

SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY

BOARD OF DIRECTORS:

Chair:

Director Dale Crossley
Reclamation District No. 2068

Vice Chair:

Supervisor Mitch Mashburn
Solano County District 5

DIRECTORS:

Mayor Steve Bird
City of Dixon

Mayor Ron Kott
City of Rio Vista

Director Jack Caldwell
California Water Services

Director Spencer Bei
Dixon Resource
Conservation District

Director Ryan Mahoney
Maine Prairie Water District

Supervisor John Vasquez
Solano County District 4

Director Sean Favero
Solano County Farm Bureau

Director Russ Lester
Solano County Agricultural
Advisory Committee

Director Kurt Balasek
Solano Resource
Conservation District

SECRETARY/TREASURER:

Roland Sanford
Solano County Water Agency

BOARD OF DIRECTORS MEETING

DATE: Thursday, September 8, 2022

TIME: 5:00 P.M.

PLACE: SCWA BOD Room

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA**

4. **PUBLIC COMMENT**

Limited to 5 minutes for any one item not scheduled on the Agenda.

5. **CONSENT ITEMS**

(A) Minutes: Approval of the Minutes of the Board of Directors meeting of July 14, 2022.

(B) Expenditure Approvals: Approval for July and August 2022 checking account register.

6. **BOARD MEMBER REPORTS** (*estimated time: 5 minutes*)

RECOMMENDATION: For information only.

7. **SECRETARY/TREASURER REPORT** (*estimated time: 5 minutes*)

RECOMMENDATION: For information only.

8. **CREATION OF EXECUTIVE COMMITTEE FOR SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY**
(*estimated time: 10 minutes*)

RECOMMENDATIONS:

1. Create Executive Committee of the Board of Directors.

2. Authorize Board Chair to appoint Board Members to the Executive Committee.

9. GROUNDWATER SUSTAINABILITY PLAN IMPLEMENTATION SUPPORT
(estimated time: 25 minutes)

RECOMMENDATIONS:

1. Receive presentation on BasinScout and additional support to help manage groundwater sustainability in the Solano Subbasin.
2. Authorize General Manager to sign agreement with The Freshwater Trust for workshops, tools, and data analysis for optimizing irrigation efficiencies at the parcel level for multiple levels of stakeholders. Total cost not to exceed \$119,713.

10. TIME AND PLACE OF NEXT MEETING

Thursday, October 13, 2022, at 5:00 p.m. at the SCWA offices.

The Full Board of Directors packet with background materials for each agenda item can be viewed on the Agency's website at

www.scwa2.com/resources-management/ground-water/solano-gsa-bod

Any materials related to items on this agenda distributed to the Board of Directors of Solano Subbasin Groundwater Sustainability Agency less than 72 hours before the public meeting are available for public inspection at the Agency's offices located at the following address: 810 Vaca Valley Parkway, Suite 203, Vacaville, CA 95688. Upon request, these materials may be made available in an alternative format to persons with disabilities.

**SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY
BOARD OF DIRECTORS MEETING MINUTES**

MEETING DATE: July 14, 2022

The Solano Subbasin Groundwater Sustainability Agency Board of Directors met this evening at the Solano County Water Agency Offices. Present were:

Mayor Steve Bird, City of Dixon
Mayor Ron Kott, City of Rio Vista
Supervisor John Vasquez, Solano County District 4
Supervisor Mitch Mashburn, Solano County District 5
Director Spencer Bei, Dixon Resource Conservation District
Director Dale Crossley, Reclamation District 2068
Director Lum, Solano Resource Conservation District
Director Sean Favero, Solano County Farm Bureau

CALL TO ORDER

The meeting was called to order at 5:03 p.m. by Chairman Crossley.

APPROVAL OF AGENDA

On a motion by Mayor Kott and a second by Supervisor Mashburn the Board unanimously approved-by roll call vote-the Agenda.

PUBLIC COMMENT

There were no public comments.

CONSENT ITEMS

On a motion by Mayor Bird and a second by Supervisor Mashburn the Board approved-by roll call vote the following:

- (A) Minutes from June 9th Solano GSA Board meeting.
- (B) Contract amendment with Luhdorff & Scalmanini.

BOARD MEMBER REPORTS

There were no Board member reports.

SECRETARY/TREASURER REPORT

There were no additions to the written report.

GROUNDWATER SUSTAINABILITY PLAN
CONSISTENCY CRITERIA POLICY FOR WELL CONSTRUCTION APPLICATIONS
PURSUANT TO EXECUTIVE ORDER N-7-22

At the Special Meeting on April 28th, the Board adopted Resolution 2022-01, providing emergency provisions for replacement of failed wells under Executive Order N-7-22 (EO). The proposed draft Policy would provide Consistency Criteria for all well applications pursuant to the EO. This draft Policy has been coordinated with staff at the Solano County Environmental Health Department, to insure it is consistent with their well permitting program.

As the Groundwater Sustainability Plan (GSP) indicates, the Solano Subbasin is in stable condition. There is one area of concern, the Northwest Focus Area. Except for this Northwest Focus Area, the draft Policy calls for staff to provide Consistency Criteria approval for well applications that meet the requirements of the Solano County Well Permit Program. For well applications in the Northwest Focus Area, a professional affidavit stating the well will not be inconsistent with the GSP nor decrease the likelihood of achieving the sustainability goals for the subbasin will be required. For these applications, the GSA TAC will review them, and collectively they will make a recommendation that staff will bring back to the Board for consideration.

On a motion by Supervisor Vasquez and a second by Supervisor Mashburn the Board unanimously approved-by roll call vote-the Groundwater Sustainability Plan Consistency Criteria Policy for Well Construction Applications Pursuant to Executive Order N-7-22.

PUBLIC HEARING ON PROPOSED PROPOSTION 218 CHARGE
FOR LONG-TERM FUNDING
OF THE SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY PLAN

The Board Chair announced the sequence of the Public Hearing and then opened the Public Hearing.

Staff gave a report on the number of notices mailed to stakeholders, 2,194, and the number of protests received, 121, prior to the start of the Public Hearing. A total of 1,098 protests would be required to be a majority. Staff noted that given the lack of parcel specific data, a flat charge was the most viable option for long-term funding of the Groundwater Sustainability Plan (GSP) at this time. Staff also noted the extensive outreach was done with regards to the proposed charge, including two town hall meetings, several smaller meetings, and notices, newsletters, and a press release posted on the website.

Jacques DeBra from Luhdorff & Scalmanini gave a presentation on the proposed Proposition 218 Charge. The presentation covered the Solano GSA Service Area, the sequence of events and the schedule to date, why the charge was needed to comply with the Sustainable Groundwater Management Act and fund the Implementation Activities of the GSP, a summary of the Charge Report, and a summary of the public outreach.

The Board Chair then called for those that wished to provide Public Testimony.

There were seven speaker cards filled out, but more than a dozen stakeholders spoke. The majority of comments were centered around the flat charge not being equitable for dry land farmers, concerns that the costs for implementing the GSP were too high, and that the state should be paying for groundwater management.

The Board then discussed the proposed Charge. Several Board members responded to public testimony stating that this was mandated by the state, that what was being proposed was not something they liked but was necessary to maintain local control and keep the State Water Board out of our subbasin and potentially charging stakeholders a lot more. The Board also stated that they have directed staff to gather data at the parcel level for a future look at some type of graduated charge that might be able to consider dry land agricultural practices.

The Board Chair made a last call for any protest forms.

The Board Chair closed the Public Hearing.

Staff stated that a total of 140 protests had been received, not a majority protest.

**ADOPTION OF PROPOSTION 218 CHARGE FOR LONG-TERM FUNDING OF THE
SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY PLAN**

The Board Chair stated that the Solano GSA Board of Directors just held a Public Hearing on the Proposed Proposition 218 Charge for Long-Term Funding for the Solano Subbasin Groundwater Sustainability Plan (GSP), and a majority protest was not received. The Board understands this is not the best solution, they are under a time constraint put on us by the state to fund this GSP or we could lose local control and the State Water Board could come in and charge everyone a lot more. The Board has directed staff to look at a graduated charge as soon as we have the data at the parcel level.

On a motion by Supervisor Vasquez and a second by Mayor Kott the Board approved-by roll call vote the Proposition 218 Charge for Long-Term Funding of the Solano Subbasin Groundwater Sustainability Plan. Director Favero voted no.

**COLLABORATION AGREEMENT FOR IMPLEMENTATION OF THE
GROUNDWATER SUSTAINABILTY PLAN FOR THE SOLANO SUBBASIN**

Staff stated that this Collaboration Agreement is a continuation of the coordination amongst the GSAs to now move forward with implementation of the Groundwater Sustainability Plan (GSP). This Agreement details the cost share of each GSA. All the other GSAs have signed or agreed to sign the Agreement. The Agreement can be amended, or a new instrument can be utilized when cost share changes occur for each GSA in the future, but at minimum will be looked at every four years or so as we gear up for the 5-year updates to the GSP.

On a motion by Supervisor Vasquez and a second by Supervisor Mashburn the Board unanimously approved-by roll call vote-the Collaboration Agreement for Implementation of the Groundwater Sustainability Plan for the Solano Subbasin.

TIME AND PLACE OF NEXT MEETING

The time and place of the next meeting is Thursday, September 8, 2022, at 5:00 p.m.

ADJOURNMENT

This meeting of the Solano Subbasin Groundwater Sustainability Agency Board of Directors was adjourned at 6:40 p.m.

Roland Sanford
Secretary to the Solano Subbasin
Groundwater Sustainability Agency

**ACTION OF
SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY**

DATE: September 8, 2022

SUBJECT: Expenditure Approvals

RECOMMENDATIONS:

Approve expenditures for the Agency checking account for July and August 2022.

FINANCIAL IMPACT:

All expenditures are within previously approved budget amounts.

BACKGROUND:

The Agency auditor has recommended that the Board of Directors approve all expenditures (in arrears). Attached is a summary of expenditures from the Agency’s checking account for July and August 2022. Additional backup information is available upon request.

Recommended: _____
Roland Sanford, Secretary

<input type="checkbox"/> Approved as recommended	<input type="checkbox"/> Other (see below)	<input type="checkbox"/> Continued on next page
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Modification to Recommendation and/or other actions:

I, Roland Sanford, Secretary to the Solano Groundwater Sustainability Agency, do hereby certify that the foregoing action was regularly introduced, passed, and adopted by said Board of Directors at a regular meeting thereof held on September 8, 2022, by the following vote.

Ayes:

Noes:

Abstain:

Absent:

Roland Sanford,
Secretary to the Solano Groundwater Sustainability Agency

SOLANO GSA

Check Register

For the Period From Jul 1, 2022 to Aug 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1038	7/15/22	LUHDORFF & SCALMANINI	1020AC	48,679.75
1039	8/4/22	LUHDORFF & SCALMANINI	1020AC	7,183.25
1040	8/27/22	ACWA/JPIA	1020AC	112.50
1041	8/27/22	HERUM\CRABTREE\SUNTAG	1020AC	1,632.00
1042	8/27/22	LUHDORFF & SCALMANINI	1020AC	<u>23,517.00</u>
Total				<u><u>81,124.50</u></u>

SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY

MEMORANDUM

TO: Board of Directors
FROM: Roland Sanford, Secretary to the Board of Directors
DATE: September 1, 2022
SUBJECT: September General Manager/Secretary Report

Executive Order N-7-22

To date, staff have provided ten consistency certifications for replacement/new wells under either the emergency provisions of Resolution 2022-01, signed by the Board at their April 28th meeting, or more recently through the Groundwater Consistency Criteria Policy approved by the Board at their July 14th meeting.

AB 2201

AB 2201 did not receive enough votes on August 31st to move forward.

Introduced by Assemblymember Bennett, AB 2201 would have required Solano County to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the Groundwater Sustainability Agencies (GSAs) before permit approval.

Through the Solano County Water Agency's (SCWA) lobbyist and calls from SCWA Board members (as well as many other local agencies), we were successful in having our local Assemblymembers signal to the author that they could not support this legislation.

GSP Implementation Actions

The following Groundwater Sustainability Plan Implementation Actions were worked on for August 2022, either by staff, consultants (Ag Innovations and Luhdorff & Scalmanini [LSCE]), or a combination of both:

- Monitoring network coordination support and addressing data gaps
 - GSP Monitoring planning and coordination, monitoring guidebook, data gap review and addressing, planning related to additional surface water and groundwater in GSP, webmap development and DMS support related to monitoring activities
- Ongoing evaluation and tracking of local groundwater conditions in the Northwest (NW) Focus Area
 - Review of local land use and water level changes, evaluation of characteristics related to recharge potential in NW Focus Area
- DWR grant application support
 - Planning related to recharge projects for inclusion in grant request
- SGMA technical assistance
 - Discussion about parcel landowners and/or lessees interested in recharge; communication with local stakeholders about SGMA, GW conditions, and projects and management actions addressing media misinformation about SGMA, GSP, and GSAs
- Prep for, lead, and prepare notes for GSA Collaborative meeting
- Follow-up with The Freshwater Trust re: questions related to GSA meetings
- Follow-up with Dixon RCD and LSCE regarding Tremont 3 area and possible Northwest Focus area survey
- Prepare agenda, facilitate, and take notes for the Project Team meeting
- Work on initial State of the Subbasin outline and review with LSCE
- Review and develop recommendation for Collaborative GSA websites regarding consistency and content
- Begin planning for Interbasin Coordination activities in the fall with Yolo GSA
- Sent email to Yocha Dehe Wintun Nation on proposal for fall Tribal Consultation meeting
- Improvements to the SolanoGSP.com website

Solano Groundwater Sustainability Plan Website

Continuous updates are being made to the Solano Groundwater Sustainability Plan website. The address for the website is: <http://www.solanogsp.com>

**ACTION OF
SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY**

DATE: September 8, 2022

SUBJECT: Creation of Executive Committee for Solano Subbasin Groundwater Sustainability Agency

RECOMMENDATIONS:

- 1. Create Executive Committee of the Board of Directors.
- 2. Authorize Board Chair to appoint Board Members to the Executive Committee.

FINANCIAL IMPACT:

None.

BACKGROUND:

The Chair of the Board of Directors has recommended that the Board create an Executive Committee of the Board of Directors.

Usual practice of Agencies like the Solano Subbasin Groundwater Sustainability Agency would be for the Chair of the Board of Directors to make appointments to the Executive Committee. It is also usual practice for the Board Chair and the Vice-Chair to be members of Executive Committees.

The Agency has 11 Board members, a maximum of 5 Board members could meet as a committee without having a quorum of the Board of Directors. The recommendation would be to limit the Executive Committee to 3 Board Members. If the Board authorizes the Board Chair to appoint members of the Executive Committee, the recommendation would be that the Executive Committee be made up of the Chair, Vice-Chair, and a Director from the Municipal Representatives (City of Dixon, City of Rio Vista, or California Water Service-Dixon).

The Executive Committee reviews the Board Agenda prior to Board meetings with the General Manager/Secretary and handles other tasks as requested by the Board of Directors, such as reviewing the Agency’s budget. As there may be overlap between the Solano County Water Agency Board of Director’s Executive Committee and the Agency’s Executive Committee, it is recommended that the Agency Executive Committee meet on the last Wednesday of each month at 5:30 pm via tele/video conference, if possible, otherwise the Board Chair will pick a time for meetings of the Executive Committee.

Recommended: _____
Roland Sanford, Secretary

<input type="checkbox"/> Approved as recommended	<input type="checkbox"/> Other (see below)	<input type="checkbox"/> Continued on next page
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Modification to Recommendation and/or other actions:

I, Roland Sanford, Secretary to the Solano Groundwater Sustainability Agency, do hereby certify that the foregoing action was regularly introduced, passed, and adopted by said Board of Directors at a regular meeting thereof held on September 8, 2022, by the following vote.

Ayes:

Noes:

Abstain:

Absent:

Roland Sanford,
Secretary to the Solano Groundwater Sustainability Agency

**ACTION OF
SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY**

DATE: September 8, 2022

SUBJECT: Contract with The Freshwater Trust for workshops, tools, and data analysis for optimizing irrigation efficiencies at the parcel level for multiple levels of stakeholders.

RECOMMENDATIONS:

1. Receive presentation on BasinScout and additional support to help manage groundwater sustainability in the Solano Subbasin.
2. Authorize General Manager to sign agreement with The Freshwater Trust for workshops, tools, and data analysis for optimizing irrigation efficiencies at the parcel level for stakeholders.

FINANCIAL IMPACT:

The total cost: \$119,713. Sufficient funding is included in the Agency’s FY 2022-2023 budget.

BACKGROUND:

The Freshwater Trust (TFT) has submitted a Scope of Work (attached) to assist the Groundwater Sustainability Agencies (GSAs) initiatives to manage groundwater sustainably in the Solano Subbasin. The work would center around training for local agencies, such as the Resource Conservation Districts, to assist with training of local landowners to use BasinScout, a tool to help support groundwater management in the Solano Subbasin. Additional work would include workshops, updates to BasinScout based on use at the local level, and support for grant applications.

Funding for this work is included in the Agency’s FY 2022-2023 budget, from Agency reserves and will not change the Long-Term Funding Charge of \$2.79/an acre whether the Board decides to fund this work or not.

Through funding from the Solano County Water Agency, TFT developed BasinScout, an innovative visualization and planning tool to support groundwater management and to improve both surface and groundwater quantity and quality in the Solano Subbasin. These tools allow the GSAs and other local agencies to assess and assist with groundwater management, including water supply benefits of direct groundwater infiltration, as well as allow agricultural producers to estimate the benefits and costs of specific practices.

Recommended: _____
Roland Sanford, Secretary

<input type="checkbox"/> Approved as recommended	<input type="checkbox"/> Other (see below)	<input type="checkbox"/> Continued on next page
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Modification to Recommendation and/or other actions:

I, Roland Sanford, Secretary to the Solano Groundwater Sustainability Agency, do hereby certify that the foregoing action was regularly introduced, passed, and adopted by said Board of Directors at a regular meeting thereof held on September 8, 2022, by the following vote.

Ayes:

Noes:

Abstain:

Absent:

Roland Sanford,
Secretary to the Solano Groundwater Sustainability Agency

Name of Project: Support for GSP Implementation

SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY

AGREEMENT FOR PROFESSIONAL SERVICES (*Professional Services/Contractor*)

THIS AGREEMENT, effective September 8, 2022, is between SOLANO COUNTY WATER AGENCY, a public agency existing under and by virtue of Chapter 573 of the 1989 statutes of the State of California, hereinafter referred to as "Agency," and The Freshwater Trust, hereinafter referred to as "Contractor."

The Agency requires services for Support for GSP Implementation; and the Contractor is willing to perform these services pursuant to the terms and conditions set out in this Agreement.

IT IS MUTUALLY AGREED, as follows:

1. SCOPE OF SERVICES

The Agency hereby engages the Contractor, and the Contractor agrees to perform the services for Support for GSP Implementation, as described in Exhibit A, in accordance with the terms of this Agreement and any applicable laws, codes, ordinances, rules or regulations. In case of conflict between any part of this Agreement, this Agreement shall control over any Exhibit.

2. COMPENSATION

Compensation for services shall be as follows: Hourly rate of personnel plus any allowed reimbursable expenses based on unit costs as indicated on any allowed reimbursable expense in Exhibit B **not to exceed \$119,715** for all work contemplated by this Agreement.

3. METHOD OF PAYMENT

Payment for services will be approved by the Agency's representative only if all contract requirements have been met.

Invoices must be submitted monthly, and upon approval of the Agency's representative, the Agency shall pay the Contractor monthly in arrears for fees and allowed expenses incurred the prior month. Invoices that are over 6 months old will not be approved or paid by the Agency. In no event shall the cumulative total paid pursuant to this agreement exceed the maximum amount provided for in paragraph 2 of this Agreement.

Every invoice shall specify hours worked for each task identified in Exhibit A undertaken. To be approved by payment, any allowed reimbursable expenses will need supporting written documentation such as receipts and mileage logs.

Each invoice shall be accompanied by a spreadsheet showing, by month, costs incurred to date for the project broken down by the Tasks identified in Exhibit A. The spreadsheet shall show, for each task, budget amounts, total expended and remaining amounts. The spreadsheet shall show a subtotal for each fiscal year covered by the contract. Any amendments to the contract shall be listed and incorporated into spreadsheet. An example of a typical spreadsheet shall be provided by the Agency.

4. **TIME OF PERFORMANCE**

This Agreement shall become effective as of the date it is executed and said services will take place between this date and **June 30, 2023**, as directed by the Agency.

5. **MODIFICATION AND TERMINATION**

This Agreement may be modified or amended only by written instrument signed by the parties hereto, and the Contractor's compensation and time of performance of this Agreement shall be adjusted if they are materially affected by such modification or amendment.

(Note: this paragraph is optional) Any change in the scope of the professional services to be done, method of performance, nature of materials or price thereof, or to any other matter materially affecting the performance or nature of the professional services will not be paid for or accepted unless such change, addition or deletion be approved in advance, in writing, by the Agency's General Manager.

This Agreement may be terminated by the Agency at any time, without cause, upon written notification to the Contractor. The Contractor may terminate this Agreement upon 30 days written notice to Agency.

Following termination by the Agency or the Contractor, the Contractor shall be reimbursed for all expenditures made in good faith in accordance with the terms of this Agreement that are unpaid at the time of termination.

6. **PERMITS** *(Note: include only if permits are required)*

Permits required by governmental authorities will be obtained at the Contractor's expense, and the Contractor will comply with local, state and federal regulations and statutes including Cal/OSHA requirements.

7. **INDEMNIFY AND HOLD HARMLESS**

To the extent permitted by law, Contractor shall hold harmless, defend at its own expense, and indemnify Solano County Water Agency, its directors, officers, employees, and authorized volunteers, against any and all liability, claims, losses, damages, or expenses, including reasonable attorney's fees and costs, arising from all acts or omissions of Contractor or its officers, agents, or employees in rendering services under this contract; excluding, however, such liability, claims, losses, damages or expenses arising Solano County Water Agency's sole negligence or willful acts.

8. **INSURANCE**

Minimum Insurance Requirements: Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries or death to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractor, his agents, representatives, employees or sub-contractors.

Coverage - Coverage shall be at least as broad as the following:

1. **Commercial General Liability (CGL)** - Insurance Services Office (ISO) Commercial General Liability Coverage (Occurrence Form CG 00 01) including products and completed operations, property damage, bodily injury, personal and advertising injury with limit of at least two million dollars (\$2,000,000) per occurrence or the full per occurrence limits of the policies available, whichever is greater. If a general

aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (coverage as broad as the ISO CG 25 03, or ISO CG 25 04 endorsement provided to Solano County Water Agency) or the general aggregate limit shall be twice the required occurrence limit.

2. **Automobile Liability** – (if necessary) Insurance Services Office (ISO) Business Auto Coverage (Form CA 00 01), covering Symbol 1 (any auto) or if Contractor has no owned autos, Symbol 8 (hired) and 9 (non-owned) with limit of one million dollars (\$1,000,000) for bodily injury and property damage each accident.
3. **Workers' Compensation Insurance** - as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease. **Waiver of Subrogation:** The insurer(s) named above agree to waive all rights of subrogation against the Solano County Water Agency, its elected or appointed officers, officials, agents, authorized volunteers and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for the Agency; but this provision applies regardless of whether or not the Solano County Water Agency has received a waiver of subrogation from the insurer.

If the Contractor maintains broader coverage and/or higher limits than the minimums shown above, the Solano County Water Agency requires and shall be entitled to the broader coverage and/or higher limits maintained by the Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the Solano County Water Agency.

Other Required Provisions - The general liability policy must contain, or be endorsed to contain, the following provisions:

1. **Additional Insured Status:** Solano County Water Agency, its directors, officers, employees, and authorized volunteers are to be given insured status (at least as broad as ISO Form CG 20 10 01), with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts, or equipment furnished in connection with such work or operations.
2. **Primary Coverage:** For any claims related to this project, the Contractor's insurance coverage shall be primary at least as broad as ISO CG 20 01 04 13 as respects to the Solano County Water Agency, its directors, officers, employees and authorized volunteers. Any insurance or self-insurance maintained by the Solano County Water Agency its directors, officers, employees and authorized volunteers shall be excess of the Contractor's insurance and shall not contribute with it.

Notice of Cancellation: Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to the Solano County Water Agency.

Self-Insured Retentions - Self-insured retentions must be declared to and approved by the Solano County Water Agency. The Solano County Water Agency require the Contractor to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or Solano County Water Agency.

Acceptability of Insurers - Insurance is to be placed with insurers having a current A.M. Best rating of no less than A: VII or as otherwise approved by Solano County Water Agency.

Verification of Coverage – Contractor shall furnish the Solano County Water Agency with certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the Solano County

Water Agency before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The Solano County Water Agency reserves the right to require complete, certified copies of all required insurance policies, including policy Declaration pages and Endorsement pages.

Sub-contractors - Contractor shall require and verify that all sub-contractor maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that Solano County Water Agency its directors, officers, employees, and authorized volunteers are an additional insured are an additional insured on Commercial General Liability Coverage.

9. **COMPLIANCE WITH LAW**

The Contractor shall be subject to and comply with all federal, state and local laws and regulations applicable with respect to its performance under this Agreement, including but not limited to, licensing, employment and purchasing practices; and wages, hours and conditions of employment.

10. **RECORD RETENTION**

Except for materials and records, delivered to the Agency, the Contractor shall retain all materials and records prepared or obtained in the performance of this Agreement, including financial records, for a period of at least three years after the Contractor's receipt of the final payment under this Agreement. Upon request by the Agency, the Contractor shall make such materials and records available to the Agency at no additional charge and without restriction or limitation to State and federal governments at no additional charge.

11. **OWNERSHIP OF DOCUMENTS**

All materials and records of a finished nature, such as final plans, specifications, reports and maps, prepared or obtained in the performance of this Agreement, shall be delivered to and become the property of the Agency. All materials of a preliminary nature, such as survey notes, sketches, preliminary plans, computations and other data, prepared or obtained in the performance of this Agreement, shall be made available, upon request, to the Agency at no additional charge and without restriction or limitation on their use.

12. **SUBCONTRACT AND ASSIGNMENT**

This Agreement binds the heirs, successors, assigns and representatives of the Contractor. The Contractor shall not enter into subcontracts for any work contemplated under this Agreement and shall not assign this Agreement or monies due or to become due, without the prior written consent of the General Manager of the Agency or his designee, subject to any required state or federal approval. *(Note: list any subcontractors here)*

13. **NONRENEWAL**

The Contractor understands and agrees that there is no representation, implication, or understanding that the services provided by the Contractor under this Agreement will be purchased by the Agency under a new agreement following expiration or termination of this Agreement, and waives all rights or claims to notice or hearing respecting any failure to continue purchase of all or any such services from the Contractor.

14. **NOTICE**

Any notice provided for herein are necessary to the performance of this Agreement and shall be given in writing by personal delivery or by prepaid first-class mail addressed as follows:

AGENCY

Roland Sanford, General Manager
Solano Subbasin Groundwater Sustainability Agency
810 Vaca Valley Parkway, Suite 203
Vacaville, CA 95688

CONTRACTOR

Kimberlee Myers, Operations Director
The Freshwater Trust
700 SW Taylor Street, Suite 200
Portland, OR 97205

The parties have executed this Agreement the day and year first above written. If the Contractor is a corporation, documentation must be provided that the person signing below for the Contractor has the authority to do so.

Solano Subbasin Groundwater Sustainability Agency
a Public Agency

The Freshwater Trust

By: _____
Roland Sanford
General Manager

By: _____
Kimberlee Myers,
Operations Manager

FOR SCWA USE ONLY

Contract Period: September 8, 2022 to June 30, 2023
File Number: AG-F-6
Account Manager: C.Lee
G/L Account #: _____
Job Cost #: _____
Contract Type: _____

EXHIBIT A
SCOPE OF SERVICES



To: Chris Lee, Solano County Water Agency
From: Erik Ringelberg, California Director
Date: April 1, 2022
Subject: **Proposal to support the Solano Collaborative with GSP implementation**

PURPOSE

Assist the Solano Collaborative, its partners, and its technical consultants with strategic initiatives to support groundwater sustainability in the Solano Subbasin.

STATEMENT OF WORK

TASK 1: Update decision support tools to support GSP implementation

The Freshwater Trust (TFT) to update decision support tools developed for the Solano Subbasin, coordinate with GSAs and growers to gather feedback on the tools, identify needs, and implement analytical steps to support GSP implementation.

a. *Interactive workshop and partner demonstrations.* TFT will hold an interactive user workshop to demonstrate tools developed to support GSP implementation. The interactive workshop will include a brief presentation of the Solano Agricultural Scenario Planning System (SASPS) and TFT's web-based groundwater accounting tool, followed by an interactive lab session during which participants can explore the tools, with technical support from TFT analysts. The workshop will include an open session for user discussion and feedback. Invitees will include representatives of:

- Solano Collaborative GSAs
- Agricultural landowners and growers
- Consultants and local experts interested in local groundwater issues
- NRCS, Dixon RCD, Solano RCD, the Solano Agricultural Dept, and UC Cooperative Extension
- Community stakeholders

In addition to the workshop, TFT will hold up to three one-on-one meetings with GSAs or key agricultural partners to provide interactive demonstrations, as needed.

b. *Data updates.* Based on feedback from users, TFT will update its field-scale modeling tool developed for Solano Subbasin to increase its accuracy and ensure data remain current with the best available science. TFT will summarize its modeling assumptions and data validation methods in a technical briefing and solicit feedback from local experts (e.g NRCS, UCCE, Solano Irrigation District, RCDs, County Ag Dept., local growers, etc.) TFT will then update modeling assumptions based on stakeholder feedback and implement a model run.

c. *Update field level app and web interface SASPS Update.* Once data updates are completed, TFT will update the Solano Agricultural Scenario Planning System (SASPS) web application to incorporate the new data, new modeling assumptions, and updates to the user interface.

EXHIBIT B

RATE OF COMPENSATION

TASK 2: Support for early implementation grant proposal.

TFT will assist the Solano Collaborative and its consulting team with preparation of an early implementation grant proposal to the Department of Water Resource (DWR). TFT will provide a conceptual project description, maps, and budget estimates for a groundwater recharge groundwater project in the Solano Subbasin, to be incorporated into a larger grant proposal prepared by the Collaborative for GSP implementation funding.

Task 2 is contingent on the timely award and execution of a project led by Dixon RCD. Dixon RCD and its partners have requested grant funds from the California Department of Conservation’s Agricultural Land Repurposing Program. If awarded, TFT, acting as a subcontractor, will prepare conceptual project plans for up to two site-specific demonstration project sites identified by Dixon RCD through an RCD-led grower outreach and engagement process.

SCHEDULE OF DELIVERABLES

TASK	DELIVERABLE	TARGET DATE
1	Update decision support tools:	
	a. User workshop and outreach findings	11/30/22
	b. Data updates, tech briefing, and model run	03/31/23
	c. Updated SASPS web application	06/30/23
2	Content for grant proposal	09/30/22

BUDGET

TASK	DESCRIPTION	TOTAL LABOR \$	TOTAL LABOR HRS	Senior Analyst	Director	Admin	GIS	Analyst	PM	Grant Director
				150	195	100	130	140	160	160
1	Update decision support tools:									
	User workshop and outreach findings	\$17,800	120	20				60	40	
	Data updates, tech briefing and model run	\$59,240	402	120	16	12	24	150	80	0
	Updated SASPS web application	\$26,675	175	150	5				20	
2	Grant support	\$16,000	100						20	80
	TOTAL	\$119,715	797							