

Delta-Mendota Subbasin Coordination Committee

Tuesday, November 5, 2019, 1:00 PM
San Luis & Delta-Mendota Water Authority Boardroom
842 6th Street, Los Banos, CA

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 Kiriakou – Merced County/Central Delta-Mendota Region
Jarrett Martin – Central California Irrigation District/SJREC
Alejandro Paolini – San Luis Canal Company/SJREC (Phone)
Jim Stilwell – Farmers Water District
Augustine Ramirez – Fresno County
Ric Ortega – Grassland Water District
Joe Hopkins – Aliso Water District/Provost & Pritchard (Phone)

San Luis & Delta-Mendota Water Authority Members Present

Seth Harris
Andrew Garcia
Claire Howard – Provost & Pritchard (Phone)

Others Present

Kyle Hill – Central California Irrigation District
Chris Rogers – Central California Irrigation District
Will Halligan – Luhdorff & Scalmanini Consulting Engineers (Phone)
Lauren Layne – Baker, Manock & Jensen (Phone)
Adam Scheuber – Del Puerto Water District (Phone)
Leslie Dumas – Woodard & Curran (Phone)
Christina Guzman – Fresno County (Phone)
Rick Iger – Provost & Pritchard (Phone)

1. Call to Order/Roll Call

Ben Fenters/SLWD called the meeting to order at 1:01 PM.

2. Committee to Consider Corrections or Additions to the Agenda of Items, as authorized by Government Code Section 54950 et seq.

The Committee discussed briefly delaying Action Item #6 until all Coordination Committee members were present. By the time the Committee reviewed and voted on this item, all Coordination Committee members were in attendance.

3. Opportunity for Public Comment

No public comments were received.

4. Committee to Consider Approval of October 14, 2019 Coordination Committee Meeting Minutes

The Committee approved the minutes from the October 14, 2019 Coordination Committee meeting with the addition that Jim Stilwell/Farmers WD called into the meeting. Ric Ortega/Grassland provided the motion, and Ben Fenters/SLWD seconded. The motion was passed unanimously.

5. Committee to Consider Approval of September 2019 Budget to Actual Report, Garcia/Neves

Andrew Garcia/SLDMWA provided an overview of the budget to actual report. He noted that he is expecting to have more updated invoices from Woodard & Curran for next month's report. The Committee approved the budget to actual report; Ric Ortega/Grassland provided the motion and Jarrett Martin/SJREC seconded. The motion was passed unanimously.

6. Committee to Consider Approval of Fiscal Year 2021 Coordinated Cost Estimate, Garcia

Andrew Garcia/SLDMWA gave an explanation of the Fiscal Year 2021 Coordinated Cost Estimate. The estimate was prepared with partially burdened rates as directed by the Water Authority. Andrew noted that he has estimated that we will keep the same number of meetings moving forward. This estimate is the same version that was presented during the October 14th Coordination Committee meeting. He is now seeking approval of this budget.

Additional discussion was held regarding the review of neighboring subbasins' GSPs, and the need to submit letters of concern. Andrew noted that based on previous conversations with the Madera Subbasin during interbasin GSP review, the Delta-Mendota Subbasin will be applying for Facilitation Support Services through DWR to support ongoing interbasin meetings and coordination.

The Committee approved the Fiscal Year 2021 Coordinated Cost Estimate. Jarrett Martin/SJREC provided the motion and Ric Ortega/Grassland seconded. After a roll call vote for members attending by phone, all members voted in favor and the motion passed unanimously.

7. Committee to Discuss GSP Uploading Process and Timeline, Dumas/Garcia

Based on the estimated time for GSP upload to the DWR website, Andrew Garcia/SLDMWA asked the Committee to provide their individual GSP target dates for adoption and upload. As the Delta-Mendota Subbasin Plan Manager, Andrew will not be able to finalize the submittal until all six GSPs have been uploaded. The group discussed when uploading can begin. Andrew noted that DWR has not released the upload form yet, so GSP upload will have to wait at this time. It was also discussed that it may be a good idea to have a complete hardcopy set of the Subbasin's GSPs to deliver to DWR in the case that their website is down and the GSPs can't be uploaded. The Committee also discussed asking Kirsten Pringle with Stantec to walk through the GSP upload process once DWR shares more information.

8. Committee to Review and Discuss Updated Coordination Agreement Implementation Guidelines, Garcia

Andrew Garcia/SLDMWA noted that there have been some changes to the Coordination Agreement Implementation Guidelines since the Committee last reviewed this document. Recent edits were provided by Lauren Layne/BMJ and from some Committee members' comments at the last meeting. Andrew also clarified that the Implementation Guidelines will not be an attachment to the Coordination Agreement or any GSP, nor will it be a formal policy or legal document; the Guidelines will be an internal guidance document that will support the Subbasin's path forward.

The group also discussed that this version of the Implementation Guidelines provides an avenue for GSA or GSAs to develop voluntary agreements if another GSA fails to comply with its responsibilities. Andrew also noted that should there be a dispute between members, the Coordination Agreement has language regarding dispute resolution, and the Implementation Guidelines do not need to address this concern. After additional discussion, the Committee agreed to this approach.

Coordination Committee members were asked to provide any additional input they have on the Implementation Guidelines. They will consider approval of these Guidelines during the December 9th Coordination Committee meeting.

9. **Committee to Receive Update on Recent Applications, Garcia/Dumas**
 - a. Proposition 68 Grant Submission
 - b. DWR TSS Applications

The Committee discussed recent updates for applications within the Delta-Mendota Subbasin. Leslie Dumas/W&C noted that the Proposition 68 Grant Application is complete. She is now only waiting for a letter of support from the Tracy Subbasin to complete the application package. She also asked members for any additional stormwater-related projects to include in the Westside-San Joaquin Integrated Regional Water Management Stormwater Resources Plan (IRWM SWRP).

Andrew Garcia/SLDMWA noted that Technical Support Services (TSS) applications have been submitted to DWR on behalf of West Stanislaus ID, Patterson ID, and Grassland WD. SLDMWA is now waiting for a response from DWR for the next steps. Andrew also asked members to contact him if anyone else is interested in submitting an application.

10. **Committee to Discuss Availability for Groundwater Contouring Meetings and Necessary Data, Garcia**

DWR requires that each subbasin provides groundwater contour maps for the upper and lower aquifer through Spring 2019 to report change of storage in the 2020 Annual Reports. All other reporting information is required through Fall 2019, including information on use and supply, which needs to be collected through September 2019 for Annual Report purposes. The Committee also discussed the anticipated timing of Annual Report development and the desire to confirm reporting timeframes with DWR.

Coordination Committee and Technical Working Group members attending ACWA will meet to begin the development of groundwater contouring maps. The next meeting will be held December 9th at 1:00 PM, following the next Coordination Committee meeting.

11. **Committee to Discuss Interbasin Meetings and Adjacent GSPs, Garcia**

Andrew Garcia/SLDMWA shared updates from recent interbasin meetings with representatives from Chowchilla and Madera Subbasins. He stated that the Delta-Mendota Subbasin expressed concerns with the Chowchilla and Madera GSPs, and that representatives from the Delta-Mendota Subbasin should consider creating a short agreement that will support future interbasin coordination between these subbasins.

Andrew stated that the Delta-Mendota Subbasin doesn't want DWR to reject the Subbasin's six GSPs because of differences between the Delta-Mendota Subbasin's plans and adjoining subbasins' GSPs. Jarrett Martin/SJREC added that the Chowchilla and Madera GSPs pose the risk of lowering groundwater levels which will result in lower water levels in the Delta-Mendota Subbasin. Andrew reiterated that the Delta-Mendota Subbasin's Facilitation Support Services application can support future interbasin coordination regarding the Chowchilla and Madera GSPs.

Andrew noted that the Delta-Mendota Subbasin's first step is to get DWR to accept the Delta-Mendota Subbasin's GSPs, but over the next two years while DWR reviews the GSPs submitted by January 2020, other GSPs may continue to do damage to the Delta-Mendota Subbasin. The Committee discussed having Leslie Dumas/W&C review adjacent subbasins' GSPs that have the potential to impact the Delta-Mendota Subbasin. Additional discussion was held regarding when the Delta-Mendota Subbasin will submit comments, either during public comment periods on public draft GSPs, during public adoptions, or during DWR's formal comment period. A workshop will be held in February with Coordination Committee and Technical Working Group members to develop and review comments on adjacent plans.

12. Next Steps

- SLDMWA will follow-up with Kirsten Pringle from Stantec about her availability to provide an overview of the GSP upload process during the December 9th meeting, and also to discuss the option of printing the six GSPs
- All GSP groups will review their anticipated adoption and upload timelines and confirm these dates with SLDMWA
- Coordination Committee members will provide any additional input they have on the Coordination Agreement Implementation Guidelines prior to considering approval of this document during the December 9th meeting
- Additional confirmation with DWR regarding reporting timeframes for the 2020 Annual Reports
- A February workshop will be held for Coordination Committee and Technical Working Group members to develop and review comments on adjacent subbasins' GSPs during DWR's 60-day public comment period.

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

No additional topics were discussed under this item.

14. ADJOURNMENT

The meeting was adjourned at 2:23 PM.

DRAFT 5
Delta-Mendota Subbasin
Implementation Policy Guidelines

November 25, 2019 DRAFT

Approved by the Coordination Committee on _____, 2020

(WORKING DRAFT – SUPPORTING TEXT AND EXAMPLES NOT INCLUDED IN THIS VERSION)

Preamble

In Subbasins with multiple Groundwater Sustainability Plans (GSPs), the Sustainable Groundwater Management Act requires the GSPs to be coordinated through a coordination agreement. The purpose of the Coordination Agreement for the Delta-Mendota Subbasin, and its attachments, is to comply with the SGMA requirements and to ensure that the GSPs in the Delta-Mendota Subbasin are developed and implemented utilizing the same methodologies and assumptions, that the elements of the GSPs are appropriately coordinated to support sustainable management, and to ultimately set forth the information necessary to show how multiple GSPs in the Subbasin will achieve the sustainability goal as determined for the Subbasin.

The following are Delta-Mendota Subbasin Implementation Policy Guidelines (the “Guidelines”) to provide further guidance on implementation efforts between the six GSPs in the Delta-Mendota Subbasin. The intent of these Guidelines is to support these GSP groups in implementing their respective GSPs in a coordinated manner and to uphold compliance with SGMA regulations throughout the implementation timeline. Coordination Committee members will review these Guidelines annually throughout GSP implementation for added considerations, potential future Coordination Agreement amendments, and to ensure that these Guidelines continue to allow the GSP groups to pursue the objectives set forth in their respective Plans.

1. Coordination

- a. Regular meetings with Delta-Mendota Subbasin GSAs and Coordination Committee.
 - i. Provide regular feedback on the development of policies and implementation of GSPs and projects that are listed in a GSP or could impact other GSAs or GSPs.
 - ii. When updates to a portion or portions of a GSP occurs, a GSA or GSP group shall provide updates to the Coordination Committee on potential impacts to coordination of GSPs, including, but not limited to the following: water budget determinations, sustainable management criteria, and sustainability goals.
- b. Regular meetings with adjoining subbasins.
- c. The governance of the Coordination Committee, allocation of costs per the Cost Sharing Agreement, and voting structure are to remain the same as described in the December 12, 2018 executed Coordination Agreement, as amended.

2. Technical Memoranda and Common Chapter

- a. The common sections will be implemented and updated, as necessary, by the Coordination Committee and its subcommittees and/or workgroups

3. Representative Monitoring Networks

- a. Development and implementation of monitoring networks – GSP or GSA-specific.
 - i. Allow for feedback to ensure they are adequate for all purposes related to SGMA regulations and coordination;
 - ii. Provide sufficient detail on how data gaps will be progressively filled.
- b. Within the first five years of GSP implementation, the GSAs will conduct the work necessary to substantially improve the estimates and assumptions developed for determining their water budgets.

4. Interconnected Surface Waters

- a. Individual GSAs and agencies understand seepage and stream depletion estimates were completed using best available science and data. Where data gaps exist, the individual GSAs and agencies will conduct the work necessary to substantiate or improve the estimations and assumptions developed for determining their water budgets.
 - i. Nothing in this part, or in any GSP adopted pursuant to this part, determines or alters surface water rights or groundwater rights under common law or any provision of law that determines or grants surface water rights.
- b. GSAs will estimate San Joaquin River seepage and quantify the effects on stream flows, where necessary and when applicable.
- c. Parties to the Coordination Agreement and individual GSAs will coordinate and consider recommendations from other Delta-Mendota Subbasin GSAs during development of monitoring networks and data for analyses.

5. Subsidence Measurement, Investigation, and Potential Future Remediation

- a. The Delta-Mendota Subbasin was categorized as ‘critically overdrafted’ by the California Department of Water Resources due to land subsidence and subsidence-related impacts. Parties to the Coordination Agreement and individual GSAs in or around known subsidence areas agree to undergo focused analyses or studies, including but not limited to the following; estimations or direct measurement of groundwater extractions by principal aquifer, water level measurements, geologic investigations, a well identification or inventory program, power usage studies, and benchmark installation.
- b. GSAs will utilize results of focused studies or analyses to develop preventative policies for anticipated future subsidence or to mitigate results of land subsidence due to groundwater pumping.
 - i. Policies or Management Actions may include mandatory extraction measurements, water level measurements, well operational criteria, recharge projects, subsidence mitigation charges, demand management, or supplemental water purchases.

6. Annual Report Development

- a. Collaborative process for developing Annual Reports to ensure regulatory requirements are met and the reports provide sufficient details for neighboring GSAs to understand implementation of GSPs at the local level.

- b. Develop methods for determining groundwater extractions by beneficial use type. The approach or methodology for determining groundwater extractions for each beneficial use should consider approved estimating methodologies or direct measurement methods.

7. Coordinated Data Management System

- a. After initial upload of representative monitoring network data, the Coordination Committee will ensure the data is stored and managed in a coordinated manner throughout the Subbasin and is reported to DWR as required.

8. Collaborative Accountability and Enforcement

- a. Parties to the Coordination Agreement agree to exercise their best efforts and utmost good faith to effectuate all the terms and conditions of the Coordination Agreement and these Implementation Guidelines. All parties will participate in activities and utilize instruments necessary to implement the Subbasin GSPs.
 - i. Completion of Annual Reports
 - ii. Collaborative partnerships should be formed when possible to facilitate innovative solutions for project development and to reach the Subbasin sustainability goal
 - iii. Transparency and data sharing should be common practice and all parties shall provide data and progress toward sustainability goals when requested
 - iv. Incentivize regional coordination for GSP implementation
- b. As a preferred alternative to State Board intervention, if a GSA fails to comply with its duties, a GSA or GSAs may develop voluntary agreements to support GSP implementation to maintain compliance with SGMA regulations.

Resolution R-XX-XX

AUTHORIZING AND DIRECTING THAT APPLICATION BE MADE TO OBTAIN A GRANT UNDER THE SUSTAINABLE GROUNDWATER MANAGEMENT GRANT PROGRAM'S PLANNING GRANT – ROUND 3 AND TO ENTER INTO AN AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES TO RECEIVE A GRANT FOR THE DELTA-MENDOTA SUBBASIN SUPPLEMENTAL GSP DEVELOPMENT PROPOSAL

WHEREAS, in 2014, the California Legislature passed and the Governor signed Senate Bills 1168 and 1319 and Assembly Bill 1739, known collectively as the Sustainable Groundwater Management Act of 2014 (SGMA); and,

WHEREAS, SGMA requires all high- and medium-priority groundwater Basins, as designated by the California Department of Water Resources (DWR) in Bulletin 118, to be managed under a Groundwater Sustainability Plan (GSP); and,

WHEREAS, SGMA requires a Groundwater Sustainability Plan (GSP) be developed and implemented for each medium- or high-priority basin by a Groundwater Sustainability Agency (GSA) or combination of GSA's; and,

WHEREAS, the Delta-Mendota Subbasin, DWR Basin No. 5-22.07 has, been designated by DWR as a high-priority critically overdrafted basin; and,

WHEREAS, the **ENTITY NAMES** has formed the **GSA NAME** Groundwater Sustainability Agency (**GSA NAME** GSA) in the Delta-Mendota Subbasin in accordance with SGMA; and,

WHEREAS the combined boundaries of the 23 Delta-Mendota Subbasin GSAs cover the entire Delta-Mendota Subbasin; and,

WHEREAS, the California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access For All Act of 2019 (Proposition 68) was passed by the voters of California on June 5, 2018 to provide grants for the development and implementation of groundwater plans and projects; and,

WHEREAS, the **GSA NAME** GSA is eligible to apply for funding under Proposition 68.

NOW, THEREFORE, BE IT RESOLVED by the **GSA NAME** Groundwater Sustainability Agency, as follows:

1. That application be made by the West Stanislaus Irrigation District GSA, on behalf of the **GSA NAME** GSA, to the California Department of Water Resources to obtain a grant under the 2019 Sustainable Groundwater Management (SGM) Grant Program Planning – Round 3 Grant pursuant to the 2018 California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act (Proposition 68) (Pub. Resources Code, § 80000 et seq.), and if such grant funding is awarded, to enter into an agreement on behalf of the Delta-Mendota Subbasin GSAs to receive said grant funds to be used in the manner described in the grant application titled, " Delta-Mendota Subbasin Supplemental GSP Development Proposal."

2. The West Stanislaus Irrigation District GSA is hereby authorized and directed to compile the necessary data and investigations, file such application, and if grant funds are awarded to execute the grant agreement and all documents related to the grant agreement with California Department of Water Resources.

The foregoing Resolution was introduced **at a special meeting of the GSA NAME GSA** on the **XXth day of Month 20XX**. A motion was made and seconded to adopt the foregoing Resolution. Motion carried and the Resolution was adopted.

PASSED and ADOPTED this **XXth day of Month, 20XX** by the following vote of the **ENTITY PASSING THE RESOLUTION**, to wit:

AYES:

NOES:

ABSENT:

ATTEST: **NAME, Position,**

NAME