

White Wolf Subbasin Groundwater Sustainability Agency Regular Board Meeting of the Board of Directors

Agenda February 7, 2023 at 1:00 p.m.

In Person: Wheeler Ridge-Maricopa Water Storage District Headquarters
12109 Highway 166
Bakersfield, CA 93313

Or Virtual Option:

Go To Meeting: <https://meet.goto.com/911605181>

Call by Phone: (872) 240-3311 Access Code: 911-605-181

- 1. Call to order**
- 2. Discuss and consider adoption of Resolution to Allow Remote Teleconference Meetings Pursuant to AB 361 for Next 30 Days**
- 3. Remote teleconference changes (Legal)**
- 4. Recognition of Guests**
- 5. Approval of Minutes of the Regular Board Meeting of January 3, 2023**
- 6. Financial Accounting Report (Robert Velasquez)**
- 7. Updates on actions discussed or authorized on January 3, 2023 (EKI)**
 - a. Update on Groundwater Sustainability Plan (GSP) implementation activities
 - b. Summary of recently approved GSPs
 - c. Projects/Management Actions (P/MAs) Committee initiation
 - i. Technical Advisory Committee meeting scheduled for 2nd Thursday of the month at 12:00 – 1:00 PM
 - d. Round 2 Multibenefit Land Repurposing Program Grant solicitation
- 8. Resolution for filing application for grant funds pursuant to the Multibenefit Land Repurposing Program – *Board Action Item***
- 9. Evapotranspiration data to support Water Year 2022 Annual Report (EKI/Angelica) – *Board Action Item***
- 10. Correspondence**
 - a. Kern Subbasin outreach on Basin Study coordination

11. Public Comment

In compliance with the Americans with Disabilities Act, if you need disability-related modifications or accommodations, including auxiliary aids or services, please call Angelica Martin (661) 663-4262.

**White Wolf Subbasin Groundwater Sustainability Agency
Regular Board Meeting of the Board of Directors**

**Agenda
February 7, 2023 at 1:00 p.m.**

At this time, the public may address the Board on any item not appearing on the agenda that is within the subject matter jurisdiction of the Board. Comments will be limited to three minutes.

12. Consider and provide direction on future agenda items

13. Closed Session – Anticipated litigation (Government Code Section 54956.9(d)(2))—1 item.

14. Report out of Closed Session

15. Adjourn

In compliance with the Americans with Disabilities Act, if you need disability-related modifications or accommodations, including auxiliary aids or services, please call Angelica Martin (661) 663-4262.

WHITE WOLF GROUNDWATER SUSTAINABILITY AGENCY

RESOLUTION 2023-02

**RESOLUTION INITIALLY AUTHORIZING REMOTE
TELECONFERENCE MEETINGS UNDER AB361**

WHEREAS, meetings of the Board of Directors (“Board”) of White Wolf Groundwater Sustainability Agency (“Agency”) and its committees are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the Agency’s legislative bodies conduct their business;

WHEREAS, Government Code section 54953(e), as amended by Assembly Bill 361 (2021) (“AB361”), signed by the Governor on September 16, 2021, provides for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, the Agency wishes to invoke the provisions of AB361 to authorize teleconference meetings subject to the modified standard of Government Code section 54953(e);

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Findings. The Board hereby finds as follows:

- (a) As required by Government Code section 54953(e)(1), a proclaimed state of emergency exists under the California Emergency Services Act, as declared by the Governor on March 4, 2020.
- (b) State or local officials have imposed or recommended measures to promote social distancing.

Section 2. Procedures for Teleconference Meetings. The Agency and its committees shall hold teleconference meetings pursuant to the requirements of Government Code section 54953(e).

Section 3. Effective Date. This resolution shall take effect immediately upon its adoption.

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Section 4. Renewal. Pursuant to Government Code section 54953(e)(3), the Agency will reconsider the state of emergency every 30 days.

PASSED AND ADOPTED by the Board of Directors of White Wolf Groundwater Sustainability Agency on February 7, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

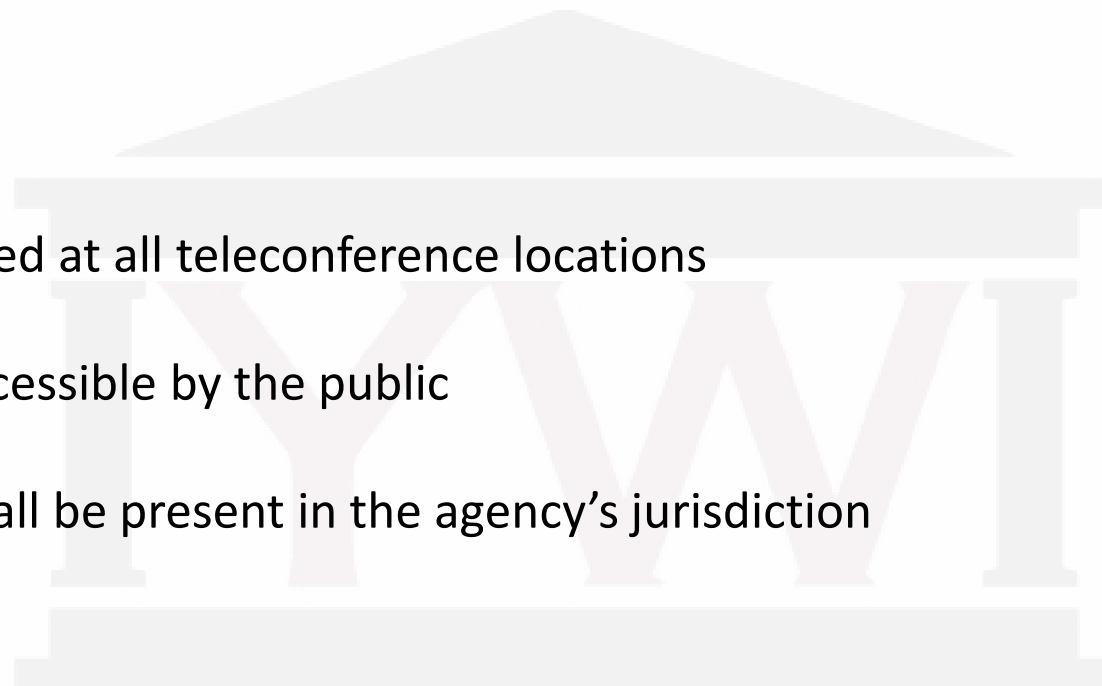
Secretary of the Board

THE BROWN ACT

Special Rules for Teleconferencing

Traditional Rule

1. Agenda shall be posted at all teleconference locations
2. Locations shall be accessible by the public
3. At least a quorum shall be present in the agency's jurisdiction



THE BROWN ACT

Special Rules for Teleconferencing

AB 361—Exceptions to Teleconferencing During State of Emergency

No need for quorum to meet in the jurisdiction, for remote participant to be publicly available, for agenda to be posted at remote location, or for agenda to identify remote location if:

1. State of Emergency remains in effect or state or local officials recommend distancing
2. Every 30 days, Board of local agency considers the circumstances and:
 - a. State of Emergency continues to limit ability to meet safely in person, or
 - b. State or local officials continue to impose measures to promote distancing

THE BROWN ACT

Special Rules for Teleconferencing

AB 2449

No need for remote participant to be publicly available, for agenda to be posted at remote location, or for agenda to identify remote location if:

1. Quorum is present at a singular location identified in the agenda.
2. Agency provides for public participation through a two-way audiovisual platform, or a two-way telephonic service and live webcasting
3. Agenda advises of ability to attend and address the Board via telephone, Web-based service, and in-person
4. Remote participant is not present for “Just Cause” or due to an “Emergency”

THE BROWN ACT

Special Rules for Teleconferencing

“Just Cause”

1. Care of a dependent
2. Contagious illness
3. Physical or mental disability
4. Travel while on official business of the legislative body or another state or local agency

Process

Member must notify the legislative body at the earliest opportunity.

Limited to 2 meetings per year.

THE BROWN ACT

Special Rules for Teleconferencing

“Emergency Circumstances”

Physical or family medical emergency that prevents a member from attending in person

Process

1. Member must request the Board to allow remote participation and the Board must take action to approve the request
2. Board shall request a brief description of the circumstances (no need to disclose sensitive medical information)
3. Must go through that process for each meeting in which a member seeks to participate remotely

THE BROWN ACT

Special Rules for Teleconferencing

AB 2449 Requirements

1. Remote participant must advise if another person older than 18 is in the room with the participant, and must describe the relationship.
2. Remote participant must use both audio *and* visual technology.
3. Remote participation cannot exceed three consecutive months or 20% of the Board's meetings

**White Wolf Subbasin Groundwater Sustainability Agency
Wheeler Ridge-Maricopoa Water Storage District
12109 Highway 166, Mettler, CA 93313**

MINUTES OF THE REGULAR BOARD OF DIRECTORS MEETING

Date of Meeting: Tuesday, January 3, 2023

Location: Remote and In-Person

Meeting Commenced at 1:04 p.m.

DIRECTORS PRESENT: Tito Martinez, George Cappello, Jeff Mettler, Allen Lyda, Jon Reiter.

ALTERNATES: None

DIRECTORS ABSENT: Jeff Giumarra.

PUBLIC AND STAFF: John Gaugel from Wonderful, Brad DeBranch from Bolthouse, Anona Dutton, and Christina Lucero, from EKI, Casey Gudel from LandIQ, Jeevan Muhar, and Sam Blue from AEWS, Nicole Bona, Matt Owens from DWR, Eric McDaris with WRMWSD, and Legal Counsel's substitute, Steve Torigiani, were present.

Before proceeding with the meeting, Legal Counsel asked to add an item to the agenda, the adoption of Resolution 2023-01, which Authorizes Remote Teleconference Under AB361. The board approved the action, and on motion by Director Mettler and seconded by Director Lyda, Resolution 2023-01 was approved. The motion was carried upon roll call vote for approval, with Director Cappello being disconnected at the moment and unable to vote.

President Martinez did a recognition of guests followed by the draft meeting minutes of the Regular Board Meeting of November 1, 2022, presented by Ms. Martin. On motion by Director Lyda and seconded by Director Mettler, the minutes were approved. The motion was carried upon roll call vote for approval, with Director Reiter abstaining since he had not attended that meeting.

Ms. Martin had no financial report.

Christina Lucero from EKI gave a presentation starting with an update on Groundwater Sustainability Plan (GSP) implementation tasks as well as fieldwork activities. She presented the fall water levels in the basin as well as MT exceedances. She provided information regarding protocols for no measurements, and the options that came with that. She went on to give an update on the submission of the Grant SGMA Implementation Round 2, submitted on December 15, 2022. Director Reiter asked how components 2 and 1 of the application were sized, and how did the technical committee prioritize the components? For the first question, Christina explained that anticipated hours, and obtaining data in general had been the process. For the second question, the projects that could be completed by 2026 was significant criteria to rank the projects on the list, as well as being fully funded by the grant. It is unknown if the moneys will be tied to the projects. Matt Owens, from DWR, provided input and explained that DWR awarded grants based on whatever projects were in the application and are expected to be completed as presented in the application. Christina also presented an upcoming round 2 Multibenefit Land Repurposing Program Grant. She recommended, as well as the Technical Committee, that the GSA apply once again, since we can show a greater stakeholder outreach, which will benefit the process. Director Cappello motioned to approve the submittal for round 2 Multibenefit Land Repurposing Program Grant, seconded by Mettler, the motion was unanimously approved. The motion was carried upon roll call vote for approval.

She also provided an update regarding the Tiered P/MA Committee. Christina explained that to establish the Technical Advisory Committee an invitation letter was currently being drafted and planned to be sent out to the largest 25 landowners in the basin. A recurring standing meeting date needed to be set. As for the Board ad-hoc Committee, a quarterly recurring standing meeting also needed to be set up.

Sheridan Nicholas talked about the process of imposing GSA administrative charges as a matter of initiating the conversation on the topic. Legal Counsel advised this should be an ongoing item of discussion.

Christina Lucero talked about the next item, which was a request from EKI for budget Augmentation for Task #9 for \$100,000. The amounts will be split equally amongst the 3 Districts. Director Reiter had questions regarding spent money per acre in the basin and if we were aligned with what other GSAs were spending in other basins. The consensus is that there is currently no exact number. On motion by Director Lyda, and seconded by Director Mettler, Task Order #9 was unanimously approved by the Board upon roll call vote.

Item 8 of the agenda, Evapotranspiration Data Options to Support WY 2022 Annual Report, was tabled for the next meeting due to lack of information.

There was one correspondence to report. A letter from the SWRCB regarding groundwater quality considerations for all medium and high priority groundwater basins. Ms. Martin agreed to send out a copy to the Board.

There were no public comments.

Ms. Martin advised next meeting would be on February 7, 2023.

There was no closed session.

The White Wolf GSA was adjourned at 2:09 p.m.

Angelica Martin, Secretary, White Wolf Subbasin GSA

Approved by: White Wolf Subbasin GSA Board of Directors

Dated: February 7, 2023

WHITE WOLF GSA FINANCIAL INFORMATION

	July	August	September	October	November	December	January
FUNDING	\$ -	\$ 200,001	\$ -	\$ -	\$ -	\$ -	\$ -
INTEREST INCOME	0	0	29.32	59.67	47.93	38.56	29
TOTAL FUNDING	0	200,001	29	60	48	39	29
PROFESSIONAL SERVICES - CONSULTING	-	-	80,747	15,749	41,593	-	19,900
PROFESSIONAL SERVICES - LEGAL	295	-	236	1,396	1,996	-	-
FEES - OTHER	-	31	76	147	54	46	44
TOTAL EXPENDITURES	\$ 295	\$ 31	\$ 81,059	\$ 17,292	\$ 43,643	\$ 46	\$ 19,944

WHITE WOLF GSA - January 31, 2023

FUNDING	\$ 200,001	EKI	157,989
INTEREST INCOME	205	Young Woolridge	3,922
TOTAL FUNDING	200,206	Bank Fees	398
PROFESSIONAL SERVICES - CONSULTING	157,989		
PROFESSIONAL SERVICES - LEGAL	3,922		
FEES - OTHER	398		
TOTAL EXPENDITURES	162,309		
	-		
FUNDING AVAILABLE AT JANUARY 31, 2023	\$ 37,897		

FORECAST THROUGH JUNE 30, 2023

EKI	\$ 203,579
WY 2022 Land IQ	12,570
Legal - Young Woolridge	5,000
Bank Fees	250
FORECASTED EXPENDITURES THROUGH JUNE 2023	221,399
Funding Deficit	\$ (183,502)
TOTAL FUNDING REQUIREMENT	\$ 200,000
FUNDING REQUIREMENT PER DISTRICT	\$ 66,667



White Wolf Groundwater Sustainability Agency

Arvin-Edison Water Storage District
Tejon-Castac Water District
Wheeler Ridge-Maricopa Water Storage District
Kern County

AGENDA MEMORANDUM

Date: 1 February 2023

To: Board of Directors, White Wolf Groundwater Sustainability Agency (GSA)

From: Angelica Martin, Secretary, White Wolf GSA

Item: 8. Resolution for filing application for grant funds pursuant to the Multibenefit Land Repurposing Program

SUMMARY

Recommendation: (1) Adopt Resolution authorizing the GSA secretary to file the application for a Multibenefit Land Repurposing Regional Block Grant Application and execute a grant agreement with the Department of Conservation (DOC)

(2) Obtain letters of commitment from Project Partners

Fiscal Impact: In-kind services from Project Partners

BACKGROUND

On 3 January 2023, the White Wolf GSA Board of Directors authorized EKI Environment and Water, Inc. (EKI) to prepare a Multibenefit Land Repurposing Regional Block Grant application on behalf of the White Wolf GSA. All applications must be submitted via email to the DOC by 11:59 pm on 29 March 2023.

Grants up to \$9 million will be awarded to block grant recipients. Application submittals include:

- Applicant Eligibility and capacity to implement the grant
- Basin description
- Proposal summarizing the land repurposing vision and describing the proposed work, including:
 - Development of a Multibenefit Agricultural Land Repurposing Plan
 - Project development and permitting
 - Land repurposing project implementation
 - Support of partner and collaborator capacity needs

- Outreach, education, and training to facilitate and build capacity to conduct land repurposing
- Monitoring to ensure defined conservation outcomes of projects
- Community engagement
- Partnerships and collaborations including letters of commitment explaining contributions to the proposed work (in-kind services or financial)
- Policy and project expertise
- Budget summary
- Project maps
- Authorizing resolution from governing body

Applicants will be required to participate in a virtual interview with reviewers to discuss their project prior to any funding decisions. Applications will then be evaluated by the DOC and scored by a review panel. The final funding decision will ultimately be made by the Director of the DOC after consultation with the review panel.

DISCUSSION

The White Wolf GSA is eligible to receive grant funding and has the capacity to implement the grant. The establishment of the new Projects and/or Management Actions (P/MA) Committee provides a forum for community engagement to guide the development of a land repurposing program. A main goal of the February and March P/MA Committee meetings will be to focus on reviewing a proposed Land Repurposing Program structure with the intent to include a more developed plan and program into the grant application.

**BEFORE THE BOARD OF THE
WHITE WOLF GROUNDWATER SUSTAINABILITY AGENCY**

IN THE MATTER OF:

RESOLUTION NO. 2023-03

**Authorizing Filing Application for Grant Funds Pursuant to the
Multibenefit Land Repurposing Program**

Resolved by the White Wolf Groundwater Sustainability Agency, that application be made to the California Department of Conservation to obtain a grant under the Multibenefit Land Repurposing Program pursuant to the Public Resources Trailer Bill of 2022, and to enter into an agreement with the Department of Conservation to receive a Regional Block grant for the White Wolf Subbasin Multi-Benefit Land Repurposing Project. The Secretary of the White Wolf Groundwater Sustainability Agency, or designee is hereby authorized and directed to prepare the necessary data, conduct investigations, file such application, accept, and execute a grant agreement with California Department of Conservation.

Authorized Original Signature: _____

Printed Name: _____

Title: _____

Secretary: _____

All the foregoing being on motion of **insert**, seconded by **insert**, and authorized by the following vote, to wit:

AYES: **#**

NOES: **#**

ABSTAIN: **#**

ABSENT: **insert**

I HEREBY CERTIFY that the foregoing resolution is a full, true, and correct copy of a resolution duly and regularly adopted by said Board of Directors at a meeting of the White Wolf Groundwater Sustainability Agency held on the 7 day of February, 2023.

WITNESS my hand and seal of said Board of Directors the 7 day of February, 2023.

Secretary of the Board of Directors



White Wolf Groundwater Sustainability Agency

Arvin-Edison Water Storage District
Tejon-Castac Water District
Wheeler Ridge-Maricopa Water Storage District
Kern County

AGENDA MEMORANDUM

Date: 1 February 2023

To: Board of Directors, White Wolf Groundwater Sustainability Agency (GSA)

From: Angelica Martin, Secretary, White Wolf GSA

Item: 9. Evapotranspiration data to support Water Year 2022 Annual Report

SUMMARY

Recommendation: Contract with Land IQ

Fiscal Impact: \$12,570 (\$4,190 per district)

BACKGROUND

The Water Year 2022 Annual Report is required to include a summary of the White Wolf Subbasin's (Basin's) groundwater extraction data by water use sector. Unmetered agricultural pumping has historically been estimated by the Basin's Soil Moisture Budget (SMB) Accounting model and input into the White Wolf Groundwater Flow Model (WWGFM). The SMB requires parcel-based crop evapotranspiration (ETc) estimates to calculate the agricultural demands. The SMB then estimates groundwater pumping by satisfying any unmet agricultural demand, after precipitation and applied surface water, and with consideration for irrigation efficiency. Agricultural pumping is also used in the WWGFM to estimate changes in storage.

For the White Wolf Groundwater Sustainability Plan (GSP) and the Water Year 2021 Annual Report, parcel-based satellite ETc data was obtained from the Irrigation Training and Research Center (ITRC) at Cal Poly State University, San Luis Obispo ("ITRC-METRIC"). Wheeler Ridge-Maricopa Water Storage District (WRMWSD) and Arvin-Edison Water Storage District (AEWSD) currently have individual contracts with Land IQ for ETc monitoring within their jurisdictions. Land IQ can provide ground-truthed, satellite ETc estimates at the field or parcel level for Water Year 2022 using historical data and existing models.

DISCUSSION

To facilitate Water Year 2022 estimates of unmetered agricultural pumping in the Basin, the GSA will need to obtain monthly ETc data for October 2021 through September 2022. The Technical Committee obtained two quotes for Board consideration: (1) ITRC-METRIC and (2) Land IQ. Due to the terms of existing contracts, Land IQ is anticipated to have longer term availability of ETc data compared to ITRC-METRIC and contracting with Land IQ will avoid duplicative costs for the areas that currently overlap

existing contracts. The Technical Committee therefore recommends contracting with Land IQ and splitting the cost equally among the districts.

Attached:

- Scope of Work Proposal Land IQ Data Driven Method (LDDM) for Retrospective Water Year 2022 Evapotranspiration Analysis – White Wolf Subbasin; and
- Proposal for ITRC-METRIC evapotranspiration for White Wolf Subbasin.

LAND IQ DATA DRIVEN METHOD (LDDM): RETROSPECTIVE WATER YEAR 2022 EVAPOTRANSPIRATION ANALYSIS – WHITE WOLF SUBBASIN

TO: Angelica Martin/Tejon Castac Water District
Jeevan Muhar/Arvin Edison Water Storage District
Sheridan Nicholas/Wheeler Ridge Maricopa Water Storage District
Christina Lucero/EKI

FROM: Joel Kimmelshue/Land IQ
Casey Gudel/Land IQ

DATE: January 18, 2023

INTRODUCTION

This scope of work proposal was developed at the request of the stakeholder entities for the purpose of developing a monthly field by field estimate of actual evapotranspiration (ET) for the Water Year 2022 occurring within the White Wolf Subbasin. Included in the deliverables will also be field by field precipitation, field by field crop mapping and permanent crop age.

STAFFING RESOURCES AND PROJECT COOPERATORS

Staff expected to work on this project from Land IQ have been involved in various aspects of evapotranspiration modeling, agricultural remote sensing, and regulatory support for the last 4 to 26 years, and are listed below. Other appropriately qualified staff may also participate to facilitate completion of any tasks approved by the Agencies as a part of this proposed scope of work.

- Principal In Charge and Principal Agricultural Scientist – Joel Kimmelshue, PhD
- Project Manager/Client Relations – Casey Gudel, MS
- Senior Remote Sensing Analyst – Diya Chowdhury, MS
- Remote Sensing Analyst – Juan Geng, MS
- Remote Sensing Analyst – Zhehan Tang, PhD
- Biometeorologist – Frank Anderson, MS
- Agricultural Scientist – Seth Mulder, MS
- GIS Analyst – Justin Sitton, BS
- Agricultural Scientist/Field Technician – JB Buller, BS
- Support Staff – Various as needed

Land IQ also welcomes input and collaboration with the associated stakeholders (Districts, Ranches, etc) staff and intends on integrating staff into continued instrumentation efforts, data collection, and monitoring programs as the on-the-ground, local component of the team, if desired and feasible for the stakeholders. This is not a requirement of the work efforts, however.

TASKS

This scope of work has been developed based on individual task discussions and requests from the stakeholders. The tasks include:

- **Task 1** – Retrospective WY2022 Analysis

Each of these tasks is discussed in detail below and includes schedule and deliverables. A cost summary for all work is provided.

TASK 1. RETROSPECTIVE WY 2022 FIELD-LEVEL ET ANALYSIS

Scope of Work: It is proposed that the Land IQ Data Driven ET Method (LDDM) already developed and implemented for multiple GSAs and Districts throughout Kern, Kings, Tulare, and SW Fresno counties (Figure 1) be used for the retrospective analysis in irrigated and non-irrigated areas of the Kern Subbasin (Figure 2). The LDDM is used to interpret image data and leverages robust and repeated ground station data (now approximately 90 total stations in the south valley) to be implemented within the GSAs as well as a more direct image analysis. The approach yields more accurate results when repeated and representative ground calibration data are available as compared to remote sensing ET estimates without site-specific ground truthing.

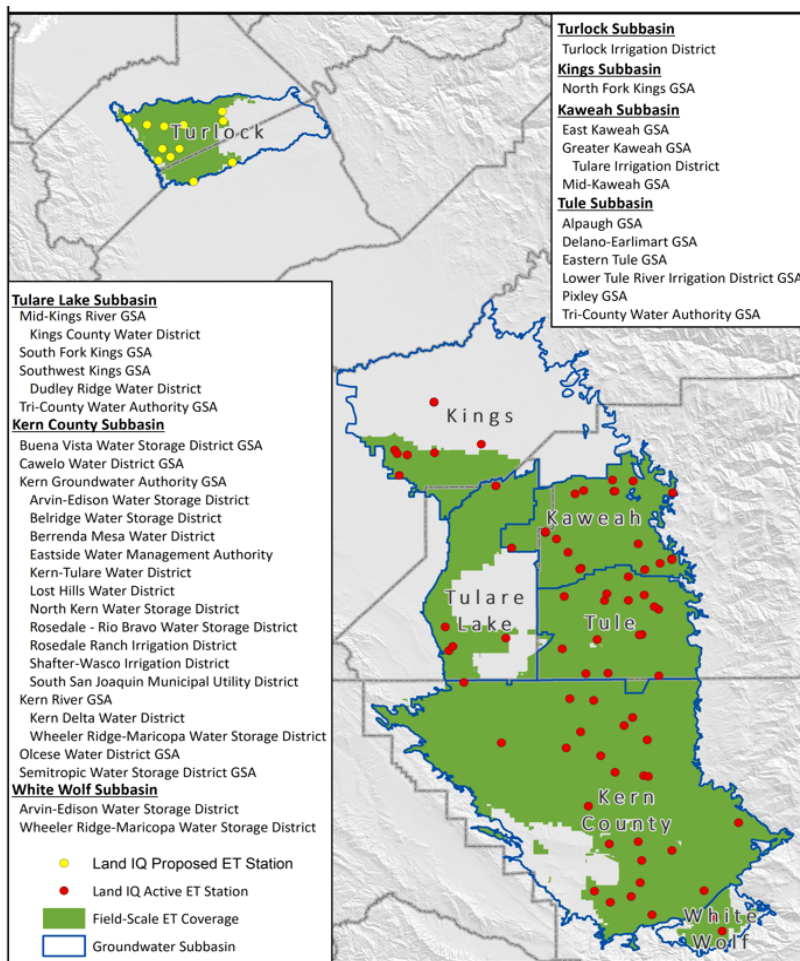


Figure 1. Field Scale ET Analysis area as of November 2022.

Scope Confidentiality: This scope of work is considered confidential in nature and is intended for review and consideration only by the addressees or direct representatives of the organization in the "Prepared For" line.

Deliverables: Subbasin-wide monthly ET by field or non-irrigated area. ET results for current clients will be reused and not remodeled so as to maintain consistency with previously delivered results. Past models will be used (again for consistency) for the remainder of the Subbasin areas. Field level results will be rolled up to parcel level.

The objective of this proposal is to perform a retrospective analysis for the WY2022 and integrate the remaining areas of the White Wolf Subbasin. The period of analysis will be October 1, 2021, through September 20, 2022. The deliverable will be both irrigated and non-irrigated areas, at the parcel level. The analysis results will not include urban areas.

Schedule: Field by field ET and precipitation analyses will be completed in approximately 3-4 weeks from a notice to proceed. Field by field crop mapping and permanent crop age will be completed approximately at the same time.

Accuracy: Land IQ will use the existing results for the GSAs and Districts within the White Wolf Subbasin that received monthly field-by-field ET estimates for a partial for 2022. The variability for these results should be considered as +/- 5-7%. From there, Land IQ will model the remainder of the White Wolf Subbasin area previously not analyzed. Accuracies for these areas should be expected to be within +/- 5-10%. Existing developed and calibrated monthly models will be applied to the areas currently not modeled.

Cost: The cost to perform the retrospective analysis is \$12,570.

Date: 11/29/2022

To: Angelica Martin
White Wolf GSA, 4436 Lebec Rd., Lebec, CA 93243
amartin@tejonranch.com

From: Dan Howes, Ph.D., P.E.
Irrigation Training and Research Center, San Luis Obispo, CA 93407
Cell: 805-215-5318
djhowes@calpoly.edu

Subject: Proposal for ITRC-METRIC evapotranspiration for White Wolf Subbasin

This proposal is being submitted to White Wolf Subbasin GSA by the Irrigation Training and Research Center (ITRC) at Cal Poly State University, San Luis Obispo. This proposal is for ETc and precipitation data to White Wolf Subbasin GSA (WWSGSA) from 2021-2022.

Scope of Work

ITRC-METRIC for 2021-2022

ITRC will provide monthly and annual ITRC-METRIC actual crop evapotranspiration (ETc) for the White Wolf Subbasin. The following items will be completed:

1. Data will be provided for the entire subbasin boundary, each water agency within the subbasin, and by irrigated field boundaries for the dates shown for each option. This data will be summarized tabularly and provided in GIS format (for fields larger than 5 acres).
2. Data will be provided tabularly (in EXCEL)
3. Monthly ETc images will be provided in GIS format.
4. Short report discussing the general process and overall results will be provided.

Option 1. Oct. 2021-Sept. 2022 - Cost: \$11,500

Option 2. Jan. 2021-Sept. 2022 - Cost: \$13,500

Deliverables

ETc data in tabular (MS EXCEL) and other formats (such as images) provided on a flash drive or via file transfer service. Report summarizing results.

Timeline for Project

The report and data will be provided within 1.5 months from the time the agreement is signed.

Contract

The person responsible for technical aspects of this contract will be:

Dan Howes
Project Manager, Irrigation Training and Research Center
Cal Poly
San Luis Obispo, CA 93401-0730
djhowes@calpoly.edu

IRRIGATION TRAINING & RESEARCH CENTER

California Polytechnic State University
San Luis Obispo, CA 93407-0730
Phone: 805.756.2434 FAX: 805.756.2433 www.itrc.org

The contract will be administered by:

Cal Poly Corporation
Building #15
One Grand Avenue
San Luis Obispo, CA 93407

Note: Dr. Howes should be the contact person.

Budget

The total budget is a fixed price Fee for Service. The 50% of the full amount will be invoiced when the agreement is signed, the remaining 50% when the draft results are transmitted to White Wolf Subbasin GSA. The Cal Poly Corporation requests that a WWSGSA representative agree to the Standard Terms and Conditions, which are attached to this proposal. The signed approval can be scanned and submitted via e-mail to Dan Howes.

Invoicing and Payment

ITRC will submit to WWGSA (Angelica Martin) an invoice of the full fixed cost when transmitting the draft results.

Payment should be made payable to "Cal Poly Corporation" and sent to:

Dr. Dan Howes
Irrigation Training and Research Center (ITRC)
One Grand Ave
Bldg 8A
California Polytechnic State University
San Luis Obispo, CA 93407-0730

Please Circle the Option you choose:

Option 1. Oct. 2021-Sept. 2022 - Cost: \$11,500

Option 2. Jan. 2021-Sept. 2022 - Cost: \$13,500

Authorization/Approval

Name of authorized ITRC representative: Daniel Howes



Signature of ITRC representative

11/29/2022

date

Named of authorized White Wolf Subbasin GSA representative: Angelica Martin

Signature of the representative:

date

Irrigation Training & Research Center (ITRC)
Standard Terms and Conditions

THIS AGREEMENT is between the **White Wolf Subbasin GSA (“Client”)** and the Cal Poly Corporation, a separate non-profit auxiliary organization for the California Polytechnic State University, hereinafter referred to as “ITRC.”

- 1) **Ordering:** Clients may order services (specify a “Scope of Work”) by submitting a written purchase order, a written request for services, by sending confirming e-mail, or by placing a telephone order. The Client must subsequently confirm all telephone orders in writing or via e-mail confirmation prior to commencement of work.
- 2) **Change Orders:** A Client may request additions or changes to an Order, but must be confirmed by written notice. Email is an acceptable form of writing. The Client will remain responsible for all work performed under the original agreement up until the time ITRC is officially notified of the change.
- 3) **Suspending or Stopping ITRC’s Performance:** The Client may direct ITRC to suspend a portion or all of the work to be performed. In such case, the Client will remain responsible for all work performed up until the time ITRC became aware of Client’s desire to discontinue the services. Any uncompleted services in progress at the time of discontinuation will be billed on a prorated basis, as determined by ITRC.
- 4) **Confidentiality:** ITRC shall keep documents and information identified by Client as confidential to the extent permitted by law, and will not disclose any such information to third parties. ITRC may publish announcements and summaries containing *non-confidential information* about this project in campus newsletters and annual report and other published documents on campus.
- 5) **Warranties:** Client understands that ITRC performs services only as specified by Client in the Services Agreement accepted by ITRC. ITRC does not make any express or implied warranties or guarantees of any kind to the Client. By their very nature, technical services, testing, analysis and other ITRC services are limited to expected measurement variability. ITRC represents that the Services shall be performed within the limits agreed with Client, and in a manner consistent with the level of care and skill ordinarily exercised by other providers of similar services under similar circumstances.
- 6) **Ownership of Data:** Data or information provided to ITRC by the Client shall remain the Client’s property. Upon full payment to ITRC for all services provided by ITRC, data or information generated by ITRC for the Client shall become the Client’s property. ITRC will retain exclusive ownership of any and all analytical methods, Quality Assurance/Quality Control protocols, and equipment developed by ITRC for performance of work by ITRC. ITRC Reports are for the exclusive use of the Client to whom they are addressed. The name of ITRC, Cal Poly Corporation, or California Polytechnic State University, or any symbols of them are not to be used by Client without prior written approval by the appropriate authorized representative.
- 7) **Indemnification:** Client and ITRC agree that by performing services hereunder, ITRC does not assume, shorten, cancel or undertake to discharge any duty or responsibility of Client to any other party or parties. No one other than Client shall have any right to rely on any Report or other representation or conduct of ITRC, and ITRC disclaims any obligations of any nature whatsoever with respect to such person. Client and ITRC agree, in consideration of ITRC under-taking to perform the ordered service(s) to protect, defend, indemnify, same harmless and exonerate each other from any and all claims, damages, expenses, either direct or consequential for injuries to persons or property arising out of or in consequence of the performance of the services hereunder unless caused by the sole negligence of the other party.
- 8) **Insurance:** Cal Poly Corporation maintains insurance coverage for its employees to perform professional services. If Client seeks greater protection than is provided by Cal Poly Corporation insurance, Client should obtain appropriate protection from suppliers or insurers.
- 9) **Limitation of Liability:** If ITRC should be found liable for any losses or damages attributable to the services hereunder in any respect, its liability shall in no event exceed the amount of the fee paid by Client for such services and Client’s sole remedy at law or in equity shall be the right to recover up to such amount.
- 10) **Force Majeure:** Whenever performance by either party is delayed or prevented by an extraordinary event beyond the control of Client or ITRC, such delay or prevention shall be excused and the time of performance extended for the duration of the causative factor. In no event shall the occurrence of any such conditions excuse the Client of its obligations hereunder if services have been performed by ITRC.
- 11) **Payment of Invoices:** Client agrees to pay all invoices to ITRC within 30 days of invoice date, and if payment is not timely received, the Client agrees to pay a late payment charge on the unpaid balance at the maximum allowed by law.
- 12) **Governing Law:** This Agreement shall be governed in accordance with the laws of the State of California.