



Legislation Details (With Board Report)

File #:	A 20-019	Name:	Agreement with Errol L. Montgomery & Associates, Inc.
Type:	BoS Agreement	Status:	Passed - RMA Administration
File created:	1/27/2020	In control:	Board of Supervisors
On agenda:	3/3/2020	Final action:	3/3/2020

Title: a. Approve Standard Agreement with Errol L. Montgomery & Associates, Inc. to provide professional hydrogeologic services for completing the Salinas Valley Groundwater Basin Investigation, for a total not-to-exceed amount of \$233,260, and term effective April 1, 2020 through June 30, 2021; and b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Standard Agreement and future amendments to the Agreement, where the amendments do not significantly alter the scope of work or increase the approved Agreement amount.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A-Standard Agreement, 3. Item No. 24 Completed Board Order, 4. Executed SA, 5. Executed A1 041921

Date	Ver.	Action By	Action	Result
3/3/2020	1	Board of Supervisors	approved - rma administration	Pass

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RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Approve Standard Agreement with Errol L. Montgomery & Associates, Inc. to provide professional hydrogeologic services for completing the Salinas Valley Groundwater Basin Investigation, for a total not-to-exceed amount of \$233,260, and term effective April 1, 2020 through June 30, 2021; and b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Standard Agreement and future amendments to the Agreement, where the amendments do not significantly alter the scope of work or increase the approved Agreement amount.

SUMMARY:

New policies implemented with the adoption of the 2010 General Plan for Monterey County to address groundwater overdraft resulted in litigation. As part of the Settlement Agreement reached in 2018 regarding groundwater sustainability, the County agreed to conduct a five-year study to determine how the Salinas Valley Water Project (Zone 2 Assessment District) is working.

The Resource Management Agency (RMA) requests the Board of Supervisors approve a Standard Agreement (SA) for hydrogeological professional services with Errol L. Montgomery & Associates, Inc. (M&A). M&A will complete a Salinas Valley Groundwater Basin (SVGB) Investigation to satisfy the County's obligation and requirement to complete the 2010 General Plan for Monterey County.

DISCUSSION:

Under the 2010 General Plan litigation settlement (Settlement Agreement to Monterey County Case No. M109451 between the Salinas Valley Water Coalition et al. and the County) relating to groundwater sustainability, completion of an SVGB Investigation will satisfy the County's obligation and the requirements to implement the 2010 General Plan. This SVGB Investigation will reduce future regulatory and litigation risk exposure. The final report required to be produced under this Settlement Agreement must cover specific topics including, but not limited to, simulating future land use, groundwater conditions, and offer recommendations to manage water demands in the study area. The report will evaluate and provide conclusions regarding future trends and any expected movement of groundwater elevations and seawater-intrusion boundary.

Execution of the proposed SA with M&A will allow for the provision of professional hydrogeologic services required to complete the SVGB Investigation (also known as "Zone 2C Study"), for a total not-to-exceed amount of \$233,260, and term effective April 1, 2020 through June 30, 2021. M&A was selected under a sole source justification due to their current role as consultant to the Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA), the Groundwater Sustainability Agency (GSA) responsible for managing the largest portion of the SVGB Investigation study area, and their knowledge of the Salinas Valley Integrated Hydrologic Model (SVIHM), as completion of the required final report for the County SVGB Investigation will involve its application. M&A is developing the Groundwater Sustainability Plans (GSP) for the sub-basins managed by the SVBGSA and will address many of the same or similar questions as those required for the County's SVGB Investigation. M&A is uniquely positioned to make recommendations on future water management actions that will be consistent with the SVBGSA plans. As per agreement with the County, M&A has been privileged to a provisional version of the model for use with developing a GSP for the SVBGSA. Due to this unique overlap of the County's SVGB Investigation and SVBGSA's GSP development, the County should realize significant cost savings and benefits from timely completion of the SBGV Investigation by utilizing the same consultant.

The SVGB Investigation requires completion of six (6) components:

1. Reassessing and summarizing the State of Zone 2C using the SVIHM;
2. Reassessing 2030 demand projections made in the 2010 General Plan Final Environmental Impact Report;
3. Developing revised land use data for 2030 based on reassessed land use assumptions;
4. Assessing and providing conclusions regarding total water demands given land use assumptions and changes to baseline and future water demand;
5. Evaluating and providing conclusions regarding future trends and expected changes in groundwater elevations and the extent of seawater intrusion based on historical data and data produced during the Zone 2C Study;
6. Making recommendations on measures that could be taken if the Zone 2C Study indicates the likelihood of exceeding future water demands, declining groundwater levels, or advancement of seawater intrusion by Year 2030.

Accomplishing these tasks will require the use of the SVIHM, developed by the RMA and Monterey County Water Resources Agency (WRA) working in conjunction with the United States Geological Survey (USGS), and close coordination with SVBGSA and other GSAs in the study area. It is essential that the Zone 2C Study be completed expeditiously. The remaining work to be completed under the Settlement Agreement is the final phase in a multiyear study described in Policy PS-3.1 of Chapter 5.0 of the 2010 Monterey County General Plan (adopted on October 26, 2010 and amended March 11, 2013).

RMA requests that the Board of Supervisors approve this SA with M&A to facilitate completion of the SVGB Investigation and satisfy the litigation settlement obligations, particularly in forecasting land and water use

data. The work from the USGS, M&A, and WRA on the SVGB Investigation (Zone 2C Study) is anticipated to be completed by early 2021.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and the Auditor-Controller have reviewed and approved the SA as to form and fiscal provisions, respectively.

FINANCING:

In Fiscal Year (FY) 2019-20, the Board approved an augmentation of \$304,752 in the General Fund, Fund 001, Planning Services Appropriation Unit RMA001, to fund continued USGS modeling, develop land and water use forecasts, and prepare the final report for the Project. Of these funds, \$170,000, was anticipated for the work to be performed by M&A. Due to delays in the USGS modeling effort; however, M&A's work will start later than anticipated, so \$116,630 is estimated for consultant services in FY 2019-20. RMA will request an augmentation for FY 2020-21 to include the remaining M&A contract amount of \$116,630 to complete the Zone 2C Study.

Aside from the County General Fund, no other funding source has been identified for the Zone 2C Study to cover Project costs through FY 2020-21. County Staff will continue to seek grants and other sources to fund costs to complete the Zone 2C Study, though the establishment of the Sustainable Groundwater Management Act (SGMA) makes it unlikely that alternative funds will become available within the mandated timeline to complete the Project, especially as most grant funding for sustainable groundwater initiatives is targeted toward advancement of GSAs within California.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Completion of the SVGB Investigation supports the Board of Supervisors' Strategic Initiative for Economic Development by facilitating bringing key litigation related to the 2010 General Plan to a close.

- X Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: Shawne E. Ellerbee, RMA Deputy Director of Administrative Services

Approved by: Carl P. Holm, AICP, RMA Director

Attachment:

Attachment A-Standard Agreement

(Attachment is on file with the Clerk of the Board)

cc: WRA: Howard Franklin, Senior Hydrologist; Amy Woodrow, Hydrologist