRETARY
DATE:  JANUARY 9, 2020

SUBJECT:  BUDGET UPDATE

SUMMARY:

Landowner Fee for SGMA Compliance Budget Update
The Merced Subbasin Groundwater Sustainability Agency adopted a Landowner Fee for SGMA Compliance on July 23, 2019, through a Proposition 218 proceeding. For Fiscal Year 2019-2020, the Landowner Fee was set to fund an approved budget of $392,000. The Landowner Fees were included on the property tax bills of landowners in Merced and Mariposa Counties, some agencies not subject to property tax were billed directly, and the agencies of Le Grand-Athlone Water District, Lone Tree Mutual Water Company, and Sandy Mush Mutual Water Company elected to pay the GSA directly for the Landowner Fees within their management area.

As of January 2020, the three member agencies who elected to pay the GSA directly have each submitted payment on behalf of the landowners within their agencies, the County of Merced has submitted a portion of the fee collected on the first installment of the property tax bill, the remaining portion of the Landowner Fee collected by Merced and Mariposa Counties will be submitted as the property tax payments are processed. Outstanding fees remain on 8 agencies directly invoiced. Payments continue to be submitted.

GSP Development Budget Update
The three GSA’s in the Merced Subbasin contracted with Woodard and Curran Inc. in 2017 on a $1,600,501.50 contract for GSP development. As of the adoption of the GSP by all the GSA’s in November and December 2019, all but three tasks have been completed. The remaining tasks with funding available are GSP Compilation and Preparation, Coordination and Outreach, and Interbasin Agreements and Coordination. Woodard and Curran will continue these tasks as the GSP is submitted to DWR. The three GSAs in the Merced Subbasin were awarded a $1.5 million Proposition 1 Sustainable Groundwater Planning Grant from the California Department of Water Resources which will reimburse the majority of the GSP development costs.

REQUEST/RECOMMENDATION/ACTION NEEDED:
No action required. Information item.
BOARD ACTION ITEM

TO: MEMBERS OF MERCED SUBBASIN GSA GOVERNING BOARD
FROM: MARK HENDRICKSON, SECRETARY
DATE: JANUARY 9, 2020

SUBJECT: FIRST ANNUAL REPORT

SUMMARY:
The Sustainable Groundwater Management Act requires each agency to submit an annual report to the Department of Water Resources by April 1 of each year following adoption of the GSP. The annual reports includes components for the preceding water year, including: general information and basin conditions of groundwater elevation, groundwater extraction, surface water supply and use, total water use, annual water budget and change in groundwater supply, land subsidence, and groundwater quality, among others.

Woodard and Curran, Inc., the GSP development consultant has provided a scope of work to produce the first annual report for the Merced Subbasin for the total cost of $147,804. The first annual report will be funded by each of the GSAs in the basin according to the funding proportions agreed to in the Coordination Agreement. Merced Subbasin GSA’s share of the first annual report cost would be approximately $85,726.32.

The scope of work, budget and schedule for the preparation of the first annual report would be included in the original Woodard and Curran Inc., contract by amendment. This action authorizes the Chairman to sign the contract amendment approving the preparation of the first annual report and the budget of $147,804.

The scope of work, schedule, budget and amendment are attached.

REQUEST/RECOMMENDATION/ACTION NEEDED:
Action to approve amending the Woodard and Curran Inc. contract to prepare the First Annual Report for the Merced GSP at a total cost of $147,804. Authorize the Chairman to sign the contract amendment.
Amendment No. 2
to the Agreement between
Merced Irrigation-Urban Groundwater Sustainability Agency (MIUGSA), Merced Subbasin GSA, and Turner Island Water District GSA - 1 (collectively, "Client") and Woodard & Curran, Inc. ("W&C") dated October 9, 2017 (the “Agreement”)

This Amendment No. 2 (“Amendment No. 2”) to the Agreement is entered on January 9, 2020.

RECITALS

WHEREAS, Client and W&C entered into the Agreement dated as of October 9, 2017 under which W&C shall provide certain services to Client related to preparation of a Groundwater Sustainability Plan;

WHEREAS, the parties desire to amend the Agreement to include the work to prepare a first annual report for the Merced Subbasin Groundwater Sustainability Plan as outlined in the attached Scope and Fee.

NOW, THEREFORE, in consideration of the premises and of the mutual promises of the parties, Client and W&C hereby agree to amend the Agreement as follows:

See attached Scope and Fee.

All other terms and conditions of the Agreement shall remain in full force and effect.

[Signatures on Next Page]
IN WITNESS WHEREOF, each party hereto has caused this Amendment to be executed by its duly authorized representative on the day and year set forth below.

**Woodard & Curran, Inc.**  
By: Alyson Watson  
Sign: ____________________________  
Date: ____________________________

**Merced Irrigation-Urban Groundwater Sustainability Agency (MIUGSA)**  
By: ______________________________  
Sign: _____________________________  
Date: _____________________________

**Turner Island Water District GSA - 1 (TIWD GSA-1)**  
By: ______________________________  
Sign: _____________________________  
Date: _____________________________

**Merced Subbasin GSA (MSGSA)**  
By: ______________________________  
Sign: _____________________________  
Date: _____________________________
SCOPE

Note Regarding Task Numbering: When Phase 2 began in March 2018, tasks were re-numbered from the order in the Agreement to match the order of tasks in the submitted Prop 1 Grant Application to better align with the anticipated DWR Grant Agreement. When Amendment 1 for preparation of the Prop 68 grant application was executed, two new tasks (Tasks 14 and 15) were added. Upon approval of Amendment 2, the authorized task numbers will be:

Task 1 – PM and Coordination (additional scope and fee added under Amendment 2)
Task 2 – Plan Area and Authority
Task 3 – Data Management System
Task 4 – Data, Plan Area, and Basin Setting
Task 5 – Sustainability Criteria
Task 6 – Monitoring Networks
Task 7 – Sustainability Thresholds
Task 8 – Water Accounting Framework
Task 9 – Management Program
Task 10 – GSP Implementation
Task 11 – GSP Compilation and Preparation
Task 12 – Coordination and Outreach
Task 13 – Interbasin Agreements and Coordination
Task 14 – Coordination with Merced GSAs
Task 15 – Preparation of Grant Application and Submittal to DWR
Task 16 - Preparation of First Annual Report (new task added under Amendment 2)

Task 1 – Project Management and Coordination

This task will amend the existing Task 1 to include project management throughout the development of the first annual report. Tasks will include implementing QA/QC protocols, providing timely progress reports and billing statements, and providing overall program management and management of subconsultants. In addition, this task includes up to 10 conference calls will GSA staff members for coordination on compilation and completion of the first annual report.

Task 1 Deliverables:

- Up to 9 conference calls with GSA staff (January through end of March).
- Monthly progress reports and invoices

Task 1 Assumptions:

- Meeting information will be provided electronically.

Task 16 - Preparation of First Annual Report

The first annual report for the Merced Subbasin GSP will be due on April 1, 2020. Per California Code of Regulations §356.2 (SGMA regulations), annual reports must include three key sections: 1) General Information, 2) Basin Conditions, and 3) Plan Implementation Progress. Completion of the first annual report is broken into the four subtasks below:

Subtask 1.1 – Collect, Compile, and Analyze Data
The Basin Conditions section of the annual report will describe the current groundwater conditions and monitoring results, described further in the bullets below.

Woodard & Curran will work with the GSAs to develop a list of each necessary dataset, the responsible agency, and due dates for data collection (see “Schedule” section at end of Scope). Data will be compiled and reviewed for basic quality control (e.g. duplicate data or flagging data expected to have errors). Separately, note that groundwater elevation and groundwater quality data will be compiled and imported into the Merced Subbasin Data Management System (DMS) in Subtask 1.2. Data will be analyzed and presented for each data type as follows:

- **Groundwater Elevation**
  - Woodard & Curran will add new CASGEM groundwater elevation data to an existing groundwater elevation database used during GSP development and develop groundwater elevation contour maps for each principal aquifer that illustrate seasonal high and seasonal low groundwater conditions for each water year, similar to the contour maps developed for the Current & Historical Conditions chapter of the GSP. Specifically, this will include the following maps:
    - Single year groundwater elevation contour maps for seasonal high and seasonal low (for five water years across three principal aquifers, totaling 30 maps)
    - 5-year groundwater elevation change from WY 2015 to WY 2019 (three maps, one per principal aquifer)
  - Hydrographs will also be compiled for each monitoring well, showing available historical groundwater elevations through WY2019 with reference to water year type.

- **Groundwater Extraction**
  - Groundwater extraction estimates will be presented in a table, as required by DWR, summarizing groundwater extractions by water use sector, with identification of the method of measurement (direct or estimate) and accuracy of measurements. It is anticipated that estimates will be based on MercedWRM model runs.
  - An accompanying map will illustrate the general location and volume of groundwater extractions per square mile.

- **Surface Water Supply and Use**
  - Surface water supply used or available for use (for groundwater recharge or in-lieu use) will be summarized in tabular form, describing the annual volume and sources for the WY 2015 – WY 2019 period. Surface water supplies include precipitation, streamflow, and local surface water. Precipitation and streamflow data will be obtained from public sources. Local surface water deliveries are assumed to be provided directly by the GSAs and other local agencies where applicable.

- **Total Water Use**
  - Total water use will be calculated based on groundwater extraction and surface water use data and summarized by water use sector and water source type, along with measurement method and accuracy of measurements, as required by DWR.

- **Annual Water Budget and Change in Groundwater Storage**
  - The MercedWRM will be updated to establish a water budget for WYs 2015-2019 based on the updated groundwater elevation, surface water delivery data, evapotranspiration, and land use.
The Merced WRM will be used to generate an estimated change in storage for each principal aquifer. A map will be generated to show the location of change in storage, as well as graphical figures showing year type, groundwater use, the annual change in groundwater in storage, and the historical cumulative change in groundwater in storage from 1995 through WY 2019.

Land Subsidence

Woodard & Curran assumes that the latest land surface elevation data for USBR San Joaquin River Restoration Program control points will be readily available from the public website for the program. If so, updated subsidence maps will be prepared, similar to the subsidence maps presented in the Current & Historical Conditions section of the GSP. Specifically, this is expected (depending on data availability) to include a total of two (2) maps, as follows:

- Map showing average subsidence from July 2012 - July 2019 OR December 2011 - December 2019
- Map showing total subsidence July 2015 - July 2019 OR December 2015 - December 2019

Groundwater Quality

While annual reporting of groundwater quality is not specifically required by DWR (outside of measuring progress against upcoming interim milestones), the GSAs have committed to providing an annual summary of ongoing water quality coordination activities. Woodard & Curran will support this task by completing the following activities:

- Woodard & Curran will review data submitted to public water quality databases, such as the Department of Pesticide Regulation (DPR), Division of Drinking Water (DDW), Department of Toxic Substances Control (EnviroStor), and GeoTracker as part of the Groundwater Ambient Monitoring and Assessment (GAMA) database. New data will be compiled and imported into Merced Subbasin DMS in Subtask 1.2.
- New water quality data will be summarized in tabular format broken down by constituent, including number of measurements, date range, as well as min, max, and average analytical results.
- Three location maps will be developed to show wells with any available water quality data (summarized in tabular form in the step above), with one map for each principal aquifer.
- Three contour maps will be developed (one for each principal aquifer) documenting the most recent available concentration data for salinity, as measured by Total Dissolved Solids (TDS).
- Qualitative description of check-ins with existing monitoring programs (and review of their associated monitoring reports, if updated/published since GSP development), such as CV-SALTS and ESJWQC Groundwater Quality Trend Monitoring program.

Subtask 1.2 – Merced Subbasin Data Management System Update

This subtask includes time spent making the following updates to the Merced Subbasin DMS.

- Evaluation and implementation of minor database enhancements to prepare for ongoing annual monitoring and reporting of water quality data.
- Example: Add STORET codes (standardized EPA numerical code for water quality constituents) to the DMS to help standardize management and reporting of water quality data from multiple source
databases, especially for constituents with similar yet different reporting parameters (e.g. Nitrate as N vs Nitrate as NO3).

- Import of groundwater level and water quality data that will be downloaded and compiled in Subtask 1.1.
- Addition of functionality to the DMS to visually flag water quality measurements that exceed the applicable MCL or SMCL within a user-input time period.
- Development of training materials and outreach for GSA staff. Materials would describe how to upload data and use analysis tools for reporting purposes.

**Subtask 1.3 – Document Plan Implementation Progress**

The Plan Implementation section of the annual report will describe the progress made towards achieving interim milestones as well as implementation of projects and management actions.

Woodard & Curran will work with the GSAs to evaluate and report on the progress towards implementing the GSP, including the status of the shortlisted projects and ongoing development of management actions. Shortlisted projects will be summarized in tabular format. Management actions will be summarized in paragraph form.

**Subtask 1.4 – Prepare Annual Report**

The results of Subtasks 1.1, 1.2, and 1.3 will be used to develop the WY2015-WY2019 Annual Report, including an executive summary that highlights the key content of the annual report. The following sections will be included:

1. Executive Summary
2. Introduction
3. Basin Setting
   a. Groundwater Elevations
   b. Groundwater Extractions
   c. Surface Water Supply
   d. Total Water Use
   e. Change in Groundwater Storage
   f. Land Subsidence
   g. Groundwater Quality
   h. GDE Pulse
4. Plan Implementation Progress
5. References

A Draft Report will be prepared for review by the GSAs. Comments will be incorporated into a Final Report which will be distributed electronically (PDF).

Woodard & Curran will also provide the GSAs a copy of the digital files for supporting data, such as Excel spreadsheets and GIS maps/shapefiles.
Estimated Schedule

The estimated schedule is shown below and reflects that some prep work was initiated in early December using available budget under the existing agreement.

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## Merced Subbasin Groundwater Sustainability Plan WY2019 Annual Report

### Preparation of First Annual Report

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<td>662</td>
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</table>

**Subtotal Task 1:** 220, 8, 6, 140, 20, 164, 250, 2, 2, 662, $136,140, 0, $136,140

### Project Management

<table>
<thead>
<tr>
<th>Task</th>
<th>PM</th>
<th>PIC</th>
<th>Hydrogeology</th>
<th>Modeling / Technical Analysis</th>
<th>Data Management</th>
<th>Staff and GIS</th>
<th>Software Engineer</th>
<th>Graphics</th>
<th>Admin./Technical Editor</th>
<th>Total Hours</th>
<th>Total Labor Costs</th>
<th>Total ODCs</th>
<th>Total Fee</th>
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</thead>
<tbody>
<tr>
<td>2.1</td>
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**Subtotal Task 2:** 20, 2, 0, 0, 0, 20, 0, 0, 8, 50, $11,664, 0, $11,664

**TOTAL:** 82, 16, 8, 140, 20, 184, 250, 2, 10, 712, $147,804, 0, $147,804

1. The individual hourly rates include salary, overhead and profit.
2. Subconsultants will be billed at actual cost plus 10%.
3. Other direct costs (ODCs) such as reproduction, delivery, mileage (rates will be those allowed by current IRS guidelines), and travel expenses, will be billed at actual cost plus 10%.
4. W&C reserves the right to adjust its hourly rate structure and ODC markup at the beginning of the calendar year for all ongoing contracts.