



## MEETING MINUTES – Merced GSP

SUBJECT: Merced GSP Stakeholder Committee Meeting #6

DATE/TIME: October 22, 2018 at 9:00 AM

LOCATION: Castle Conference Center, 1900 Airdrome Entry, Atwater, CA

### Stakeholder Committee Members In Attendance:

	Representative	Community Aspect Representation
<input type="checkbox"/>	Alex McCabe	City of Livingston
<input checked="" type="checkbox"/>	Arlan Thomas	Merced Irrigation District Advisory Committee (MIDAC), growers
<input checked="" type="checkbox"/>	Ben Migliazzo	Live Oak Farms, growers
<input type="checkbox"/>	Bill Spriggs	City of Merced, Merced Irrigation District
<input checked="" type="checkbox"/>	Bob Salles	Leap Carpenter Kemps Insurance, insurance industry and natural resources
<input type="checkbox"/>	Brad Robson	Buchanan Hollow Nut Co. Le Grand-Athlone Water District, growers
<input type="checkbox"/>	Breanne Ramos	Merced County Farm Bureau
<input checked="" type="checkbox"/>	Brian Carter	D&S Farms, growers
<input type="checkbox"/>	Carol Bonin	Winton M.A.C.
<input checked="" type="checkbox"/>	Daniel Machado	Machado Backhoe Inc., construction industry
<input type="checkbox"/>	Darren Olguin	McSwain MAC
<input checked="" type="checkbox"/>	Frenchy Meissonnier	Rice Farmer, rice growers
<input checked="" type="checkbox"/>	Galen Miyamoto	Miyamoto Farms
<input type="checkbox"/>	Gino Pedretti III	Sandy Mush Mutual Water Company
<input checked="" type="checkbox"/>	Greg Olzack	City of Atwater resident
<input type="checkbox"/>	James (Jim) Marshall	City of Merced
<input checked="" type="checkbox"/>	Joe Scoto	Scoto Bros Farms / McSwain Union School District
<input type="checkbox"/>	Ladi Asgill	East Merced Resource Conservation District / Sustainable Conservation
<input checked="" type="checkbox"/>	Maria Herrera	Self-Help Enterprises
<input checked="" type="checkbox"/>	Mark Maxwell	University of California, Merced
<input checked="" type="checkbox"/>	Maxwell Norton	Retired agricultural researcher
<input type="checkbox"/>	Parry Klassen	East San Joaquin Water Quality Coalition, growers
<input checked="" type="checkbox"/>	Rick Drayer	Drayer Ranch, Merced cattlemen
<input type="checkbox"/>	Simon Vander Woude	Sandy Mush Mutual Water Company, dairies

## Meeting Minutes



1. Welcome, Introductions, and Agenda Review
  - a. Charles Gardiner (Catalyst) welcomed the group and gave an overview of the meeting agenda.
2. CASGEM Update
  - a. Matt Beaman (MID) gave overview of the California Statewide Groundwater Elevation Monitoring program (CASGEM) and an introduction to the Merced Area Groundwater Pool Interests (MAGPI).
  - b. CASGEM coordinates between DWR, the State Board, and the public. Elevation data is submitted to DWR, made public, and then DWR draws contours based on this data. DWR has created guidelines for CASGEM.
  - c. Question: what does it mean to be in compliance? Answer: groundwater data is submitted to the satisfaction of DWR.
  - d. Question: Could pumping above the Corcoran clay layer cause subsidence? What about water quality above this layer? Answer from Hicham EITal (MID): recharge and pumping above the Corcoran clay layer are very unlikely to cause subsidence. Water quality above the Corcoran is generally not an issue, though there are some saline issues closer to the San Joaquin River.
  - e. The CASGEM monitoring plan work from MID is nearly complete. Next steps include expanding coverage, continuing data compliance, instrumenting additional monitoring wells, and finalizing the updated monitoring plan.
3. Presentation by Woodard & Curran on GSP development
  - a. Next Steps in GSP Development
    - i. Alyson Watson (Woodard & Curran) provided an overview of the GSP Development overall timeline. Current focus is on sustainability goals and projects and management actions.
    - ii. SGMA has two focus areas: to halt overdraft and to establish and monitor thresholds over time (i.e. avoid undesirable results). SGMA does not alter surface or groundwater rights.
    - iii. The challenge for the Merced Subbasin is to reduce groundwater pumping while minimizing how much total water use must be reduced. Steps to reach sustainable yield are: 1) determine extent of groundwater pumping that is sustainable, 2) determine available surface water, and 3) identify potential deficit between demand and available resources.
    - iv. Two areas should be addressed to achieve sustainability: reducing groundwater pumping (e.g. through an allocation framework); and identifying projects and management actions (e.g. that recharge groundwater, enhance surface water availability, and reduce demand).
    - v. Question asked about what FERC (Federal Energy Regulatory Commission) flows are and how are these being accounted for. Answer: FERC is explained by Hicham EITal (MID). This is a dam licensing and relicensing process. Every time a license is renewed considerations related to flows must be taken. With FERC relicensing MID will have to increase water released into the Merced River. MID is still waiting on a final answer for FERC flow. However, an estimate will be incorporated into GSP water budgets.
    - vi. Discussion on Subbasin Sustainability:



1. A discussion was held on whether the problem framing and the approach to achieving sustainability is understood. A few key points from committee members are as follows:
  - a. It would be good to have public meetings again in the eastern “white area” (gap areas) with a focus on communicating the current problem and creating a sense of urgency to start conserving now.
  - b. Messages should be conducted continuously. Advertising can include via social media and media interviews. Simple talking points could be created to give to people and use in interviews. It would also be good to have a one-pager on SGMA and why people should get involved.
  - c. People will be interested once we have rules set up for allocation.
  - d. It would be good to have a further simplification of terms.
  - e. Having a number to quantify how much overall use should be reduced is helpful in understanding the magnitude of the problem.
  - f. There will always be demand, and solutions for achieving sustainability will need to consider surface water. Everyone seems to understand that the Subbasin needs groundwater recharge.
  - g. UC Merced can also conduct further outreach.

b. Groundwater Rights Primer

- i. Water Rights Attorney Brad Herrema (Brownstein Hyatt Farber Schreck) gave an informational presentation on groundwater rights and potential allocation frameworks under SGMA. (see full presentation details on Merced SGMA website) Questions from group noted below:
- ii. Question regarding the recent Public Trust Doctrine case. Answer: Groundwater extractions can be regulated by SGMA if pumping is affecting neighboring streams. However, SGMA did not preempt the Public Trust Doctrine in applying to groundwater extractions.
- iii. Question asked about impacts to Pre-1914 rights. Answer: pre-1914 water rights only apply to surface water. There are no exemptions from SGMA except for some adjudicated basins. SGMA does not alter water rights.
- iv. Question: How does a basin become adjudicated? Answer: someone has to start the adjudication process. There are some streamlined adjudication processes, but some can last 20 years. What often starts as a one-one case becomes a full basin process.
- v. Clarification provided on dryland pastures and overlying water rights: There’s a concept of subordination where the overlying water right could be lost. In Antelope Valley, they were able to pump if they found water (e.g. they purchased a groundwater right or can lease out a right to use during a particular year).
- vi. Question: What have you seen regarding a water credit system? How does that work out? Answer: each basin is different, and this depends on the adjudication.



- vii. Question: What about water markets? Answer: There are examples of a portal where people can see what water is available (e.g. water pricing, how much is available). In Chino Basin a portal was not needed because the basin was small.
- viii. Question: how will changes in efficiencies of water use be taken into account, especially differences in return flows? Answer from Woodard & Curran: TBD, is something CC will need to consider.

c. Projects and Management Actions

- i. Alyson Watson (Woodard & Curran) provided an introduction to projects and management actions. The goal is to implement projects to help achieve sustainability and minimize impacts to groundwater users.
- ii. Woodard & Curran has looked through specific plans, contacted GSAs, and reached out to individual land owners as a starting point to gather information on existing projects for discussion. An initial list of these projects was provided.
- iii. Committee members recommend looking into the list of grant reports from the Water Resources Control Board maintains for water quality projects.
- iv. Committee members also recommended looking into past projects from the Army Corps of Engineers.
- v. It is likely that several projects will develop in DAC areas.
- vi. Alyson Watson (W&C) gave examples of criteria for assessing projects and invited discussion asking committee members what additional criteria should be considered. Responses included: benefits to DACs, eligibility for funding for DACs, and projects that help with CV-SALTs.
- vii. Alyson Watson (W&C) asked committee members to think about whether there are projects we are missing in the initial list. She also asks what other criteria should be used to assess projects. This information should be brought to the next meeting.
- viii. DWR representative states that Prob 68 will have funding for SGMA projects.

d. Other Updates

- i. Groundwater Data templates and instructions for submitting data have been updated and are available on the MercedSGMA homepage.

4. Public Outreach Update

- a. Charles Gardiner (Catalyst) reported that two public workshops will take place in December and will be in two different locations to make sure we are covering different areas of the Subbasin.

5. Interbasin Coordination Update

- a. Hicham ElTal has been in contact with Chowchilla regarding subsidence discussions.

6. Public Comment on Items not on the Agenda

- a. No public comments.



7. Next Steps and Next Meeting

- a. Several GSP development items anticipated to be discussed in the next meeting including: water budgets and documented assumptions, the data management system, the Hydrogeological Conceptual Model (HCM) GSP section, sustainable yield analysis, and assessment of projects and management actions.

**Next Regular Meeting**

**November 26, 2018 at 9:30 a.m.**

Castle Conference Center, 1900 Airdrome Entry, Atwater, CA

Information also available online at [mercedsgma.org](http://mercedsgma.org)

*Note: If you need disability-related modification or accommodation to participate in this meeting, please contact Merced County, Community and Economic Development staff at 209-385-7654 at least 48 hours prior to the start of the meeting.*