

Special Telephonic Meeting of the
Delta-Mendota Subbasin Coordination Committee

Monday, April 13, 2020, 9:45 AM

Call-in Number: (425)436-6366; Access Code: 353368#
Join the online meeting: <https://join.freeconferencecall.com/sethharris>

Meeting Minutes

Coordination Committee Members and Alternates Present

Vince Lucchesi – Patterson Irrigation District/Northern Delta-Mendota Region
Ben Fenters – San Luis Water District/Central Delta-Mendota Region
Lacey McBride – Merced County/Central Delta-Mendota Region
Jarrett Martin – Central California Irrigation District/SJREC
Jim Stilwell – Farmers Water District
Augie Ramirez – Fresno County
Ric Ortega – Grassland Water District
Joe Hopkins – Aliso Water District/Provost & Pritchard

San Luis & Delta-Mendota Water Authority Members Present

Seth Harris
Rebecca Akroyd
Claire Howard – Provost & Pritchard

Others Present

Will Halligan – Luhdorff & Scalmanini
Lauren Layne – Baker Manock & Jensen
Anthea Hansen – Del Puerto Water District
Darlene Castro – Volta Community Service District
Chris Rogers – Central California Irrigation District
Kyle Hill – Central California Irrigation District
Leslie Dumas – Woodard & Curran
Kait Palys – Provost & Pritchard
Larry Harris – Turner Island Water District
Ellen Wehr – Grassland Water District
Andrew Francis – Luhdorff & Scalmanini
Juan Cadena – Mercy Springs and Pacheco Water Districts
Rick Iger – Provost & Pritchard

1. Call to Order/Roll Call

Ben Fenters/SLWD called the meeting to order at 9:48 AM. Seth noted that action items will be voted on by roll call.

2. Opportunity for Public Comment

No public comment was received.

3. **Committee to Review and Take Action on Consent Calendar, Harris**
 - a. **Minutes for the March 17, 2020 Joint Telephonic Meeting of the Delta-Mendota Subbasin Coordination Committee and Technical Working Group**
 - b. **Minutes for the March 30, 2020 Special Telephonic Meeting of the Delta-Mendota Coordination Committee**
 - c. **February 2020 Budget to Actual Report**

The Committee reviewed the consent calendar items. Ben Fenters/SLWD shared a comment for inclusion in the March 30th minutes under the action item for approval of the Delta-Mendota Subbasin Consolidated Annual Report. Ben noted that he wants his input reflected in the minutes regarding his concern over calculations for Subbasin groundwater levels appearing overestimated when compared to observed groundwater levels. The Committee considered approval of the March 17th minutes, the March 30th minutes with the revision noted by Ben, and the February 2020 budget to actual report. Ric Ortega/GWD provided the motion and Augie Ramirez/Fresno seconded. The Committee voted by roll call and it was approved unanimously by the Coordination Committee members present.

4. **Committee to Consider Approval of Costs for Coordinated Legal Efforts, Layne**

Lauren Layne/BMJ noted the lawsuit recently filed against all Delta-Mendota Subbasin GSAs and the San Luis & Delta-Mendota Water Authority by the California Sportfishing Protection Alliance. Lauren explained that legal counsel for each GSA has been involved in correspondence so far regarding developing a response to this lawsuit. She explained that legal strategy will not be discussed during this meeting, but she is available for any follow-up questions GSAs may have offline. Lauren provided a review of the coordinated legal cost estimate, which includes costs incurred to date from SLDMWA legal counsel and Baker Manock & Jensen, budget for additional costs to support continued coordination with each GSA's legal counsel, and an estimated cost for representation of SLDMWA. The total estimated legal cost range currently is \$12,185-\$23,685.

The Coordination Committee discussed their intent for a proposed cost split. GSAs that have counsel involved in this process are incurring separate costs in addition to the expenses for the Subbasin-wide coordination reflected in the coordinated legal cost estimate. Ric Ortega/Grassland asked about the potential to recover incurred legal fees. Lauren explained that there is a potential that legal costs may be apportioned based on the result of the legal response.

The Committee initially considered a motion to split these legal costs equally between the six GSP groups, but Jim Stilwell/FWD expressed concern of setting a bad precedent in terms of future Subbasin-wide cost shares because all GSAs would not be covering the cost equally, even though all are named in the lawsuit. Lauren explained that the timing for litigation involves a very quick turnaround, so she requested that the Committee consider approval of the budget estimate and table the discussion of the cost breakdown until next month once each GSP group can determine their preferred cost share approach. The Committee discussed that there is currently not unanimous attendance, so they cannot take action on this item. In lieu of an action item, Lauren explained that this item will provide direction for the legal proceedings to continue and the cost share breakdown and approval will be revisited in detail next month.

5. **Committee to Discuss Proposition 68 Scope of Work and Approval Process, Harris/Dumas**

a. Grant Administration

Seth Harris/SLDMWA introduced the grant administration fee estimate developed by Woodard & Curran. Leslie Dumas/W&C explained that the timeline for the grant agreement with DWR is extended to April of 2022, but the fee estimate assumes that the Subbasin will complete the Proposition 68 projects by the end of 2021. Leslie provided a breakdown of the estimated costs, and Seth explained that the Committee will consider approval of this grant administration role next month, after the Northern & Central GSP group considers approval at the end of April.

Ric Ortega/GWD asked about the estimated staff hours for West Stanislaus ID's involvement as the grantee. Leslie explained that there is a little over \$100,000 remaining in grant and component administration funds between the Proposition 1 and Proposition 68 grants, which would include WSID's involvement as the grantee.

Leslie and Ric also discussed past costs incurred for GSP development, and Leslie explained that costs can be submitted for reimbursement retroactively for costs from June 6, 2018 to present. She noted that travel costs are not applicable for reimbursement.

b. Well Census and Inventory

Seth explained that he has revisited the well census and inventory project proposal and cost estimate that Ken Schmidt provided. Ken had shared with Seth that the estimated cost may be decreased if GSAs are able to share known well location and construction information. Committee members expressed concern regarding redundancy in the well census and inventory project proposed by Ken. Seth noted that the Committee can consider working with another entity to compile data into a format for use in GIS, and noted that there would be additional time and costs associated with this development.

The Committee further discussed the approach for the well census and inventory budget and proposed project. Ric noted that not all GSP groups are in the same place in terms of data preparation for this project, and proposed splitting the funding and option for GSP groups to proceed individually rather than conducting a Subbasin-wide approach as had been initially considered. Vince Lucchesi/PID noted that the onus on well census and inventory project is for the Northern & Central GSP group. Vince and Seth noted that the Northern & Central group needs to review its needs regarding the well census and inventory project. The Committee will revisit this topic next month.

c. Subsidence Characterization

Leslie confirmed the proposed approach for the subsidence characterization study, and explained that this study would follow completion of the well census and inventory project. The subsidence study component in the grant includes a \$100,000 total budget, which includes component administration and stakeholder engagement as well as funding for the study.

6. Committee to Discuss Subbasin-wide Monitoring Network and Reminder for Spring Data Collection, Harris

Seth reminded the Committee that the spring data collection is between February 1 – April 30th, and explained that data should be collected for spring water levels. The Committee discussed that the low precipitation in January and February likely resulted in variations in readings during this period.

7. Committee to Discuss Consolidated Annual Report and Approach for 2021, Harris

The Committee discussed the Consolidated Annual Report developed and submitted for the April 1, 2020 deadline, and discussed benefits of the consolidated approach. The Committee's intent for the 2021 Annual Report will be reviewed in more detail prior to determining an approach for the Subbasin for the 2021 Annual Report.

8. Committee to Discuss Process for Tracking Subbasin-wide Implementation Efforts, Harris

- a. Projects and Management Actions
- b. Data Gaps

Seth Harris/SLDMWA reminded the Committee of the need to begin tracking Subbasin-wide implementation efforts including projects and management actions. Developing a tracking system that involves ongoing updates from each GSP group will ensure the Subbasin fulfills its commitments for necessary implementation efforts in the first year of implementation.

9. Committee to Discuss SDAC Vulnerability Assessment, Harris

Seth Harris/SLDMWA reminded the Committee that Stantec developed a Subbasin-wide severely disadvantaged community (SDAC) vulnerability assessment as a deliverable under the Proposition 1 grant funding for Technical Assistance Services. Will Halligan/LSCE asked about the inclusion of economically distressed areas in the Vulnerability Assessment. Leslie Dumas/W&C noted that the disadvantaged community involvement program (DACIP) Needs Assessments for the San Joaquin River and Tulare Kern Funding Areas were used as a foundation, which includes EDAs. Following the meeting, Seth will circulate the Vulnerability Assessment to the Committee.

10. Committee to Discuss Developing Coordinated Comments for Neighboring Subbasins' GSPs, Harris/Howard

Ric Ortega/GWD and Jim Stilwell/FWD shared their support of developing coordinated comment letters on adjacent subbasins' GSPs. The Committee discussed developing letters for Chowchilla GSP, Madera GSP, Merced GSP, and McMullin GSP. Jim explained that Farmers is developing a draft letter for the McMullin GSP. Seth Harris/SLDMWA and Claire Howard/P&P will develop draft letters for the Chowchilla, Madera, and Merced GSPs for the Committee to review prior to the close of the public comment period on May 15th.

11. Committee to Discuss Timing of Subbasin Newsletter, Howard

Claire Howard/P&P asked the Committee about their intended frequency for the Subbasin newsletter moving forward. The Committee requested that the newsletter be shared at a quarterly interval.

12. Committee to Discuss Requirements for Compliance with American Disabilities Act, Harris

Claire Howard/P&P noted that the correct reference is Americans with Disabilities Act (ADA). Seth Harris/SLDMWA and Claire discussed that in order to be compliant with the ADA, future documents must incorporate formatting and structure based on the ADA requirements, such as figures and notations. Leslie Dumas/W&C noted that there may be potential costs associated with maintaining compliance.

13. Next Steps

- The Committee will determine a proposed cost share and consider approval of the incurred coordinated legal costs next month
- Approval of the Proposition 68 grant administration will be considered next month
- The well census and inventory project will be discussed in further detail next month
- The SDAC Vulnerability Assessment will be distributed to the Committee

14. **Reports Pursuant to Government Code Section 54954.2(a)(3)**

No reports were discussed under this item.

15. **ADJOURNMENT**

The meeting was adjourned at 12:10 PM.

DRAFT

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY
MARCH 1, 2020 - FEBRUARY 28, 2021
SUSTAINABLE GROUNDWATER MANAGEMENT ACT SERVICES AGREEMENT
NORTHERN DELTA-MENDOTA REGION (FUND 64)

Report Period 3/1/20 -3/31/20

Coordination Committee Meeting 5/11/20

EXPENDITURES	Annual Budget	Paid/ Pending	Additional Pending	Total Expenses	Amount Remaining	% of Amt Remaining	Expenses Through
<u>Legal:</u>							
Outside Counsel	\$ 23,040			\$ -	\$ 23,040	100%	
<u>Other Professional Services:</u>							
Contracts	\$ 594,041			\$ -	\$ 594,041	100%	
<u>Other:</u>							
Program Mgr/Sr. Engineer/Water Policy Dir.	\$ 88,945	\$ 414		\$ 414	\$ 88,531	100%	
SCADA Engineer	\$ 2,308	\$ -		\$ -	\$ 2,308	100%	
Water Resources Coordinator	\$ 37,722	\$ 2,393		\$ 2,393	\$ 35,329	94%	
Assistant Engineer 1	\$ 39,367	\$ -		\$ -	\$ 39,367	100%	
Accounting	\$ 6,561	\$ -		\$ -	\$ 6,561	100%	
Hydrotech 3	\$ 20,088	\$ 1,268		\$ 1,268	\$ 18,820	94%	
License & Continuing Education	\$ 250			\$ -	\$ 250	100%	
Conferences & Training	\$ 5,000			\$ -	\$ 5,000	100%	
Travel/Mileage	\$ 5,000			\$ -	\$ 5,000	100%	
Group Meetings	\$ 500			\$ -	\$ 500	100%	
Telephone	\$ 1,250	\$ 13		\$ 13	\$ 1,237	99%	
Equipment and Tools	\$ 4,175			\$ -	\$ 4,175	100%	
Software	\$ 4,325			\$ -	\$ 4,325	100%	
<u>Coordinated Costs:</u>							
Salaries	\$ 26,076	\$ 113	\$ -	\$ 113	\$ 25,963	100%	
Outside Counsel	\$ -	\$ -	\$ -	\$ -	\$ -	0%	
Other Professional Services	\$ -	\$ -	\$ -	\$ -	\$ -	0%	
Group Meetings	\$ -	\$ -	\$ -	\$ -	\$ -	0%	
Travel/Mileage	\$ -	\$ -	\$ -	\$ -	\$ -	0%	
Telephone	\$ -	\$ -	\$ -	\$ -	\$ -	0%	
Total Expenditures	\$ 832,572	\$ 4,088	\$ -	\$ 4,088	\$ 828,484	99.51%	

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY
MARCH 1, 2020 - FEBRUARY 28, 2021
SUSTAINABLE GROUNDWATER MANAGEMENT ACT SERVICES AGREEMENT
CENTRAL DELTA-MENDOTA REGION (FUND 65)

Report Period 3/1/20 -3/31/20

Coordination Committee Meeting 5/11/20
EXPENDITURES

	Annual Budget	Paid/ Pending	Additional Pending	Total Expenses	Amount Remaining	% of Amt Remaining	Expenses Through
<u>Legal:</u>							
Outside Counsel	\$ 23,040			\$ -	\$ 23,040	100%	
<u>Other Professional Services:</u>							
Contracts	\$ 594,041			\$ -	\$ 594,041	100%	
<u>Other:</u>							
Program Mgr/Sr. Engineer/Water Policy Dir.	\$ 88,945	\$ 296	\$ -	\$ 296	\$ 88,649	100%	
SCADA Engineer	\$ 2,308	\$ -	\$ -	\$ -	\$ 2,308	100%	
Water Resources Coordinator	\$ 37,722	\$ 2,379	\$ -	\$ 2,379	\$ 35,343	94%	
Assistant Engineer 1	\$ 39,367	\$ -	\$ -	\$ -	\$ 39,367	100%	
Accounting	\$ 6,561	\$ -	\$ -	\$ -	\$ 6,561	100%	
Hydrotech 3	\$ 20,088	\$ 1,268	\$ -	\$ 1,268	\$ 18,820	94%	
License & Continuing Education	\$ 250			\$ -	\$ 250	100%	
Conferences & Training	\$ 5,000			\$ -	\$ 5,000	100%	
Travel/Mileage	\$ 5,000			\$ -	\$ 5,000	100%	
Group Meetings	\$ 500			\$ -	\$ 500	100%	
Telephone	\$ 1,250	\$ 13		\$ 13	\$ 1,237	99%	
Equipment and Tools	\$ 4,175			\$ -	\$ 4,175	100%	
Software	\$ 4,325			\$ -	\$ 4,325	100%	
<u>Coordinated Costs:</u>							
Salaries	\$ 26,076	\$ 113	\$ -	\$ 113	\$ 25,963	100%	
Outside Counsel	\$ -	\$ -	\$ -	\$ -	\$ -	0%	
Other Professional Services	\$ -	\$ -	\$ -	\$ -	\$ -	0%	
Group Meetings	\$ -	\$ -	\$ -	\$ -	\$ -	0%	
Travel/Mileage	\$ -	\$ -	\$ -	\$ -	\$ -	0%	
Telephone	\$ -	\$ -	\$ -	\$ -	\$ -	0%	
Total Expenditures	\$ 832,572	\$ 3,956	\$ -	\$ 3,956	\$ 828,616	100%	

Delta-Mendota Sustainable Groundwater Management Grant Funding

Grant Program	Component No.	Component Name	Admin Funding Available	Expected Admin Funding Available after Submittal 6 ¹	Project Funding Available	Expected Project Funding Available after Submittal 6 ¹	Total Funding Available	Expected Total Funding Available after Submittal 6 ¹
1	1	Grant Admin	\$0	\$0	\$0	\$0	\$0	\$0
1	2	Technical Assistance Services						
		Component Admin	\$40,300	\$29,300	--	--	\$40,300	\$29,300
		Stakeholder Engagement	--	--	\$99,750	\$80,446	\$99,750	\$80,446
		Technical Assistance Services	--	--	\$240,820	\$240,820	\$240,820	\$240,820
1	3	Generic DMS						
		Component Admin	\$6,100	\$3,100	--	--	\$6,100	\$3,100
		Stakeholder Engagement	--	--	\$32,750	TBD	\$32,750	TBD
		DMS Development	--	--	\$7,880	TBD	\$7,880	TBD
1	4	NCDM GSP Development	\$0	\$0	\$0	\$0	\$0	\$0
1	5	Grassland GSP Development	\$0	\$0	\$0	\$0	\$0	\$0
1	6	Farmers WD GSP Development	\$0	\$0	\$0	\$0	\$0	\$0
1	7	Aliso WD GSP Development	\$0	\$0	\$0	\$0	\$0	\$0
1	8	Fresno Co. GSP Development	\$0	\$0	\$0	\$0	\$0	\$0
1	9	SJREC GSP Development	\$0	\$0	\$0	\$0	\$0	\$0
68	1	Grant Admin	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
68	10	Well Census and Inventory						
		Component Admin	\$4,300	\$4,300	--	--	\$4,300	\$4,300
		Stakeholder Engagement	--	--	\$3,200	\$3,200	\$3,200	\$3,200
		Study	--	--	\$92,500	\$92,500	\$92,500	\$92,500
68	11	Subsidence Characterization and Project Feasibility Determination						
		Component Admin	\$4,400	\$4,400	--	--	\$4,400	\$4,400
		Stakeholder Engagement	--	--	\$1,600	\$1,600		
		Study	--	--	\$94,000	\$94,000	\$94,000	\$94,000
68	4	NCDM GSP Development ²	\$0	\$0	\$41,666	\$41,666	\$41,666	\$41,666
68	5	Grassland GSP Development ²	\$0	\$0	\$41,666	\$41,666	\$41,666	\$41,666
68	6	Farmers WD GSP Development ²	\$0	\$0	\$41,666	\$41,666	\$41,666	\$41,666
68	7	Aliso WD GSP Development ²	\$0	\$0	\$41,666	\$41,666	\$41,666	\$41,666
68	8	Fresno Co. GSP Development ²	\$0	\$0	\$41,666	\$41,666	\$41,666	\$41,666
68	9	SJREC GSP Development ²	\$0	\$0	\$41,666	\$41,666	\$41,666	\$41,666
		TOTAL REMAINING	\$105,100	\$91,100	\$872,496	\$812,562	\$925,996	\$852,062
		W&C Prop 68 Grant Admin Fee:		\$57,406				
		Remaining Grant Admin Fee:		\$33,694				

Notes:

1. Submittal 6 has not yet been finalized
 2. Mix of project and admin funding; each GSP Group has option as to how to recover total fees.
- TBD - To Be Determined; invoices still pending

Prop 68 SGM Grant Budget by Component

Table 5B

Budget Categories	(a)	(b)	(c)
	Requested Grant Amount	Local Cost Share: Non-State Fund Source ²	Total Cost
Component 1: Grant Agreement Administration	\$50,000	\$0	\$50,000
Component 2: Well Census and Inventory	\$100,000	\$0	\$100,000
Component 3: Subsidence Characterization and Project Feasibility Determination	\$100,000	\$0	\$100,000
Component 4: Supplemental GSP Development Funding	\$250,000	\$0	\$250,000
Grand Total	\$500,000	\$0	\$500,000

Table 6B for Component 1: Grant Agreement Administration

Budget Categories	(a)	(b)	(c)
	Requested Grant Amount	Local Cost Share: Non-State Fund Source ²	Total Cost
(a) Direct Project Administration	\$50,000	\$0	\$50,000
Task 1. Project Management and Communications	\$50,000	\$0	\$50,000
Grand Total	\$50,000	\$0	\$50,000

Table 6B for Component 2: Well Census and Inventory

Budget Categories	(a)	(b)	(c)
	Requested Grant Amount	Local Cost Share: Non-State Fund Source ²	Total Cost
(a) Component Administration	\$4,300	\$0	\$4,300
Task 1. Project Management and Communications	\$4,300	\$0	\$4,300
(b) Stakeholder Engagement/Outreach	\$3,200	\$0	\$3,200
Task 1. Stakeholder Outreach and Communications	\$3,200	\$0	\$3,200
(c) GSP Development	\$92,500	\$0	\$92,500
Task 1. Access Agreement Template	\$2,500	\$0	\$2,500
Task 2. Well Census and Inventory	\$90,000	\$0	\$90,000
(d) Monitoring/ Assessment	\$0	\$0	\$0
Grand Total	\$100,000	\$0	\$100,000

Table 6B for Component 3: Subsidence Characterization and Project Feasibility Determination

Budget Categories	(a)	(b)	(c)
	Requested Grant Amount	Local Cost Share: Non-State Fund Source ²	Total Cost
(a) Component Administration	\$4,400	\$0	\$4,400
Task 1. Project Management and Communications	\$4,400	\$0	\$4,400
(b) Stakeholder Engagement/Outreach	\$1,600	\$0	\$1,600
Task 1. Stakeholder Outreach and Communications	\$1,600	\$0	\$1,600
(c) GSP Development	\$94,000	\$0	\$94,000
Task 1. Well Inventory Analysis	\$36,400	\$0	\$36,400
Task 2. Composite Well Investigation	\$10,800	\$0	\$10,800
Task 3. Identification and Analysis of Projects and Management Actions	\$11,200	\$0	\$11,200
Task 4. Characterization of Findings	\$17,200	\$0	\$17,200
Task 5. Feasibility Determination of Projects and Recommended Remediation Alternatives	\$18,400	\$0	\$18,400
(d) Monitoring/ Assessment	\$0	\$0	\$0
Grand Total	\$100,000	\$0	\$100,000

Table 6B for Component 4: Supplemental GSP Development Funding

Budget Categories	(a)	(b)	(c)
	Requested Grant Amount	Local Cost Share: Non-State Fund Source ²	Total Cost
(a) Component Administration	\$10,000	\$0	\$10,000
Task 1. Funding Coordination	\$10,000	\$0	\$10,000
(b) Stakeholder Engagement/Outreach	\$0	\$0	\$0
(c) GSP Development	\$240,000	\$0	\$240,000
Task 1. Northern and Central Delta-Mendota Region GSP Development	\$40,000	\$0	\$40,000
Task 2. Grassland Water District GSP Development	\$40,000	\$0	\$40,000
Task 3. Farmers Water District GSP Development	\$40,000	\$0	\$40,000
Task 4. Aliso Water District GSP Development	\$40,000	\$0	\$40,000
Task 5. Fresno County Management Area A & B GSP Development	\$40,000	\$0	\$40,000
Task 6. San Joaquin River Exchange Contractors GSP Development	\$40,000	\$0	\$40,000
(d) Monitoring/ Assessment	\$0	\$0	\$0
Grand Total	\$250,000	\$0	\$250,000



**San Luis & Delta-Mendota Water Authority
GSP Implementation for the Northern and Central Regions of the Delta-Mendota Subbasin**

Tasks	Assumptions - 21 month delivery window	Leslie Dumas	Leslie Dumas	Ian Jaffe	Ian Jaffe	Kelsey Bradley	Admin.	Total Hours	Total Labor Costs (1)	Total Fee
		Project Manger	Project Manger (old)	Grant Admin	Grant Admin (old)	Grant Admin Support	Graphics and Support			
		\$315	\$282	\$227	\$221	\$192	\$132			
Grant Administration Support (Prop 1 and Prop 68)										
Task 1: Prop 1 Grant Admin Completion (work pushed back due to extension)								0	\$0	\$0
Task 2: Prop 68 Quarterly Progress Reports and Reimbursement Requests	<i>4 quarters (2 quarters in 2020; 2 quarters in 2021 - assume some consolidated/streamlined reports)</i>	5		32		32		69	\$14,983	\$14,983
Task 3: Prop 68 and Prop 1 Final Component Reports, Final Proposal Report and Close-Out		12	6	24	28			70	\$17,108	\$17,108
Task 4: Final Grant Agreement Amendment (if required)	<i>required if necessary to recover all grant funds</i>			8				8	\$1,816	\$1,816
Task 5: Grant-related Communications	<i>General communication; deliverable schedule</i>	12		32			20	64	\$13,684	\$13,684
Contingency (for additional coordination/reports)		5		16		24		45	\$9,815	\$9,815
Subtotal:		29	6	96	28	32	20	211	\$47,591	\$47,591
Subtotal w/Contingency:		34	6	112	28	56	20	256	\$57,406	\$57,406
Prop 1 Grant Admin (Rolled Over)		0	0	0	0	0	0	0	\$0	\$0
Prop 68 Grant Admin		29	6	96	28	32	20	211	\$47,591	\$47,591
Prop 68 Grant Admin Contingency		5	0	16	0	24	0	45	\$9,815	\$9,815
TOTAL		34	6	112	28	56	20	256	\$57,406	\$57,406

1. The individual hourly rates include salary, overhead and profit.
2. Subconsultants will be billed at actual cost plus 10%.
3. Other direct costs (ODCs) such as reproduction, delivery, mileage (rates will be those allowed by current IRS guidelines), and travel expenses, will be billed at actual cost plus 10%.
4. RMC reserves the right to adjust its hourly rate structure and ODC markup at the beginning of the calendar year for all ongoing contracts.
5. All work to be completed between May 2020 and January 2022.

[Delta-Mendota Subbasin GSP logos]

May XX, 2020

Doug Welch
General Resources Manager
Chowchilla Water District GSA
327 S Chowchilla Blvd
Chowchilla, CA 93610

Re: Delta-Mendota Subbasin GSP Group Representatives' Comments on the Chowchilla Subbasin Groundwater Sustainability Plan

Dear Mr. Welch,

Representatives from the Delta-Mendota Subbasin have coordinated a comment letter in response to the final Chowchilla Subbasin Groundwater Sustainability Plan (Chowchilla GSP). Two inter-basin coordination meetings were held in the fall of 2019 with attendance from Delta-Mendota and Chowchilla Subbasin GSAs and technical representatives. To build on these past discussions, representatives from the Delta-Mendota Subbasin have identified content and methodologies in the final Chowchilla GSP that may impede the Delta-Mendota Subbasin's ability to achieve groundwater sustainability. The three topics outlined in this letter have either been discussed in past inter-basin meetings or have been addressed in previous comment letters shared with the Chowchilla Subbasin during the public draft GSP comment period.

1. A primary concern for the Delta-Mendota Subbasin is subsidence, which is an imminent challenge not only for the Delta-Mendota Subbasin but for the greater San Joaquin Valley as a whole. Representatives from the Delta-Mendota Subbasin are concerned that the sustainable management criteria outlined in the Chowchilla GSP do not adequately address the impacts of groundwater extraction on regional subsidence. The undesirable result for land subsidence in the Chowchilla Subbasin Western Management Area is defined as "50 percent of Western MA Lower Aquifer wells below minimum threshold for two consecutive fall measurements" (Chowchilla GSP p. ES-12). No sustainable management criteria are identified for the Eastern Management Area; this management area instead relies on an annual review of subsidence surveys conducted by others. The identified and unidentified sustainable management criteria for subsidence in the Chowchilla Subbasin risk exposing greater negative impacts for adjacent subbasins, including the Delta-Mendota Subbasin.

2. Another topic of concern for the Delta-Mendota Subbasin is groundwater levels. Based on sustainable management criteria included in the Chowchilla GSP, members from the Delta-Mendota Subbasin are concerned about negative impacts to groundwater levels in the Delta-Mendota Subbasin. The minimum threshold for chronic lowering of groundwater levels in the Chowchilla GSP risk direct impacts to groundwater levels and groundwater storage in the Delta-Mendota Subbasin. The Chowchilla GSP explains that groundwater levels in the Chowchilla Subbasin will continue to decline, with future lows anticipated between 2030 and 2040. The GSP explains that groundwater levels are not anticipated to rebound until after 2040, once all projects and management actions are implemented (Chowchilla GSP p. 3-11). This determination risks impacts to sustainability indicators within the Delta-Mendota Subbasin through the depletion of groundwater levels throughout the Delta-Mendota Subbasin.
3. The evaluation of interconnected surface water in the Chowchilla Subbasin is another sustainability indicator of concern to members of the Delta-Mendota Subbasin. The Chowchilla GSP explains that there is no hydraulic connection between surface water and groundwater under existing conditions, noting that connection between regional groundwater levels and stream channel bottoms existed prior to 2008 but this connection did not exist under 2015 conditions. The Chowchilla GSP justifies its lack of sustainable management criteria for this indicator since SGMA does not require restoration of conditions prior to January 2015. Representatives from the Delta-Mendota Subbasin request that the Chowchilla GSP demonstrate that extractions in the upper aquifer are not inducing and exacerbating existing seepage in the San Joaquin River. Although SGMA does not require restoration of conditions prior to January 2015, excessive extractions in the upper aquifer broke the existing connection with the San Joaquin River and reversed the natural gradient of groundwater away from the San Joaquin River. This break is a consideration in the factors that affected downstream senior water rights holders in 2015 when curtailments were issued by the State Water Resources Control Board. With the anticipated continued drawdown of groundwater levels through 2040, members of the Delta-Mendota Subbasin are concerned that the reduction in flows from the relationship between the San Joaquin River and the Chowchilla Subbasin may be exacerbated. Without sustainable management criteria in place, members of the Delta-Mendota Subbasin are concerned about depletion of active flow in the San Joaquin River and negative impacts to CVP contractors throughout the entire Delta-Mendota Subbasin. The Chowchilla GSP's approach to this sustainability indicator also poses a risk for other surface water (creeks and streams) throughout the Chowchilla Subbasin that could have the ability to contribute to flows of the San Joaquin River.

The final Chowchilla GSP included responses to previously submitted comments, including those submitted from the Delta-Mendota Subbasin, and shares intention to coordinate with Delta-Mendota Subbasin representatives moving forward in implementation. Representatives from the Delta-Mendota Subbasin will continue to seek opportunities for inter-basin coordination and discussion with members from the Chowchilla Subbasin to work toward approaches, methodologies, and data gap filling that are mutually beneficial for the subbasins' water uses and users. Continued communication and collaboration will support both subbasins' efforts toward groundwater sustainability and the prevention of any adverse effects on adjacent subbasins for plan implementation or achievement of sustainability goals.

Sincerely,

*Confirm signatories → all 8 CC members or Seth/SLDMWA on behalf of the Subbasin representatives?

[Delta-Mendota Subbasin GSP logos]

May XX, 2020

Hicham Eltal
Merced Subbasin GSP
Merced Irrigation District
744 W 20th Street
Merced, CA 95340

Re: Delta-Mendota Subbasin GSP Group Representatives' Comments on the Merced Subbasin Groundwater Sustainability Plan

Dear Mr. Eltal,

Representatives from the Delta-Mendota Subbasin have coordinated a comment letter in response to the final Merced Subbasin Groundwater Sustainability Plan (Merced GSP). Two inter-basin coordination meetings were held in the summer and fall of 2019 with attendance from Delta-Mendota and Merced Subbasin GSAs and technical representatives. To build on these past discussions, representatives from the Delta-Mendota Subbasin have identified content and methodologies in the final Merced GSP that may impede the Delta-Mendota Subbasin's ability to achieve groundwater sustainability. The three topics outlined in this letter have either been discussed in past interbasin meetings or have been addressed in previous comment letters shared with the Merced Subbasin during the public draft GSP comment period.

1. A primary concern for the Delta-Mendota Subbasin is subsidence, which is an imminent challenge not only for the Delta-Mendota Subbasin but for the greater San Joaquin Valley as a whole. Representatives from the Delta-Mendota Subbasin have expressed concern regarding the identified sustainable management criteria included in the Merced GSP. The minimum threshold is -0.75 ft/yr, the measurable objective is -0.25 ft/yr, and the undesirable result is defined as, "Exceedance of the minimum threshold at 3 or more representative sites for 2 consecutive years" (Merced GSP ES-5). While the Merced GSP acknowledges subsidence as an area of concern and references impacts to infrastructure, the identified sustainable management criteria risks greater impacts to regional water conveyance and infrastructure.
2. The Merced GSP does not identify sustainable management criteria for groundwater storage in the Merced Subbasin. Representatives in the Delta-Mendota Subbasin are

concerned that lack of criteria in the Merced Subbasin may negatively impact groundwater levels and storage within the Delta-Mendota Subbasin.

3. A third topic of concern within the Merced GSP is the sustainable management criteria for groundwater levels. The minimum threshold is defined as, “Depth of shallowest well in a 2-mile radius of each representative well or minimum pre-January 1, 2015, evaluation,” and the undesirable results is defined as, “Greater than 25% of representative wells fall below MT in 2 consecutive wet, above normal, or below normal years” (Merced GSP ES-5). While the comment section of the final Merced GSP explains that the Merced Subbasin GSAs determined these criteria in line with DWR’s Best Management Practices, and that the Merced GSAs “intend to manage the Subbasin to the measurable objective by monitoring conditions and taking actions if progress toward the measurable objectives is not occurring” (Appendix O p. 11), representatives from the Delta-Mendota Subbasin have concern that this approach may still result in negative impacts due to groundwater level depletions during dry years. This approach may have impacts to groundwater levels in neighboring Delta-Mendota Subbasin GSAs.
4. Groundwater levels are used as a proxy for the interconnected surface water sustainability indicator. This is another area of interest and concern to representatives from the Delta-Mendota Subbasin. The concern of negative impacts to groundwater levels based on the defined undesirable result for this indicator also risks impacts to the interconnected surface water sustainability indicator. With the shared subbasin border of the San Joaquin River, representatives from the Delta-Mendota Subbasin are concerned that the current sustainable management criteria for interconnected surface water may deplete active flows through the San Joaquin River. This determination may significantly affect water users and CVP contractors in the entire Delta-Mendota Subbasin.

The final Merced GSP included responses to previously submitted comments, including those submitted from the Delta-Mendota Subbasin, and shares an intention to continue to coordinate during implementation. Representatives from the Delta-Mendota Subbasin will continue to seek opportunities for inter-basin coordination and discussion with members from the Merced Subbasin to work toward approaches, methodologies, and data gap filling that are mutually beneficial for the subbasins’ water uses and users. Continued communication and collaboration will support both subbasins’ efforts toward groundwater sustainability and prevention of any adverse effects on adjacent basins for plan implementation or achievement of sustainability goals.

Sincerely,

*Confirm signatories → all 8 CC members or Seth/SLDMWA on behalf of the Subbasin representatives?

DRAFT

May 15, 2020

Mr. Craig Altare, Supervising Engineering Geologist

Department of Water Resources

901 P Street, Room 213

Sacramento, C 94236

Dear Mr. Altare:

The Farmers Water District (FWD) groundwater sustainability agency (GSA) in the Delta Mendota Subbasin adjoins the McMullin Area GSA (MAGSA) located in the Kings Subbasin. The Board of Directors of the FWD GSA have serious concerns regarding the impacts that the implementation of the MAGSA groundwater sustainability plan (GSP) may have on the FWD GSA sustainability goal and the implementation of the FWD groundwater sustainability plan (GSP). Following the development of the draft MAGSA GSP, FWD had engaged in discussions with MAGSA regarding the MAGSA GSP monitoring network, sustainable management criteria and the potential impacts on FWD. The adopted MAGSA GSP submitted to the Department of Water Resources did not address the concerns raised by FWD in these meetings other than to pursue future coordination and cooperation in monitoring efforts. This letter summarizes the specific concerns regarding the MAGSA GSP which are described below.

Definition of Undesirable Results

The definition of undesirable results in Section 4.2.1 of the MAGSA GSP for groundwater levels is the following:

“... when either the water level has declined to a depth that a new productive well cannot be constructed, or when the water level has declined to a depth that water quality cannot be treated for beneficial use.”

The very next sentence states:

“As defined by the Basin, the Undesirable Result in much of the Basin is actually below the elevation of the Minimum Threshold.”

This definition of undesirable results allows MAGSA and other GSAs in the Kings Subbasin to essentially dewater the aquifer system before an undesirable result is determined. This definition renders the establishment of quantitative minimum thresholds mute and allows MAGSA the flexibility to continue the historic and current overdraft conditions in the Kings Subbasin without any constraints.

Impacts on adjacent Subbasins

The MAGSA GSP does not include any analysis on how the definition of undesirable results or minimum thresholds would have on the ability of the FWD GSA to implement the FWD GSP to maintain sustainable groundwater conditions in the planning and implementation horizon from 2020 through

2070. This is a great concern to FWD due to the significant influence groundwater pumping in neighboring GSAs can impact groundwater levels underlying FWD and sustainability efforts.

Data Gaps

Hydrologic Base Period Selection for MAGSA versus rest of Kings Subbasin should be different due to lack of surface water deliveries. Base period selection is a relatively wet hydrologic period based on rainfall which is a more appropriate hydrologic criteria than surface water deliveries since MAGSA is solely dependent on GW with no surface water deliveries.

Measurable Objectives

MAGSA selects MOs based on a continuation of historical overdraft conditions projected until the year 2040. These downward trends essentially under predict rates of decline from 2020 to 2040 because the rate of decline is derived from an overly wet historical base period.

Section 4.2.2.3 Impacts on Adjacent Basins

This section does not focus on MAGSA, rather it discusses the Kings Subbasin as a whole. MAGSA does not provide any analysis of the impact of selected MOs and MTs on adjacent basins and this section focuses more on impacts on the Kings Subbasin as a whole (and not MAGSA as a GSA) from adjacent basins based on 1925 pre development conditions which are irrelevant to SGMA. FWD did provide MAGSA with FWD MOs and MTs during the comment period for the draft MAGSA GSP, however, that data was not utilized to assess how MAGSA MO and MTs would impact FWD's sustainability efforts.

Section 4.3 Groundwater Storage

The MAGSA GSP mischaracterizes the decline in groundwater storage sustainability indicator by using aquifer storage instead. This misinterpretation of the sustainability indicator does not provide useful information to assess the impacts of "change in storage" on FWD groundwater conditions.

Section 4.6 Subsidence

MAGSA does not provide any specific methodology as to how the MOs and MTs were developed. Figure 4-3 shows a geographic depiction of land subsidence throughout the Kings Subbasin for the period from 2015 to 2017 which was a relatively wet period. Despite the fact that the period shown ends in a wet year, subsidence is shown occurring in the northwest portion of MAGSA and in the southwest portion of Magasa. This would indicate that despite the fact that 2017 was a wet year, lower aquifer pumping was conducted in MAGSA, resulting in subsidence. This subsidence map figure provides evidence that pumping from the lower aquifer occurs in the Kings Subbasin, despite the MAGSA GSP stating that there is little information on well construction or aquifer specific groundwater pumping. This section of the GSP also does not describe how MAGSA groundwater pumping from the lower aquifer that results in subsidence could propose to FWD. Subsidence is a high profile concern to FWD as it is constrained by legal and regulatory requirements to minimize subsidence to surrounding infrastructure such as the

Mendota Dam. Pumping induced subsidence from MAGSA should be addressed in greater detail on surrounding Subbasins and FWD.

Section 4.7 Interconnected Surface Water

The MAGSA GSP recognizes that periodic connectivity may exist between the San Joaquin river and underlying groundwater in the MAGSA, however, due to a lack of data MAGSA concludes this sustainability indicator is not applicable to MAGSA. The lack of data indicates a data gap that should be addressed to collect seasonal data to evaluate the existence of interconnectivity. The data evaluated by MAGSA in the base period likely preceded any meaningful data collection efforts that resulted from the implementation of the SJRRP and also the reoperation of the SJR as a result of the SJRRP. Due to the MAGSA pumping of groundwater from the Upper Aquifer, the MAGSA GSP should identify this lack of data as a data gap. This is important to FWD since MAGSA pumping impacts on SJR flows could be attributed to others, such as FWD, should MAGSA disregard monitoring of interconnected surface water.

Section 7 Plan Implementation

The schedule for GSP implementation does not address data gaps in monitoring. The existing monitoring network is not aquifer specific due to a lack of well construction information. There is a brief mention of the lack of aquifer specific monitoring and a need to address that shortcoming in Section 5, especially in areas of MAGSA where the A-Clay and Corcoran Clay exists in the northern portion of MAGSA near FWD. The need to address this data gap in a timely fashion early in the GSP implementation process is extremely important to FWD in order to assess both upper and lower aquifer conditions.

MAGSA is planning on implementing the vast majority of their projects and management actions during the last half of the 2020 to 2040 period due to lack of funding, environmental review and other factors. MAGSA is not considering the implementation of demand reduction to a significant degree as a management action that can be implemented in the early stages of the implementation schedule while waiting on supply enhancement projects to be funded and implemented. This approach would dramatically reduce the expected impact of MAGSA GSP implementation on FWD as a function of the projected continued decline in groundwater levels that MAGSA is proposing until 2040.

Delta-Mendota Subbasin Coordination Committee

April 13, 2020

Legal cost estimates for CSPA v. SLDMWA, et al. (Delta-Mendota Subbasin)

1. Costs already incurred by the SLDMWA for coordination efforts by in house counsel and outside counsel (Baker Manock & Jensen)
 - \$7,485
2. Budget for Additional DM Coordination Costs – Coordinating with other legal counsel for GSAs in the Delta-Mendota Subbasin and draft potential stipulations/stays with other legal counsel:
 - Approximately 10 hours at \$345 and 0.5 at \$500 = \$3,700
3. Costs for representation of SLDMWA in the litigation/trying to remove SLDMWA from the litigation:
 - \$1,000 - \$12,500 (depending on what is required based on legal strategy)

Total estimated legal cost range: \$12,185 - \$23,685