

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

Agenda October 3, 2023 at 1:00 p.m.

Public may attend in-person, via telephone, or Web-based service:

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

Remote participation by a Director will also occur at:
2732 McConnell Drive
Los Angeles, CA 90064

- 1. Call to Order**
- 2. Recognition of Guests**
- 3. Approval of Minutes of the Regular Board Meeting of August 1, 2023**
- 4. Financial Accounting Report (*Robert Velasquez*)**
- 5. Updates on actions discussed or authorized on August 1, 2023**
 - a. Update on Groundwater Sustainability Plan (GSP) implementation activities (*EKI*)
 - i. August 2023 groundwater levels
 - ii. Other data collection efforts
 - b. Projects/Management Actions (P/MA) updates (*EKI*)
 - c. Grant application updates (*EKI*)
 - i. California Department of Water Resources (DWR) SGMA Implementation Round 2 Grant award
 - ii. United States Bureau of Reclamation (USBR) Applied Science Grant application proposal
 - d. Spatial analysis of surface water and groundwater use in Wheeler Ridge-Maricopa Water Storage District (*Tom Suggs*)

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
October 3, 2023 at 1:00 p.m.**

6. Board Action Items

- a. Discuss and provide direction on landowner recharge program groundwater credit and leave behind (*Sheridan Nicholas*)
- b. Adopt resolution for USBR WaterSMART Applied Science Grant
- c. Discuss and consider approval of EKI Task Order #11 for White Wolf Subbasin Water Year 2023 GSP Implementation Support – Selected Grant Funded Tasks

7. Correspondence

- a. DWR C2VSim Data Request

8. Public Comment

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.

9. Consider and provide direction on future agenda items

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

11. Report out of Closed Session

12. Adjourn

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**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, August 1, 2023

Location: Remote and In-Person

Meeting Commenced at 1:00 p.m.

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

ALTERNATES: Nicholas Sheridan.

DIRECTORS ABSENT: Jeff Giumarra,

PUBLIC AND STAFF: Brad DeBranch from Bolthouse, Christina Lucero, Anona Dutton, and Sarah Gerenday from EKI, Jeevan Muhar, from AEWSD, Tim Gobler from Trinitas, Eric McDaris, and Tom Suggs with WRMWSD, Robert Velasquez with Tejon Ranch, Nicole Bonna from ManuLife, and Legal Counsel Alan Doud.

President Martinez did a recognition of guests followed by the draft meeting minutes of the Regular Board Meeting of June 6, 2023, presented by Ms. Martin. On motion by Director Lyda and seconded by Director Mettler, the minutes were approved. The motion was unanimously approved by roll call vote.

Robert Velasquez gave a presentation of the financials statements. Mr. Velasquez explained there was a need for a funding request to cover upcoming expenses through December. It was explained that some of those expenses were grant reimbursable, but that money was not expected until the first quarter of 2024. On motion by Director Lyda, seconded by Director Mettler, the financial reports were unanimously approved by roll call vote.

Christina Lucero gave a presentation starting with an update on Groundwater Sustainability Plan (GSP) implementation activities. She presented the July water levels in the basin, with some wells above MT. The directors expressed surprise and concerns about the lack of response in groundwater level considering the year's wet hydrology. Christina also pointed out that even though there is one MT exceedance an undesirable result is not yet occurring. She announced that the GSA was not awarded for the round 2 Multibenefit Land Repurposing Program Grant. She continued to talk about other upcoming grant opportunities, the USBR Watersmart: applied science grants, with applications due mid-October. The board recommended moving forward with the grant opportunity. There was an update on recharge activities in the basin. Christina also explained the effect of P/MA's implementation in groundwater levels versus "business as usual".

There was no correspondence.

There was no public comment.

Next scheduled board meeting is September 5th, 2023.

The Board did not have a closed session.

On motion by Director Nicholas, seconded by Director Lyda, the White Wolf GSA meeting was adjourned at 2:08 p.m.

Angelica Martin, Secretary, White Wolf Subbasin GSA

Approved by: White Wolf Subbasin GSA Board of Directors

Dated: October 3, 2023

WHITE WOLF GSA FINANCIAL INFORMATION

| | July | August |
|------------------------------------|------|---------|
| FUNDING | - | 150,000 |
| INTEREST INCOME | 63 | 64 |
| TOTAL FUNDING | 63 | 150,064 |
| | | |
| PROFESSIONAL SERVICES - CONSULTING | - | 25,743 |
| PROFESSIONAL SERVICES - LEGAL | 716 | - |
| FEES - OTHER | 49 | 42 |
| OTHER | - | - |
| TOTAL EXPENDITURES | 765 | 25,785 |

WHITE WOLF GSA - August 31, 2023

| | |
|---|-------------------|
| FUNDING | \$ 150,000 |
| INTEREST INCOME | 127 |
| TOTAL FUNDING | 150,127 |
| | |
| PROFESSIONAL SERVICES - CONSULTING | \$ 25,743 |
| PROFESSIONAL SERVICES - LEGAL | 716 |
| FEES - OTHER | 91 |
| OTHER | - |
| TOTAL EXPENDITURES | \$ 26,550 |
| | |
| Net Change | \$ 123,577 |
| | |
| Beginning Funds Available | \$ 73,150 |
| FUNDING AVAILABLE AT August 31, 2023 | \$ 196,727 |

| | |
|-----------------|-----------|
| EKI | \$ 25,743 |
| Young Woolridge | \$ 716 |
| Bank Fees | \$ 91 |
| Other | \$ - |

PTD FISCAL YEAR 2024

| | ACTUAL | BUDGET | VARIANCE |
|-------------------|-------------------|------------------|----------|
| \$ 150,127 | \$ 150,000 | \$ 127 | |
| 26,550 | 36,667 | (10,117) | |
| \$ 123,577 | \$ 113,333 | \$ 10,244 | |



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: 28 September 2023

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

From: Angelica Martin, Secretary, White Wolf GSA

Item: 6b. Adopt resolution for USBR WaterSMART Applied Science Grant

SUMMARY

Recommendation: (1) Adopt Resolution authorizing the GSA secretary to file the application for a United States Department of the Interior, Bureau of Reclamation (USBR) Fiscal year 2023 WaterSMART Applied Science Grant

BACKGROUND

On 1 August 2023, the White Wolf GSA Board of Directors authorized EKI Environment and Water, Inc. (EKI) to prepare a USBR WaterSMART Applied Science Grant application on behalf of the White Wolf GSA. All applications must be submitted via grants.gov by 17 October 2023.

Grants up to \$400,000 for a project that can be completed within two years will be awarded. Grants have a 50% local cost share that can be met by secured state grant funds. Eligible project types include enhanced modeling, forecasting, and improved access and use of data to inform water management decisions. The application packet must include:

- Mandatory federal forms
- Technical proposal, including:
 - Technical project description
 - Applicant category and eligibility
 - Goals
- Project location
- Data management practices
- Evaluation criteria response, including:
 - Insert
- Project budget

- Environmental and Cultural Resources Compliance (as applicable)
- Required permits or approvals
- Overlap or duplication of effort statement
- Conflict of interest disclosure statement
- Uniform audit reporting statement
- Letters of support
- Official resolution
- Letters of funding commitment

DISCUSSION

The White Wolf GSA is an eligible category A applicant. Based on recent trends in groundwater levels and through feedback from the P/MA Committee, four key tasks were identified to improve the GSA's existing forecasting abilities to make more informed decisions regarding sustainability planning. The Applied Science grant application will include the following four tasks, with an estimated budget of \$139,000:

- Task 1: Stochastic simulations of climate change scenarios
- Task 2: Improvements to projected groundwater conditions near the White Wolf Fault
- Task 3: Refinement of unsaturated zone processes
- Task 4: Decision Guidance Interface development

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

IN THE MATTER OF:

RESOLUTION NO. 2023-04

**Authorizing Application to the United States Department of the Interior, Bureau of
Reclamation for Fiscal year 2023 WaterSMART Applied Science Grants Funding
Opportunity Announcement No. R23AS00446**

WHEREAS, a grant funding opportunity has been presented by the United States Department of the Interior, Bureau of Reclamation (USBR). The USBR WaterSMART Applied Science Grants supports projects to develop hydrologic information and water management tools and improve modeling and forecasting capabilities to increase water supply reliability as well as improving decision making for nature-based solution; and

WHEREAS, the White Wolf Groundwater Sustainability Agency (GSA), a public entity established by a joint powers agreement under the laws of the State of California for the purpose of implementing the Sustainable Groundwater Management Act (Water Code Sections 10720 et seq.) in the White Wolf Subbasin, hereby authorizes its agent(s) to provide to the USBR all Notice of Funding Opportunity (NOFO) No. R23AS00446 (Grant) application materials pertaining to such WaterSMART Applied Science Grants and agreements required.

Now therefore be it resolved, by the Board of Directors of the White Wolf GSA as follows:

1. That the White Wolf GSA Board of Directors has reviewed and hereby approves the Grant application.
2. That the Secretary of the White Wolf Groundwater Sustainability Agency, Angelica Martin, is hereby authorized to execute for and on behalf of the White Wolf GSA this application and to file the application with the USBR for the purpose of obtaining certain federal financial assistance under the Applied Science Grants; and
3. That if selected for the Grant, the White Wolf GSA will work with the USBR to meet established deadlines for entering into a cooperative agreement.

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 3 day of October 2023.

WITNESS my hand and seal of said Board of Directors the 3 day of October 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: 28 September 2023

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

From: Angelica Martin, Secretary, White Wolf GSA

Item: 6c. Discuss and consider approval of EKI Task Order #11 for White Wolf Subbasin Water Year 2023 GSP Implementation Support – Selected Grant Funded Tasks

SUMMARY

Recommendation: Approve EKI Environment and Water, Inc. (EKI)'s Task Order #11 for White Wolf Subbasin Water Year 2023 GSP Implementation Support – Selected Grant Funded Tasks

Fiscal Impact: \$300,000 (\$100,000 per District), fully grant reimbursable pending grant execution

BACKGROUND

The White Wolf Groundwater Sustainability Agency (GSA) is required to conduct ongoing implementation once the GSP has been adopted and submitted. The GSP was adopted on 25 January 2021 and is currently undergoing review by the Department of Water Resources (DWR). The GSA applied for a DWR Sustainable Groundwater Management (SGM) Grant Program's Sustainable Groundwater Management Act (SGMA) Implementation Round 2 grant in December 2022 to help fund ongoing GSP implementation and select Projects and Management Actions (P/MAs). Final awards were announced on 12 September 2023, and grant agreements are expected to be executed between November 2023 and January 2024. The GSA was awarded funds for two construction projects, GSP reporting, data gap filling outreach, and SGMA compliance activities, and grant administration.

DISCUSSION

Based on the above, EKI has prepared the scope of work outlined below for conducting WY 2023 GSP implementation support for selected grant funded tasks recommended by the Technical Committee to immediately initiate, consistent with the grant tasks and budget, including:

- Dedicated monitoring well installation planning,
- White Wolf Groundwater Flow Model (WWGFM) update and recalibration,
- GSP revisions in response to DWR's determination (anticipated by January 2024), and
- Grant administration support through 30 March 2023.

Attached:

- EKI Task Order #11 – White Wolf Subbasin Water Year (WY) 2023 Groundwater Sustainability Plan (GSP) Implementation Support – Selected Grant Funded Tasks

28 September 2023

Angelica Martin
Secretary of the Board
Tejon-Castac Water District
5665 Santa Elena Drive
Arvin, CA 93203

Subject: Task Order #11 – White Wolf Subbasin Water Year (WY) 2023 Groundwater Sustainability Plan (GSP) Implementation Support – Selected Grant Funded Tasks
White Wolf Subbasin, Kern County
(EKI C3-050)

Dear Ms. Martin:

Tejon-Castac Water District (TCWD, District, or Client) has requested that EKI Environment and Water, Inc. (EKI) prepare a scope to support selected WY 2023 GSP implementation activities that are funded by the California Department of Water Resources (DWR) Sustainable Groundwater Management (SGM) Grant Program's Sustainable Groundwater Management Act (SGMA) Implementation - Round 2 grant for the White Wolf Subbasin (Basin).

BACKGROUND

The White Wolf Groundwater Sustainability Agency (GSA) is required to conduct ongoing implementation once the GSP has been adopted and submitted. The GSP was adopted on 25 January 2021 and is currently undergoing review by the DWR. The GSA applied for a DWR SGM Grant Program's SGMA Implementation - Round 2 grant in December 2022 to help fund ongoing GSP implementation and select Projects and Management Actions (P/MAs). Final awards were announced on 12 September 2023, and grant agreements are expected to be executed between November 2023 and January 2024. The GSA was awarded funds for two construction projects, GSP reporting, data gap filling outreach, and SGMA compliance activities, and grant administration.

Based on the above, EKI has prepared the scope of work outlined below for conducting WY 2023 GSP implementation support for selected grant funded tasks recommended by the Technical Committee to initiate, including dedicated monitoring well installation planning, White Wolf Groundwater Flow Model (WWGFM) update and recalibration, GSP revisions in response to DWR's determination (anticipated by January 2024), and grant administration, consistent with the grant tasks and budget.

SCOPE OF WORK

Task 1 – Grant Administration

EKI will support DWR SGMA Implementation Round 2 grant administration tasks, including:

- Review Grant agreement and provide recommended revisions, as applicable;
- Participation in a grant kick-off meeting;
- Support TCWD staff with preparation of the Environmental Information Form (EIF);
- Preparation of the Deliverable Due Dates Schedule;
- Preparation of up to two (2) quarterly progress reports; and
- Support TCWD staff with preparation of up to two (2) quarterly invoices and associated backup materials.

We have assumed that the above grant administration support tasks will extend through the end of March 2024, consistent with the termination of EKI's existing Task Order #10. Ongoing grant administration support for April 2024 onward will be included in the future WY 2024 GSP implementation support task order.

Deliverables:

- Grant agreement revisions recommendations, if applicable
- EIF
- Deliverable due date schedule
- Quarterly Progress Report(s)

Task 2 – Dedicated Monitoring Well Planning

EKI will prepare for the installation of one (1) to three (3) new dedicated representative monitoring wells, including:

- Conduct planning and design activities associated with the monitoring well installation;
- Perform a technical assessment of potential monitoring well locations, associated costs, and landowner participation to determine the number and location of up to three wells monitoring wells to be installed, as well as the number of completions to be included in each monitoring well;
- Assist the GSA and member-districts to acquire any landowner access agreement(s);
- Develop and prepare specifications, final design plans, and bid communications;
- Assist with acquiring necessary permits required for the well installation(s);
- Coordinate with the GSA's legal team to prepare the required CEQA documentation if applicable; and
- Complete a Site Health and Safety Plan to use during the well installation process.

Deliverables:

- Map of approved locations for monitoring wells
- Written access agreement(s), if applicable
- Final design plans
- Bid document(s), if applicable

- Required permit(s) and environmental documentation, as applicable
- Site Health and Safety Plan

Task 3 – Groundwater Flow Model Update and Re-Calibration

Task 3 consists of updating the WWGFM parameter values and calibration using data collected since 2015 to better represent the Principal Aquifer conditions and refine the hydrogeologic conceptual model based on data gap filling efforts. DWR's airborne electromagnetic (AEM) surveys will be reviewed and incorporated into the WWGFM, where applicable, to improve the model layering based on basin-specific geophysical data.

Deliverables:

- Presentation materials on WWGFM update included in GSA Board meetings.

Task 4 – Modify GSP in Response to DWR Determination

DWR's assessment of the White Wolf 2022 GSP is anticipated to occur within WY 2023. EKI will provide technical support to modify the 2022 GSP, as applicable, in response to DWR's review and evaluation of the 2022 GSP. If the 2022 GSP is approved with corrective action recommendations, EKI will provide recommendations on how best to address DWR recommendations in implementing the 2022 GSP. If for some reason the 2022 GSP is determined incomplete, EKI will provide technical support in developing a comprehensive response and reasonable modifications to the 2022 GSP to successfully address DWR's concerns within 180 days. EKI will also provide technical support to respond to any potential DWR requests in a timely, organized, and adequate manner, including participation in coordination calls with DWR representatives and developing written responses to any possible comments on the 2022 GSP provided by DWR.

Deliverables:

- As-needed written responses to any potential comments on the 2022 GSP provided by DWR.
- Revised 2022 GSP, if needed.

PERSONNEL

EKI's staff members who will lead this project include Anona Dutton, P.G., C.Hg. (Officer), Christina Lucero, P.G. (Associate 1), and Sarah Gerenday, Ph.D. (Grade 2); grades in parentheses are for purposes of billing in accordance with the attached Schedule of Charges (see Attachment A). Other EKI staff members will be assigned to assist with the performance of the tasks as required to meet project commitments.

TERMS AND CONDITIONS

All work performed by EKI under this Task Order will be performed pursuant to the Terms and Conditions of our existing Agreement with Tejon-Castac Water District.

COMPENSATION

Inasmuch as the exact level of effort required to complete the above Scope of Work cannot be known precisely, EKI proposes to perform the work on a time and materials expense reimbursement basis in accordance with our current (2023) Schedule of Charges (Attachment A). As shown in Table 1, the estimated budget for this scope of work is \$300,000, based on and consistent with the cost estimate produced for the DWR SGMA Implementation Round 2 grant application. The full amount, \$300,000, is anticipated to be eligible for grant reimbursement (see Table 1). We will inform you if the level of effort exceeds this anticipated amount.

Table 1. Estimated Budget

| TASK | Cost Estimate | Costs Anticipated to be Grant Reimbursable |
|---|----------------------|---|
| Task 1 – Grant Administration | \$27,000 | \$27,000 |
| Task 2 – Dedicated Monitoring Well Planning | \$75,000 | \$75,000 |
| Task 3 – Groundwater Flow Model Update and Re-calibration | \$100,000 | \$100,000 |
| Task 4 – Modify GSP in Response to DWR Determination | \$98,000 | \$98,000 |
| TOTAL: | \$300,000 | \$300,000 |

SCHEDULE

EKI is prepared to start work on the above Scope of Work immediately upon authorization to proceed. Task 1 will begin upon authorization and will continue through 1 April 2024, consistent with the termination date of EKI’s existing Task Order #10. The EIF and deliverable due date schedule will be submitted within 30 days of the execution date of the Grant Agreement. Task 2 will begin upon authorization and is anticipated to be completed by the end of May 2024, consistent with the grant schedule. Task 3 will begin upon authorization and is anticipated to take approximately six months to complete. Under Task 4, we have assumed that DWR’s review of the GSP and determination will be released during 2023 and all work efforts associated with the 180-day response period to DWR’s determination would occur before 1 August 2024. EKI will inform the GSA of any issues that arise that may affect the schedule for completion or impact the anticipated level of effort.

We are happy to discuss the proposed approach and anticipated level of effort for this task and subtasks in more detail with you and look forward to working with you on this important project. If this Task Order meets with your approval, please sign where noted below and return a fully executed copy to our office to confirm authorization to proceed. Please call if you have any questions or wish to discuss this proposal in greater detail.

Angelica Martin
Tejon-Castac Water District
28 September 2023
Page 5 of 5



Very truly yours,

EKI ENVIRONMENT & WATER, INC.

A handwritten signature in blue ink, appearing to read 'Anona L. Dutton'.

Anona L. Dutton, P.G., C.Hg.
Vice President / Principal-In-Charge

AUTHORIZATION
TEJON-CASTAC WATER DISTRICT (CLIENT)

By _____

Title _____

Date _____

Attachments

Attachment A. 2023 Schedule of Charges

Client/Address: Tejon-Castac Water District
5665 Santa Elena Drive
Arvin, CA 93203



Proposal/Agreement Date: 28 September 2023

EKI Proposal/Project # C3-050

SCHEDULE OF CHARGES FOR EKI ENVIRONMENT & WATER, INC.

2 January 2023

| <u>Personnel Classification</u> | <u>Hourly Rate</u> |
|--|---------------------------|
| Officer and Chief Engineer-Scientist | 332 |
| Principal Engineer-Scientist | 320 |
| Supervising I, Engineer-Scientist | 309 |
| Supervising II, Engineer-Scientist | 298 |
| Senior I, Engineer-Scientist | 286 |
| Senior II, Engineer-Scientist | 275 |
| Associate I, Engineer-Scientist | 264 |
| Associate II, Engineer-Scientist | 248 |
| Engineer-Scientist, Grade 1 | 231 |
| Engineer-Scientist, Grade 2 | 218 |
| Engineer-Scientist, Grade 3 | 200 |
| Engineer-Scientist, Grade 4 | 178 |
| Engineer-Scientist, Grade 5 | 157 |
| Engineer-Scientist, Grade 6 | 138 |
| Project Assistant | 130 |
| Technician | 125 |
| Senior GIS / Database Analyst | 162 |
| CADD Operator / GIS Analyst | 144 |
| Senior Administrative Assistant | 159 |
| Administrative Assistant | 124 |
| Secretary | 104 |

Direct Expenses

Reimbursement for direct expenses, as listed below, incurred in connection with the work will be at cost plus ten percent (10%) for items such as:

- a. Maps, photographs, reproductions, printing, equipment rental, and special supplies related to the work.
- b. Consultants, soils engineers, surveyors, drillers, laboratories, and contractors.
- c. Rented vehicles, local public transportation and taxis, travel, and subsistence.
- d. Special fees, insurance, permits, and licenses applicable to the work.
- e. Outside computer processing, computation, and proprietary programs purchased for the work.

A Communication charge for e-mail access, web conferencing, cellphone calls, messaging and data access, file sharing, local and long distance telephone calls and conferences, facsimile transmittals, standard delivery U.S. postage, and incidental in-house copying will be charged at a rate of 4% of labor charges. Large volume copying of project documents, e.g., bound reports for distribution or project-specific reference files, will be charged as a project expense as described above.

Reimbursement for company-owned automobiles, except trucks and four-wheel drive vehicles, used in connection with the work will be at the rate of sixty cents (\$0.60) per mile. The rate for company-owned trucks and four-wheel drive vehicles will be seventy-five cents (\$0.75) per mile. There will be an additional charge of thirty dollars (\$30.00) per day for vehicles used for field work. Reimbursement for use of personal vehicles will be at the federally allowed rate plus fifteen percent (15%).

CADD and other specialized software computer time will be charged at twenty dollars (\$20.00) per hour. In-house material and equipment charges will be in accordance with the current rate schedule or special quotation. Excise taxes, if any, will be added as a direct expense.

Rate for professional staff for legal proceedings or as expert witnesses will be at a rate of one and one-half times the Hourly Rates specified above.

The foregoing Schedule of Charges is incorporated into the Agreement for the Services of EKI Environment & Water, Inc. and may be updated annually.