

December 22, 2010

Re: Yosemite/Mariposa Region IRWM Planning Grant Appeal

Dear Department of Water Resources Representative(s):

The California Department of Water Resources did not recommend the Yosemite/Mariposa Region IRWMP for the Planning Grant funding. It is difficult to determine exactly why the grant scored so poorly based on the comments provided in the evaluation, but it appears that the evaluator(s) did not review all the details included in the application. Many stakeholders involved in the Yosemite/Mariposa Region IRWMP development process are looking forward to continuing with the planning process, but fear things will come to a close and momentum will be lost without funding.

It appears that the evaluator(s) did not appreciate the detail and possibly did not fully understand it. This is not surprising – there were many grant applications to score and widely differing regional backgrounds and needs. This IRWMP funding is essential for continuing efforts in the Yosemite/Mariposa region, especially if there is a continued need for Yosemite/Mariposa to coordinate and collaborate with the adjoining regions of Madera and Merced. We are not an area with agencies, jurisdiction or organizations that can supply funding to maintain the IRWMP effort on our own. Denial of this funding is a huge setback and obstacle to our regional IRWMP efforts.

We are requesting that you reconsider your application scoring review and have the application re-evaluated. Included below is information from the grant application in response to the review comments.

Sincerely,

Brenda Ostrom  
Project Manager  
Yosemite/Mariposa IRWM

➤ **Work Plan** The work plan is deficient in a number of areas. It does not specify how the RWMG functions or governs. There is reference to three processes (including the IRWM planning process) that "identified and documented objectives and conflicts...", but there is no mention of the objectives and conflicts that resulted from these efforts. Detail of IRWM planning activities is lacking. The structure of the tasks does not clearly indicate that the planned project can be implemented. The focus of this project seems to be more to prepare for implementation projects than to develop a framework for their IRWM Plan that will ensure its adaptability and continued use.

Under each task, as applicable, the work plan specifies the role of the RWMG. The objectives and conflicts that resulted from the IRWM planning process to date are summarized in the work plan under Tasks 42 and 43:

"Conflicts, issues, and project ideas in the Yosemite/ Mariposa County area were initially identified during a community brainstorming session on February 19, 2009. Since then, issues and project ideas continue to be collected through ongoing stakeholder outreach efforts. Issues and project ideas will continue to be collected and incorporated into the IRWM process through May 25, 2012. After this date additional comments will be incorporated as part of the draft and final IRWM Plan."

"All of the conflicts and issues identified to date have been correlated to the Resource Management Strategies from the California State Water Plan and three additional Resource Management Strategies have been added: Fire/Flood/Mud Management, Cultural Resources, and Public Outreach/ Involvement/ Education. The majority of comments and concerns from the community relate to Land Use Planning and Management and Pollution Prevention. Other areas that received several comments included: Fire/Flood/Mud Management, Groundwater/Aquifer Remediation, Cultural Resources, Flood Risk Management, Ecosystem Restoration, and

Conjunctive Management & Groundwater Storage. Areas that received a few comments included: Agricultural Lands Stewardship, Watershed Management, Urban Water Use Efficiency, Public Outreach/ Involvement/ Education, Surface Storage, and System Reoperation. As issues continue to be identified they will be incorporated into this Resource Management Strategies organization.”

Furthermore, since then the draft goals of the Yosemite/Mariposa IRWMP have been developed and the region’s water-related issues have been organized into four tiers as described in Tasks 44 and 45. The focus of the region’s IRWMP is clearly to achieve on-the- ground implementation results (rather than producing a plan that sits on a shelf) and that is why the planning process steps through a series of prioritization exercises to ensure implementation projects are consistent with IRWM goals and priorities. To ensure the IRWMP is continually used over the 20-year lifecycle of the plan, it includes the steps and processes needed for implementation (rather than only partially completing the planning process so that more planning funding is needed prior to implementation activities).

➤ **DAC Involvement** The DACs in the region have been identified. The proposal lists the specific actions taken to engage DACs and identifies tasks to continue DAC involvement. Application states that "several" of the DACs have been participating in the planning process, but it does not specify which DACs or what they are doing to support IRWM planning. Application does not specify how IRWM Planning will benefit DACs. While representatives of several DACs have been participating in previous regional activities, it is recognized that they are under-represented and continued outreach is planned.

The work plan describes how the most current U.S. Census data was used to determine Disadvantaged Communities and a table shows income levels by community. The work plan goes on to state:

“Two communities, Midpines and Coulterville, are DACs according to the current DWR definition. The Mariposa Township rates at 82% of California median household income and all communities except two (Yosemite National Park and Fish Camp) fall nearly 10% below the California median household income. Some of this data is now 10 years old. The recession that started in 2008 had profound effects in Mariposa and other rural areas.

The Yosemite/ Mariposa County region, with no incorporated cities, is reported in the 2008 updated census data to have a countywide median household income of \$44,419; this is 72% of the median household income of \$61,017 reported for the state of California during the same time period. Subsets within each community, such as the elderly and recent immigrants also meet DAC criteria. Of the 17,792 people living in Mariposa County, 13.5%, live in poverty. The percentage of children living in poverty is 18.3%.”

Multiple definitions of a DAC exist in California statutes. For the purposes of Proposition 84 funding, the PRC §75005.(g) defined a DAC as “a community with a median household income (MHI) less than 80% of the Statewide average”. With a county-wide median household income of 72% of the statewide average, all of Mariposa County is disadvantaged. The work plan specifies all the groups within the county that are participating in IRWMP. Any improvements occurring within the county will benefit DACs since the entire county is classified as disadvantaged. The work plan also details the ongoing and planned outreach efforts to continue to assure countywide participation.

➤ **Schedule** The schedule appears to be structured inappropriately. For example, the Governance Structure being final towards the end of the project and identification of missing data will take place after developing a scope of work for a contractor to perform a water study. The relationship between tasks is not always clear and some items in the schedule do not line up with the work plan. The schedule would have benefited from a greater use of milestones and key review and stakeholder involvement dates. There are several large lump sum items in the budget which are not documented in the schedule.

The schedule corresponds to the work plan exactly. For example, the work plan specifies a one-day work session and a thirty-day public review period (Tasks 23 and 24) and the schedule indicates the dates. This

holds true for all the tasks: they are specified and in the work plan and their time frame is shown in the schedule. The schedule is structured to successfully complete the IRWMP within two years of the grant agreement according to what will work for the region. The Governance Structure, which is a formal agreement along with the adoption of the plan, is scheduled at the end of the planning process prior to implementation. This is specifically included towards the last half of the planning process after several work sessions to allow the RWMG to benefit from the work sessions to decide how best to formalize their decision process. After working through decisions together during work sessions, we anticipate streamlining the process for the best way to structure the governance. There is no specific DWR requirement about when the governance structure must occur during the IRWMP process so the region has scheduled it to occur simultaneously with the adoption process. The schedule does not show identification of missing data after developing a scope of work for a contractor; the schedule shows identifying missing data in February 2011 and developing a scope of work in June 2011. All the milestones, key review, and stakeholder involvement dates are described in the work plan and shown on the schedule, for example, Task 24: Public input & review of data prioritization (May 20, 2011 to June 6, 2011) and Task 76: Administrative Review of Draft Plan (July 2, 2012 to July 13, 2012). The numbers of days each task will take along with the corresponding start and end dates are shown in the schedule under columns C, D, and E respectively. There is only one large lump sum item in the budget for \$400,000, and it is both documented in the schedule (Summary Task C – Research & Data Analysis) and described in the work plan.

➤ **Budget** Budget format and information does not fully meet the criterion. There are work hours assigned to each task, but not dollars. Dollar summaries were only provided for groups of tasks. The funding match and grant request hours/dollars are in separate spreadsheets making it difficult to determine the total cost for each task. There is no explanation in the work plan for the number of hours for each task (i.e. # of meetings, hours/meeting, etc.). Some tasks seem reasonable, but there are two \$400,000+ match/expense entries with no justification. There are costs in an expense column with no explanation of what is included in these costs. Furthermore, there is no explanation of what components of the funding match have already been done.

The budget was prepared as directed by the Proposal Solicitation Package (PSP). Both work hours and dollars are assigned to each task. Two worksheets are provided to show the dollars for both the matching funds and grant request (these are shown in columns U and S respectively). The total cost for each of the nine summary tasks (A thru I) is provided in the budget summary in the table format as shown in the PSP. To document the in-kind match, the work hours are included as directed orally by DWR and per the PSP Q & A. Each meeting is explained in the work plan and the corresponding number of hours for each meeting is shown in the budget. For example, Task 58 of the work plan details the two-day project prioritization work session and specifies that the Regional Water Management Group (RWMG) prepare for and participate in the two-day work session along with reviewing work session results and documentation. The budget for Task 58 shows that each member of the RWMG will work 18 hours. This holds true for the entire work plan and budget, where the work plan details the task and the budget specifies the hours and costs associated with each task. There is one (not two) \$400,000 expense, which is included in the budget (Summary Task C – Research & Data Analysis) and the justification for the expense is detailed in the work plan:

**From Work Plan pg. 29: “NEED FOR RESEARCH TO COMPLETE PLAN:** There are numerous factors demonstrating the need for research to complete the Yosemite/ Mariposa County IRWM Plan:

DWR Bulletin 131, Mariposa Area Investigation (November 1965) states: The Mariposa area has a water supply condition that is common throughout the southern foothill region of the Sierra Nevada. Water resources are generally deficient, storage is difficult, and the costs of conservation are high. This study provides needed data upon which a plan could be formulated.

The Mariposa County General Plan Technical Background Report, Volume III, states: 8.3.04 Availability of Groundwater and Surface Water as a Growth Limiting Factor: The availability of water resources to Mariposa County residential and business concerns is a primary growth limiting factor. In summary, the following constraints to development are apparent:

- Geologic strata that collect and trap groundwater in Mariposa County are not conducive to the formation of large groundwater basins;
- A paucity of basin wide groundwater studies (relative to Chowchilla for example) is not conducive to long-term planning for development;
- Water rights issues dictate a need for the involvement of the federal government, other counties, and private water resource agencies (e.g. the Madera and Merced irrigation districts) in Mariposa County water resource planning;
- Most of the public and private stakeholders are outside of Mariposa County in neighboring Madera and Merced counties, or are under the control of the federal government;
- Development of infrastructure to convey surface water may affect growth.

Yosemite National Park is experiencing increased levels of visitation. Although tourism is down 20% in California, Mariposa County is experiencing tourism growth - almost 5% increase in transient occupancy tax and record levels in July 2010.

The county has no surface water rights. Two adjacent counties have ballot initiatives, which are projected to pass, to control growth by requiring voter approval; this could result in increased growth in Mariposa where no such measure exists. Population growth in Mariposa county was rapid from 1990 to 2000 with an increase from 14,300 to 17,130 people. The 2008 census noted 17,792 county residents.

There is an identified concern about future development among residents reliant on private wells through fractured rock. Over the past recent years, calculations over a 24-month period show groundwater recharge occurring in only 3 months. There have been citizen efforts to complete a water study since 1991. Since most residents access water via wells, there is a basic need to assess the availability of groundwater for the future.

The areas of the county experiencing the most development pressures are the urban wild land interface areas in the foothills (which depend on fractured rock water sources) and in forested areas (that have the highest risk of wildfire). Although the General Plan has been recently updated in 2006, county codes dating from the 1980s have not been updated commensurate the General Plan."

The \$400,000 cost is based on similar work performed in Madera County (the county adjacently to the south of Mariposa County) and the assumptions of the work are identified in the work plan: "It is anticipated the water study would primarily consist of research and data gathering rather than data collection (i.e., researching well records rather than drilling test wells)." The funding-match components meet the requirements of the PSP occurring between September 30, 2008 and the effective date of the grant agreement (there is no requirement in the PSP requiring explanation of project status). "As specified in the Guidelines and in this PSP, the funding match must be from non-State sources. Applicants can use in-kind services, federal grant dollars, or local agency/organization funds as funding match. In addition to costs paid or in-kind services performed under a grant agreement, costs paid or in-kind services performed from non-State sources **may** be presented as a funding match if they occur between September 30, 2008, and the effective date of the grant agreement. In the event that an applicant receives a grant, DWR may consider such costs as part of the funding match and may disallow portions or all, if deemed ineligible."

➤ **Program Preference** There is no clear description in the application to demonstrate how the applicant will address program preferences. Proposal states that each project that is considered for inclusion into the IRWM project list will be evaluated by its abilities to address Statewide Priorities, but there is no explanation as to how the region will ensure that each priority is met. There is a high level of certainty that the application will address five program preferences. They are: include regional projects or programs, effectively integrate water management programs and projects, integrate water management with land use planning, climate change response, and ensure equitable distribution of benefits.

The work plan describes how the region will address Statewide Priorities through its project prioritization process. By prioritizing the projects by the Statewide Priorities, this will ensure the plan meets the priorities by

implementing those projects first. "Consideration of all of the statewide priorities shall be incorporated into the evaluation system. These priorities include: 1) drought preparedness, 2) use and reuse water more efficiently, 3) climate change response actions, 4) expand environmental stewardship, 5) practice integrated flood management, 6) protect surface water and groundwater quality, 7) improve tribal water and natural resources, and 8) ensure equitable distribution of benefits."

➤ **Geographic Balance** Not Applicable

Unfortunately none of the three regions who requested planning funds are currently recommended for funding in the Southern Sierra. This is unfortunate because all of these regions are upstream from the San Joaquin River, which currently has a myriad of critical issues in the central valley.