

MEETING NOTES – Merced GSP

SUBJECT: Merced GSP Coordinating Committee Special Session

DATE/TIME: June 18, 2019 at 1:00 PM

LOCATION: Castle Conference Center at Castle Airport, 1900 Airdrome Entry, Atwater, CA 95301

Coordinating Committee Members In Attendance*:

	Representative	GSA
<input type="checkbox"/>	Stephanie Dietz	Merced Irrigation-Urban GSA
<input checked="" type="checkbox"/>	Justin Vinson	Merced Irrigation-Urban GSA
<input checked="" type="checkbox"/>	Daniel Chavez	Merced Irrigation-Urban GSA
<input type="checkbox"/>	Ken Elwin (alternate)	Merced Irrigation-Urban GSA
<input checked="" type="checkbox"/>	Bob Kelley	Merced Subbasin GSA
<input type="checkbox"/>	Mike Gallo	Merced Subbasin GSA
<input checked="" type="checkbox"/>	Nic Marchini	Merced Subbasin GSA
<input checked="" type="checkbox"/>	George Park (alternate)	Merced Subbasin GSA
<input checked="" type="checkbox"/>	Larry Harris	Turner Island Water District GSA #1
<input type="checkbox"/>	Scott Skinner (alternate)	Turner Island Water District GSA #1
	Others:	
	Leah Brown (non-member)	MIUGSA, City of Merced
	Bryan Kelly	MIUGSA, MID
	Hicham ElTal	MIUGSA, MID

*Some attendees participated via phone.

Meeting Notes

1. Call to order
 - a. Alyson Watson (Woodard & Curran) calls to order the Special Session of the Coordination Committee.
2. Discussion of Allocation Framework Issue
 - a. Issue
 - i. The Allocation Framework is discussed in the Projects and Management Actions section of the GSP. MIUGSA provided written comments on the administrative draft of this section,
 - ii. The quantification of developed supply, included in the GSP for illustrative purposes, includes only seepage of surface water from unlined canals.
 - iii. There are other potential sources of developed supply in groundwater that are not quantified in the current GSP, including deep percolation of applied surface water and leakage from piped conveyance.

- iv. MIUGSA comments on GSP admin draft requested definition of “developed supply” in GSP text be expanded to include deep percolation of applied surface water.

b. Prior Discussions

- i. Have discussed that sources other than seepage exist and may be refined later. A possible approach is that the GSP could state that there are other sources and that these could be investigated and the definition of “developed supply” could be refined moving forward.

c. Discussion:

- i. Comment (MSGSA): We talked about deep percolation of applied surface waters. It is difficult to quantify, and difficult to ensure that this is not impacting the native groundwater.
- ii. Comment (MIUGSA): Developed water is any water brought into the basin that is not natural. Scenario: If overirrigation occurs and this goes to groundwater for recharge. Developed water is something people should be able to bank on, it is not part of the allocation, it is outside of this. MIUGSA is not requesting to change the current Sustainable Yield estimated numbers.
- iii. Comment (MSGSA): We have no issue with recharge. However, trend is not in the direction of overirrigating. The trend is to have less and less applied surface water.
- iv. Comment (MIUGSA): People are using less water to irrigate their plants. There are two systems, one irrigation system in wet and one in dry years. Need to have a water balance. and we have to agree on the numbers. These are changing all the time, e.g., we have updates every 5 years. All that we are talking about today is the concept: developed water.
- v. Comment (MSGSA): Could the number that came out of the MID Agricultural Water Management Plan used in the Water Budget Technical Memo be higher? (potential additional deep percolation).
- vi. Comment (MIUGSA): This could increase, but we would need to do a water balance and have a good definition for developed water.
- vii. Clarification (W&C): Yes, MIUGSA is asking to define “developed supply” and acknowledge that there are other sources of supply that can be investigated in the future.
- viii. Comment (MSGSA): In defining “developed supply” is it the person who purchases the developed water the entity who receives credit for this water?
- ix. Clarification (W&C): In adjudications in other basins, that water was considered the agency’s property and not the person who purchased the water. We are not at the point of setting up a water credit system.
- x. Comment (MSGSA): Would think that this should be the property of the person who purchased it.
- xi. Clarification (W&C): For today what we are trying to clarify is whether this water would be part of the developed supply estimate.
- xii. Comment (MSGSA): For continue progress of the GSP, we are going to need to hold out on additional details of the allocation framework. Do not see being able to get our boards to approve greater detail in the time that we have.
- xiii. Comment (MIUGSA): In order to have an exchange system in the basin, we have to agree on how to account for the water. For today, we are discussing whether there are other sources that should be reviewed and investigated. We should have something now that

encourages people to start thinking and working together to look into having a robust water exchange market, a monitoring network, and so on.

- xiv. Comment (W&C): Once we estimate the amounts, we need to look at who has the right to this water.
- xv. Comment (MSGSA): We would want to ensure that intent to recapture is documented.
- xvi. Comment (MSGSA): How can we prevent people from overpumping?
- xvii. Comment (MSGSA): We would like to make sure that not all applied surface water is pulled out of sustainable yield. The rights will need to be determined. A portion of that percolation would go to the overlying bucket, but that is either going to the agency or the person who purchased and applied it.
- xviii. Clarification (W&C): Where we are with the definition: We are underscoring the importance of future work needed. We will use the conceptual definition that “developed supply” is supply that is brought into the basin. It would not be limited to the definition in the plan. We may be required to have documentation of intent to recapture and can have a description of future work that would be needed. This includes estimates from seepage, refining conveyance losses, addressing rights to developed supply, and documenting developed supplies. We currently do not specifically talk about managed recharge.
- xix. Comment (MSGSA): It is hard to prove deep percolation.
- xx. Comment (MIUGSA): Common law says that this is once the water passes the root zone it is lost to the grower. However, this has to be accepted by the GSAs.
- xxi. Comment (MSGSA): We should have a certification process if there is going to be additional documentation of deep percolation of applied surface water. It should be approved with a public process.

3. Public comment

- a. Question on the allocation: In April, GSAs agreed that all parcel’s (including rangeland and undeveloped) would have equal allocation. Wasn’t an agreement made that MSGSA would have full allocation.
- b. Clarification (W&C): That is more related to the developed land. What we are talking about is developed water.
- c. Comment (Public): Should do sooner rather than later, the subbasin should develop a credit system.
- d. Comment (MSGSA): Agree, would like to see this developed in the first year.
- e. Comment (MIUGSA): This should not be rushed. First should complete gaps in data, then complete metering, and then work on how we are going to move water and use the models to maximize how we use this.
- f. Comment (Public): It seems legally ambiguous whether the water lost to the growers goes back to the agency.
- g. Clarification (W&C): Developed supply includes supplies that are brought into the basin which would not otherwise reach the GW basin. Ownership would have to be determined. This definition would be included and not limited to definition in the plan. This could come online, with intent to recapture. This would include documenting, developing, and refining developed supply, and determining rights to this supply.
- h. Comment (Public): We can add the caveat that the water should be put to beneficial use.

- i. Comment (W&C): Is the group ok with the consultant team revising the definition and then sending this to GSA staff.
- j. Comment (MIUGSA): Would be good to include Bryan Kelly while Hicham is out.
- k. Question (Public): Do the Sustainable Yield buckets change?
- l. Clarification (W&C): No, buckets stay the same. In the future if there's additional supply then it goes in that current developed supply bucket. It would be cleaner to have developed surface supply with an asterisk that it will be refined later with future steps.
- m. Comment (MSGSA): still some lack of clarity for how we are going to estimate deep percolation.
- n. Comment (TIWD): The current definition is fine, but we also agree that it will be very difficult to come up with estimates for deep percolation.
- o. Comment (MIUGSA): Estimates are based on as much information as we have. Everything has to be approved by the GSAs.
- p. Comment (MSGSA): Each GSA should be able to manage its Sustainable Yield of GW within its boundaries. However, when we were talking about overlying and underlying users in the basin, we agreed we'd determine allocation by acreage. Transferring credits within GSAs respective basins should be enabled if it's transferring among developed acres.
- q. Comment (MIUGSA): We would like to put a hold on creating a credit system until we ensure we fill data gaps. We are ok with developed acres moving water to developed acres.
- r. Comment (MSGSA): We want dormant overlying users to be able to have credits, but need to have a system to enable that process. This can be done down the road.
- s. Clarification (W&C): We have said both developed and undeveloped land are at full allocation. If undeveloped land starts using their water, it is not going to reduce allocation for developed lands. What Bob is suggesting that the GSA has X TAF that they can administer the full amount for developed or undeveloped lands.
- t. Comment (MIUGSA): We have to see how the cities are going to survive in looking to work toward sustainability. At this point, we would like to have time to get a better understanding to resolve ambiguity. We're not saying that we will not agree to this, but that we need time and more information, and do not need to make a decision today.
- u. Clarification (W&C): MIUGSA had some concerns initially. We all agree that the Sustainable Yield estimates will need to be refined. We need to hold off on issuing credits and establish credit system. MSGSA agrees but also states that MSGSA would allocate within their own boundaries.
- v. Comment (MSGSA): We are saying that each GSA can determine how the allocation works within their area.
- w. Clarification (W&C): We are not going to set up an allocation framework. Options are to go to the GSA level split and allow each GSA to administer their amount of water in their GSA in the interim, or this can be limited to developed land.
- x. Comment (MIUGSA): We can see how we divvy up undeveloped land across the basin. We have no reason to reach a decision on that today. This is a GSA decision, not GSP decision.
- y. Clarification (W&C): There was agreement to use 0.7 AF/acre to come up with the GSA allocation numbers. However, GSAs have the ability to use the full amount for their developed and undeveloped parcels. This was a good faith agreement, but there may have been some miscommunication. Both MSGSA and MIUGSA gave some compromise, but there may have been a misunderstanding. What

we can do for the plans for now is state what has been estimated for the Sustainable Yield for the basin, this is how discussed, and how credits could be used and worked out at a later time.

- z. Comment/ (Public): The 440K AF should be the native water. We do not need to talk about developed or undeveloped land for the purpose of GSP.
 - aa. Clarification (W&C): The assumption is that there are about 200K acres that could be using water but are not. From previous discussions, before we allow transferring, we need to get more information. For purpose of the GSP, we can take the suggestion not to discuss developed or undeveloped lands for the GSP.
 - bb. Comment (MIUGSA): Everything done on our side is done to avoid adjudication in the basin. (In these cases, grazing grounds do not often get anything, have to pay to put in a well, etc.). We want to have a fair system and be good example through our GSA and have good cooperation.
 - cc. Comment (MSGSA): Our GSA echoes those comments and feels very positively about ability to communicate and resolve issues. We think we have the ability to make a difference long term. Having this discussion and working through these issues is very positive.
4. Next steps and adjourn
- a. Adjourned to the next regular meeting.

**Next Regular Meeting
June 24, 2019 at 1:30 p.m.**

Atwater, CA – Castle Conference Center at Castle Airport (subject to change)

Information also available online at mercedsgma.org

Action may be taken on any item

Note: If you need disability-related modification or accommodation in order 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.