



MEETING MINUTES – Merced GSP

SUBJECT: Merced GSP Stakeholder Committee Meeting #8

DATE/TIME: December 17, 2018 at 9:30 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 checked="" 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 checked="" type="checkbox"/>	Brad Robson	Buchanan Hollow Nut Co. Le Grand-Athlone Water District, growers
<input checked="" type="checkbox"/>	Breanne Ramos	Merced County Farm Bureau
<input type="checkbox"/>	Brian Carter	D&S Farms, growers
<input type="checkbox"/>	Carol Bonin	Winton M.A.C.
<input type="checkbox"/>	Daniel Machado	Machado Backhoe Inc., construction industry
<input checked="" 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 checked="" type="checkbox"/>	Gino Pedretti III	Sandy Mush Mutual Water Company
<input 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 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 checked="" type="checkbox"/>	Simon Vander Woude	Sandy Mush Mutual Water Company, dairies

Meeting Minutes



1. Welcome, Introductions, and Agenda Review
 - a. Alyson Watson (Woodard & Curran) welcomed the group and went over ground rules.
2. Presentation by Woodard & Curran on GSP development
 - a. Alyson Watson (W&C) discussed the GSP timeline and next steps in GSP development. The focus of the meeting is on the groundwater accounting framework and allocation. This will flow back into projects and management actions.
 - b. Comments on the hydrogeologic conceptual model (HCM) were received and will be tracked with the GSP section drafts.
 - c. Water Allocation Frameworks
 - i. The goal will be to get the Coordinating Committee to the point where the Committee can make a preliminary recommendation to the GSA Boards. The goal for the Stakeholder Committee is to provide feedback and an input to the Coordinating Committee.
 - ii. Key points from the previous CC meeting included: A need to address prescriptive rights, and an approach to how to bring in users that are not currently exercising rights but might in the future; agreement on a date range for historical and prescriptive periods; a timeline for implementation; and identification of remedies GSAs have for enforcing allocations.
 - iii. Alyson Watson (W&C) provided a brief overview of what authority GSAs have under SGMA.
 - iv. Question: Will implementation be monitored? How would GSAs be able to enforce allocations? Answer (W&C): Yes, there will be monitoring, and this is something we will be revisiting.
 - v. Question: Where does the GSAs' authority come from? Answer (W&C): This comes from SGMA, which is state law.
 - vi. Alyson Watson (W&C) provided an overview of prescriptive and overlying groundwater rights.
 - vii. Question: What about those who are pumping water and taking this out of the basin? Answer (W&C): There is a Merced County Ordinance that prevents this. Lacey Kiriakou (County of Merced) confirmed there are no existing permits with the County to pump water out of the basin. A contract that previously permitted this has now expired.
 - viii. Question: Will all GSAs be able to have the same enforcement mechanisms? Answer (W&C): Each GSA can determine individually how to enforce allocations, which must be approved by the GSA board (e.g. fees). Each GSA has the discretion to create their own rules.
 - ix. Additional comments were provided and recorded via flipchart paper. These are summarized as follows:
 1. Comment: There should be a single structure in place to have a uniform fee structure across GSAs (should have consistency across GSAs).



2. Comment: Within the Merced Irrigation District (MID) area, there are those who pump and those who don't. Commentator does not see MID permitting a rate structure to some areas.
 3. Revised previous comment: There should be a single structure as much as possible, but some areas may require a different structure.
 4. Comment: Population projections seem a little high and might need to be adjusted.
 5. Clarification (W&C): The money collected from fees established by the GSAs goes to the GSAs.
 6. Comment (summary): Examples of potential different timeframes for allocation calculations include 2006-2015, 2006-2010, 1995-2015.
 7. Clarification from MID: MID seepage is reserved for MID because this is developed water, and the rest is available for the allocation framework.
- x. Rights to groundwater imported to a Subbasin:
1. Alyson Watson (W&C) clarifies that developed water is water that is imported into the Subbasin. This includes seepage of conveyed surface water that reaches the groundwater basin. It is the property of those who have brought that water into the basin.
 2. Clarification (W&C): Seepage from developed water will have to be accounted for within sustainable yield/water budget calculations. This information will have to be monitored and the amounts agreed upon.
 3. Question: This explanation is in existing state water law? Answer (W&C): Yes, this is consistent with CA groundwater law. The source of information from today's presentation and a good summary of CA groundwater rights law and SGMA is: *Groundwater Pumping and Allocations under California's Sustainable Groundwater Management Act*, Environmental Defense Fund, July 2018
- xi. Alyson Watson (W&C) provided examples of allocation methods. The goal is to see how close the Subbasin can get to a comprehensive approach for allocation. There is not adequate time or data resources to do a full comprehensive approach.
- xii. Alyson Watson (W&C) explained revisions made to the sustainable yield analysis. There were some discrepancies with the estimations of flows from the San Joaquin River. This has been recalculated and the outcome is updated estimate of basin sustainable yield is 530,000 af.
- xiii. Alyson Watson (W&C) provided a review of the different potential allocation distributions and an example based on historical use is presented. Prescriptive use allocation tables are presented showing two 10-year historical periods and the projected demand in 2040.
1. Comment: Estimations should include a breakdown showing the individual CSDs and mutual water companies.
 2. Clarification (W&C): the values shown for Prescriptive Use reflect water use and projected use with projected demand. These are based on Urban Water Management Plans.



3. Question: Where do the numbers for population come from? Answer (W&C): Population for projected conditions of Urban Water Use come from the 2040 projections of available Urban Water Management Plans.
 4. Comment: We are going to have growth. It is normal to have an estimation of increased population. Cities as they grow need to have more rigorous conservation efforts. This will come down to household level.
- xiv. Alyson Watson (W&C) gave an explanation of a modified application of the comprehensive allocation approach for Merced Subbasin.
1. Question: What about in a water market? If someone does not have an allocation, would they have no skin in the game? Answer (W&C): If there was a water market in place, then potentially yes. However, the GSAs would have to establish a water credit/trading system.
- xv. Quantified and Transferable Rights
1. Alyson Watson (W&C) described some details of the Mojave Adjudication process.
 2. Questions were asked that will be followed up by the W&C team as follows: What is the process for a new pumper to be added and what is the current status of the lawsuit on Mojave?
 3. Comment: We do not want speculators coming into the subbasin.
 4. Clarification (W&C): The CC in the last meeting did not say that we cannot do a water market or credit system. They were concerned with outside speculators purchasing land, not using the water on this land, and instead using it for profit elsewhere.
 5. Comment: If the Subbasin does a credit system with irrigated lands that can trade back and forth, then this puts non-irrigated acres at a disadvantage.
 6. Comment: If a trading system is developed then a discussion about dry range land will be needed.
 7. Comment: Yes, if a credit system is pursued, then non-irrigated acres must be taken into account. A partial credit for the non-irrigated acres could be considered.
 8. Comment: Non-irrigated lands should be able to have the opportunity to have a partial allocation. When this land is later changed to irrigated lands, allocation would change to a 100% allocation.
 9. Comment: It will also be important to consider what happens if land is on more than one GSA.
- xvi. Prescriptive based on Historical Use
1. Comment: Using historical data for calculating prescriptive use is more accurate, but the projected calculations will change. Response: This can be updated over time and a selected time period will be needed.



2. Comment: The historical period should use a 20-year time frame, and the Subbasin should consider looking at other adjudication examples.
 3. Comment from W&C: The longer the time period, the greater potential change. We can look into shorter and longer timeframes, and can look at the full 95-2015, and 90-2010 periods as examples.
 4. Question: Are we including the drought years? Answer (W&C): Yes.
 5. Comment: Will have to keep in mind that the years after the drought tend to require more pumping because the water is lower.
 6. Question: What does the State Water Regional Control Board decision for Substitute Environmental Document (SED) mean for the Merced Subbasin? Answer Hicham EITal (MID): On Wednesday the SWRCB adopted the SED. Daniel Chavez found an article in the MercedSunstar that provides some information. This article was sent in electronic form to the committee members.
- xvii.** Alyson Waterson (W&C) reviewed the conceptual GSP implementation draft timeline and requested feedback from the SC. The feedback and discussion are summarized as follows:
1. Comment: The timeframe seems appropriate, especially considering that we will have to install and create the metering and monitoring networks we're going to use.
 2. Comment: What do we need to show in the plan? Answer (W&C): We will need to show milestones into the plan and will need to put our allocation framework into the plan.
 3. Question: How detailed should the plan be? Answer (W&C): Details should be included on how to implement the allocation. It is also possible to have a footnote with a "subject to change" clause that communicates the update process.
 4. Clarification (W&C): Properties of under 2AF/year of domestic use are considered de minimus users and are not required to be metered according to SGMA.
 5. General comment from the group: this is a reasonable timeframe, but we will need to eventually vet with thresholds.
 6. Comment: What would be helpful in assisting the SC to think about and provide a recommendation is a quantification of acreages (pastures, etc.), and how many acres are in MID and other service areas.
 7. Comment: It will be important to balance between the agricultural and urban users.
 8. Question asked about status of projects and management actions. Answer (W&C): There is a current potential projects list. However, once the allocation is further along, this will enable us to identify which projects to target.
 9. Question asked about funding mechanisms for projects. Answer (W&C): The W&C team has been looking into some preliminary options and will continue to identify these options as we get closer to our projects discussion.



10. Question: Could installing monitoring systems create opportunity to connect areas that are not currently connected to the system. Answer (W&C): Yes. Comment: Would like to see this put into the 20-year plan.

11. Question: Is there anything that mentions clean drinking water. Answer (W&C): Yes, there will be thresholds related to clean drinking water in the water quality thresholds.

d. Other Updates: A beta link for the Data Management System will be sent out in January.

3. Public Outreach Update

a. Daniel Chavez asked Merced County to have Merced MACs help set up future public meetings.

b. The next public workshop will likely occur in February.

4. Interbasin Coordination Update

a. January and February are expected to have more interbasin coordination activities.

b. There is an agreement with Turlock. They are on the 2022 timeline and are interested in keeping up with Merced.

5. Public Comment on Items not on the Agenda

a. There were no comments.

6. Next Steps and Next Meeting

a. Water Budgets memo to be provided to GSA staff for initial review.

b. Provide follow-up on questions regarding allocation frameworks for next meeting.

Next Regular Meeting

January 28, 2019 at 9:30 a.m.

Castle Conference Center, 1900 Airdrome Entry, Atwater, CA

Information also available online at 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.