



**Central Delta-Mendota Groundwater Sustainability Agency
Quarterly Meeting**

Thursday July 7, 2022, 1:00 PM

IN PERSON:

**Board Room, Santa Nella County Water District
12931 S Hwy 33, Santa Nella, CA 95322**

CONFERENCE LINE:

Call-in (866) 705-2554

Passcode: 53629

MEMBER AGENCIES

Eagle Field Water District	Pacheco Water District
County of Fresno	Panoche Water District
Fresno Slough Water District	San Luis Water District
County of Merced	Santa Nella County Water District
Mercy Springs Water District	Tranquillity Irrigation District

AGENDA

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the District provide a disability-related modification or accommodation in order to participate in any public meeting of the District. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the District. Requests for such assistance, and for agendas and agenda packets, shall be made in person, by telephone, facsimile, or written correspondence to the District office at least 48 hours before a public District meeting.

Documents and material relating to an open session agenda item that are provided to the Board of Directors of the Central Delta-Mendota Groundwater Sustainability Agency less than 72 hours prior to a regular meeting will be available for public inspection and copying at Santa Nella County Water District, 12931 S Hwy 33, Santa Nella, CA 95322. The revised GSP including revised Common Chapter for the public hearing will **not** be printed for the board packet and is available at the web link provided on the agenda.

Members of the public may directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of section 54954.2 of the Brown Act. The legislative body may limit the total time allocated for public testimony on particular issues and for each individual speaker. [Government Code section 54954.3]

Pursuant to the Brown Act, persons attending an open and public meeting shall have the right to record the proceedings with an audio or video tape recorder as long as the recording does not disrupt the meeting. [Government Code section 54953.5 (a)] Any person desiring to record by audio and/or video should inform the Board President at Item 1B, Public Comment, that the meeting will be recorded.

1. Call to Order

- A. Pledge of Allegiance.
- B. Public Comment. Each person may speak once, up to the time limit of three (3) minutes per person. Step to the lectern and state your name.

2. Approval of the Agenda

The Board will consider corrections to the Agenda of items requiring immediate action that have come to the attention of the Board after the posting of the Agenda

3. Consent Calendar

- A. The Minutes of the Quarterly Meeting held April 25, 2022 will be considered for approval, Montgomery
- B. Quarterly Financial Report, Montgomery

4. General Business

- A. Public Hearing to consider adoption of the Amended Northern & Central Delta Mendota Groundwater Sustainability Plan (GSP) and Common Chapter.
The Amended GSP and appendices including the Amended Common Chapter can be accessed at the following link: <http://deltamendota.org/revised-plan-2022/> They will not be printed for this meeting.
- B. Review and consider taking action to adopt Resolution No. 2022-02 Adopting the Amended Northern & Central Delta-Mendota Region Groundwater Sustainability Plan. Action item.
- C. Presentation, Discussion, and Direction of Cost-Share Revision for Member Contributions, Ramirez/Stadler. Action item.

5. Report Items

- A. Funding Opportunities
- B. Next Steps.
- C. Reports Pursuant to Government Code Section 54954.2(a)(3)

6. Adjourn Meeting

Quarterly Meeting of the Central Delta-Mendota GSA
Monday, April 25, 2022, 10:00 AM

Call in number: (833) 257-0102
Conference ID: 209-826-0920

Santa Nella County Water District
12931 S Hwy 33
Santa Nella, CA 95322

Central Delta-Mendota GSA Members and Alternates Present

Augie Ramirez, Alternate – Fresno County
Danny Wade, Alternate – Tranquillity Irrigation District and Fresno Slough Water District
Aaron Barcellos, Member – Pacheco Water District
Chase Hurley, Alternate – Pacheco Water District *
Mike Stearns, Member – Panoche Water District
Steve Stadler, Alternate – San Luis Water District*
Amy Montgomery, Member – Santa Nella County Water District

San Luis & Delta-Mendota Water Authority Representatives Present

John Brodie

Others Present

Lauren Layne – Baker, Manock & Jensen*
Joe Hopkins – Provost & Pritchard*

*indicates participated by phone

1. Call to Order

Aaron Barcellos/Pacheco called the meeting to order at 10:06 AM. No public comment was shared.

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

No corrections or additions were made to the agenda of items.

3. GSA to Review and Take Action on Consent Calendar

a. Meeting Minutes

i. January 24, 2022 Quarterly Central Delta-Mendota GSA Meeting

b. Quarterly Financial Report, Montgomery

The GSA considered approval of the consent calendar. Danny Wade TID and FSWD provided the motion and Augie Ramirez/Fresno County seconded. The GSA voted by roll call; the motion was passed unanimously by those present.

4. General Business

- a. John Brodie/SLDMWA reported that Claire Howard resigned her position with SLDMWA to take another position, and he noted that Claire served as the Central GSA Secretary. John Brodie was nominated to replace Claire as Secretary. Amy Montgomery/SNCWD provided the motion and Augie Ramirez seconded. The GSA voted by roll call; the motion was passed unanimously by those present.
- b. Committee members discussed options for cost share revisions for member contributions. Currently there is a 10 way even split. It was proposed that the cost share formula be updated to a 50% equal split and 50% based on groundwater extraction. Steve Stadler/SLWD and Augie Ramirez will meet prior to the July meeting to write up a proposal for discussion including how to calculate extractions and crop coefficients. Each agency must determine how they will meet any new obligations under a revised cost share agreement.
- c. Augie Ramirez explained an executive order issued by Fresno County Supervisors regarding compliance with the Governor's Executive order, provision 9b. The provision requires GSAs to review new well applications and determine whether those new wells are compatible with SGMA implementation. Augie reported the county will be trying to collect as much publicly available data as possible. Members asked about information regarding the Merced County process. Steve Stadler cautioned members to make sure the county has routed applications to the correct GSA.

5. Report Items

- a. Next steps were identified as Steve Stadler and Augie Ramirez meeting to craft language for the GSA cost share revisions for member contributions. Agencies will determine how they will meet any new obligations.
- b. An update on revisions to the Northern and Central Delta-Mendota GSP in response to DWR's "incomplete" determination was presented to members. The revised GSP must be readopted by each GSA before a mid-late July deadline. A doodle poll will be sent to GSA members to determine a date for an early July special meeting, which will take the place of the regular July quarterly meeting.

6. Closed Session

- a. Conference with Legal Counsel – Existing Litigation

The Board will meet in closed session to confer with legal counsel pursuant to Paragraph (1), Subdivision (d) of Government Code section 54956.9: (1 case).

California Sportfishing Protection Alliance v. All Persons Interests in the Matter of the Validity of the Northern and Central Delta-Mendota Regions Groundwater Sustainability Plan, et al., Stanislaus County Superior Court, Case No. CV-20-001748 [Delta-Mendota Subbasin SGMA Challenge].

7. Return to Open Session

- a. There was no action to report in closed session.

8. Adjourn Meeting

Aaron Barcellos/Pacheco adjourned the meeting at 11:15 AM.

Central Delta-Mendota GSA
Statement of Income and Expenses

Adopted Budget Fiscal Year 2022-23	1st Qtr			Remaining
<i>Budget to Actual</i>	Budget	Mar, Apr, May 2022-23	FYTD	<i>Budget</i>
Operating Revenues				
4000 Member Contributions	\$ 37,000.00	\$ 37,000.00	\$ 37,000.00	-
4100 Interest Income	-	1.09	1.09	(1.09)
4300 Other Income	-	-	-	-
Total Operating Revenues	<u>37,000.00</u>	<u>37,001.09</u>	<u>37,001.09</u>	
Operating Expenses				
<i>Administration:</i>				
5275 Bank Fees	150.00	-	-	150.00
5300 Office Supplies	500.00	15.86	15.86	484.14
5325 Regularatory Fees	250.00	-	-	250.00
5500 General Liabilty Insurance	500.00	-	-	500.00
Total Administration Expenses	<u>1,400.00</u>	<u>15.86</u>	<u>15.86</u>	
<i>Professional Services:</i>				
5425 Auditor Fees	8,000.00	8,000.00	8,000.00	-
5450 Legal Fees/District	18,000.00	-	-	18,000.00
5475 Consultant Fee (SLDMWA)	7,668.00	-	-	7,668.00
Total Professional Services	<u>33,668.00</u>	<u>8,000.00</u>	<u>8,000.00</u>	
Total Operating Expenses	<u>35,068.00</u>	<u>8,015.86</u>	<u>8,015.86</u>	
Net Operating Revenue	<u>\$ 1,932.00</u>	<u>\$ 28,985.23</u>	<u>\$ 28,985.23</u>	

Central Delta-Mendota GSA
Investment Report

1st Quarter FY 2022-23

March, April, May

Current Assets		1st Quarter	4th Quarter	% Change
Unrestricted Funds				
1000-00	Wells Fargo Checking Account	48,294.18	19,308.95	60.02%
Total Current Assets		<u>48,294.18</u>	<u>19,308.95</u>	60.02%

The Central Delta-Mendota GSA will meet operational expenditure requirements for the next six months.

**Government Code Section 66006(a): If a local agency requires the payment of a fee specified in subdivision (c) in connection with the approval of a development project, the local agency receiving the fee shall deposit it with the other fees for the improvement in a separate capital facilities account or fund in a manner to avoid any comingling of the fees with other revenues and funds of the local agency, except for temporary investments, and expend those fees solely for the purpose for which the fee was collected. Any interest income earned by the moneys in the capital facilities account or fund shall also be deposited in that account or fund and shall be expended only for the purpose for which the fee was originally collected.*

RESOLUTION NO. 2022-02

RESOLUTION OF THE CENTRAL DELTA-MENDOTA GROUNDWATER SUSTAINABILITY AGENCY ADOPTING THE AMENDED NORTHERN & CENTRAL DELTA-MENDOTA REGION GROUNDWATER SUSTAINABILITY PLAN

A. **WHEREAS**, in August 2014, the California Legislature passed, and in September 2014 the Governor signed, legislation creating the Sustainable Groundwater Management Act (“SGMA”) “to provide local groundwater sustainability agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater” (Wat. Code, § 10720, (d)); and

B. **WHEREAS**, SGMA requires sustainable management through the development of groundwater sustainability plans (“GSPs”), which can be a single plan developed by one or more groundwater sustainability agencies (“GSAs”) or multiple coordinated plans within a basin or subbasin (Wat. Code, § 10727); and

C. **WHEREAS**, SGMA requires a GSP to be developed and implemented to manage groundwater in all basins designated by the Department of Water Resources (“DWR”) as medium or high priority, including the Delta-Mendota Subbasin (basin number 5-22.07); and

D. **WHEREAS**, the Central Delta-Mendota GSA was formed to be an exclusive GSA for a portion of the Delta-Mendota Subbasin, and is composed of the following member agencies: Eagle Field Water District, a California water district; the County of Fresno, a political subdivision of the State of California; Fresno Slough Water District, a California water district; County of Merced, a political subdivision of the State of California; Mercy Springs Water District, a California water district; Pacheco Water District, a California water district; Panoche Water District, a California water district; San Luis Water District, a California water district; Santa Nella County Water District, a California County water district; and Tranquillity Irrigation District, a California irrigation district (individually, a “Party” and in the plural or collectively, the “Parties”); and

E. **WHEREAS**, pursuant to its Joint Powers Agreement entered into by the Parties in August of 2019, the Central Delta-Mendota GSA is governed by a Board of Directors consisting of one representative from each of the Parties (the “Board of Directors”); and

F. **WHEREAS**, the Central Delta-Mendota GSA has the authority to draft, adopt, amend, and implement a GSP (Wat. Code, § 10725 *et seq.*; § 10728.4); and

G. **WHEREAS**, the Central Delta-Mendota GSA is a member of the Northern and Central Delta-Mendota Regions Group formed for the purpose of developing a GSP and coordinating sustainable groundwater management in the Northern and Central Regions of the Delta-Mendota Subbasin (Wat. Code, § 10723.6(i)); and

H. **WHEREAS**, the San Luis & Delta-Mendota Water Authority (“SLDMWA”) submitted an Initial Notification to DWR on behalf of the members of the Northern and Central

Delta-Mendota Regions to jointly develop a single GSP for the Northern and Central Regions of the Delta-Mendota Subbasin on January 5, 2018; and

I. **WHEREAS**, other GSAs in the Delta-Mendota Subbasin prepared separate GSPs for other regions of the Delta-Mendota Subbasin for a total of six GSPs covering the entire Delta-Mendota Subbasin (each, a “GSP Group”); and

J. **WHEREAS**, the GSAs from all six GSP Groups entered into a Coordination Agreement effective December 12, 2018 (the “Coordination Agreement”) to comply with SGMA and ensure that the multiple GSPs within the Delta-Mendota Subbasin would be developed and implemented utilizing the same methodologies and assumptions, that the elements of the GSPs are appropriately coordinated to support sustainable management, and to show how the multiple GSPs will achieve the sustainability goal for the Subbasin. The Coordination Agreement also established a Coordination Committee composed of representatives from each GSP Group, outlined information sharing obligations, procedures for resolving conflicts, and designated the SLDMWA as the Plan Manager for the Delta-Mendota Subbasin; and

K. **WHEREAS**, SGMA states that a GSA “may adopt or amend a [GSP] after a public hearing, held at least 90 days after providing notice to a city or county within the area of the proposed plan or amendment” (Wat. Code, § 10728.4); and

L. **WHEREAS**, all the GSAs comprising the Northern and Central Regions of the Delta-Mendota Subbasin coordinated to develop the Northern & Central Delta-Mendota Region GSP (“N-C DM GSP”), which was adopted by the Central Delta-Mendota GSA after a public hearing and 90-day notification to the affected city and counties on January 6, 2020; and

M. **WHEREAS**, the Plan Manager submitted the N-C DM GSP and the Coordination Agreement to DWR on January 23, 2020; and

N. **WHEREAS**, on January 21, 2022, DWR completed its review of all the GSPs in the Delta-Mendota Subbasin and released a letter determining that the GSPs for the Delta-Mendota Subbasin as a whole were “Incomplete” and identified deficiencies and corrective actions for the GSAs in the Delta-Mendota Subbasin to take. Amended or modified GSPs addressing the corrective actions from each GSP Group must be submitted to DWR by July 20, 2022; and

O. **WHEREAS**, all the GSAs comprising the Northern and Central Regions of the Delta-Mendota Subbasin and the Coordination Committee have, in order to address the deficiencies and to effect the corrective actions identified by DWR, continued to coordinate to develop the Common Chapter of the amended N-C DM GSP (“Amended N-C DM GSP”); and

P. **WHEREAS**, on March 15, 2022, the Plan Manager transmitted the 90-Day Notice to affected cities and counties notifying them of the Northern and Central Region GSAs’ intent to adopt an Amended N-C DM GSP at one or more public hearings to be scheduled not earlier than June 22, 2022, and inviting consultation with the affected cities and counties; and

Q. **WHEREAS**, on June 20, 2022, the GSAs comprising the Northern and Central Regions of the Delta-Mendota Subbasin and the Coordination Committee recommended each of its GSAs adopt the final draft Common Chapter and the Amended N-C DM GSP; and

R. **WHEREAS**, the Central Delta-Mendota GSA publicly released the draft Amended N-C DM GSP on June 30, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Central Delta-Mendota GSA finds as follows:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. After a public hearing, the Central Delta-Mendota GSA hereby approves and adopts the final draft Amended N-C DM GSP and Appendices in substantially the form presented, subject to such modifications as the executing officer shall approve, said execution to provide conclusive proof of approval of any such modifications.
3. The Central Delta-Mendota GSA authorizes the SLDMWA and its consultants, as the Plan Manager, to take such other actions as may be reasonably necessary to submit the Amended N-C DM GSP and Appendices to DWR by July 20, 2022, and implement the purpose of this Resolution.

PASSED, APPROVED, AND ADOPTED this 7th day of July, 2022 by the following vote:

AYES:
NAYS:
ABSTAIN:
ABSENT:

Attest:

_____, Chairman

_____, Secretary

Date:

Funding Opportunities – Updated 6/30/2022

FY 23 Water and Energy Efficiency Grant Program

Through the U.S. Bureau of Reclamation. This funding opportunity is available for projects that result in quantifiable and sustained water savings, implement renewable energy components, and support broader sustainability benefits. Up to \$5 million per project, but a 50% non-federal match is required. Deadline July 28, 2022

IRWM Proposition 1 Round 2 There is \$955,000 in funding for the San Joaquin River Funding area, no set amount for the Tulare Kern Funding area. Initial deadlines for both are anticipated for 8/19/22. We are awaiting word from DWR on project eligibility questions related to the final adopted Guidelines and Proposal Solicitation Package.

North American Wetlands Conservation Act (NAWCA)

From U.S. Fish and Wildlife Service. Projects must involve only long-term protection, restoration, enhancement and/or establishment of wetland and associated upland habitats to benefit migratory birds. The program requires a 1:1 non-federal match and research funding is ineligible. Up to \$100,000 available per request. Deadline 10/13/22

SGMA Round 2 Implementation

Through DWR. This will be a more competitive process, where we will be competing with other subbasins and not just among projects within our own subbasin. There will be an opportunity to build on projects we are putting forth in round one. At this time, a fall deadline is anticipated.

Multi-Benefit Land Repurposing Program

Department of Conservation. They recently awarded \$40 million to regional organizations including GSAs to reduce groundwater reliance and create economic and environmental opportunities via land use change. Another \$60 million is expected to be available in the Governor's May revise.

Riparian Habitat Conservation Program

The Wildlife Conservation Board is accepting concept proposals for projects that provide meaningful and sustainable improvements to riparian habitats. \$3 Million available on a rolling basis.

Fertilizer Research and Education Program, CA Dept. of Food and Agriculture

Total of \$225,000 available for projects on: improving input management, understanding plant-soil processes, and evaluating loss pathways. They are focused on nutrients in general with nitrogen/nitrates as a particular focus. It is a rolling deadline with funding awarded as projects are approved.

Farm & Ranch Solid Waste Cleanup and Abatement Program

Up to \$50,000 per site available to clean up and prevent illegal dumping on farm or ranch property as defined California Code of Regulations (CCR), Section 17991(d). There are no deadlines but there are three funding cycles annually. CA Dept. of Resources, Recycling, and Recovery.