



## MEETING NOTES – Merced GSP

SUBJECT: Merced GSP Coordination Committee Meeting

DATE/TIME: October 25, 2021 at 1:15 – 3:15 PM

LOCATION: Online – Zoom Meeting

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### Coordination Committee Members In Attendance:

	Representative	GSA
<input checked="" type="checkbox"/>	Hicham ElTal	Merced Irrigation-Urban 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 checked="" type="checkbox"/>	Ken Elwin (alternate)	Merced Irrigation-Urban GSA
<input checked="" type="checkbox"/>	Eric Swenson	Merced Subbasin GSA
<input checked="" type="checkbox"/>	Mike Gallo	Merced Subbasin GSA
<input checked="" type="checkbox"/>	Nic Marchini	Merced Subbasin GSA
<input type="checkbox"/>	George Park (alternate)	Merced Subbasin GSA
<input checked="" type="checkbox"/>	Kel Mitchel	Turner Island Water District GSA #1
<input type="checkbox"/>	Tim Allan (alternate)	Turner Island Water District GSA #1

### Meeting Notes

#### 1. CALL TO ORDER AND WELCOME

- a. Samantha Salvia (Woodard & Curran) called the meeting to order.

#### 2. ROLL CALL

- a. Coordination Committee members in attendance are shown in table above. The Committee had a quorum.

#### 3. CONSENT CALENDAR

- a. Approval of meeting notes from the previous meeting (July 26, 2021) was deferred to allow the committee more review time.

#### 4. PUBLIC COMMENT

- a. No public comment (comments and questions from the public were accepted during the meeting on agenda items).

## 5. REPORTS

### a. Current basin conditions

- i. Matt Beaman (MIUGSA) reported that the most recent basin conditions report (July to October 2021) was delayed due to technical issues with the data. The report will be sent out to the Coordination Committee by the end of this week.

### b. Coordination with neighboring basins

#### i. Chowchilla-Madera-Delta Mendota:

1. Hicham EITal (MIUGSA) reported that coordination with the Chowchilla and Delta-Mendota Subbasins is continuing and current work is focused on developing water budgets for each basin. The meeting facilitator sent out a questionnaire that Merced Subbasin has not yet responded to. Hicham noted the importance of ensuring the same baselines and datums in comparing basin information.
2. Lacey McBride (MSGSA) noted that recent work has included providing a list of Merced Basin projects and discussing how to determine sub-Corcoran pumping in the subsidence-focused area. No activity since last meeting in September

#### ii. Turlock

1. Hicham reported that some of the Turlock GSP chapters are out for public comment. A later agenda item will cover this.

### c. GSA Reports - Representatives from each GSA provided updates on activities they are undertaking in their own jurisdiction:

#### i. MSGSA

1. Lacey McBride reported that MSGSA has been developing a two-phase approach to implementation of the GSP and the Board is set to take action on the approach at their November meeting.
  - a. Phase 1 – now through end of WY2025 – focused on meeting the target of reducing groundwater consumption by 15,000 AF annually through land repurposing and fallowing, importing surface water, and capturing flood waters. Other Phase 1 work will include the development of parcel-level water year budgets for growers, Prop 218 process for funding, and initiating discussions with stakeholders and the public regarding allocations (which are not anticipated to be adopted until Phase 2).
  - b. Phase 2 – WY2026 through 2040 – includes adopting and implementing an allocation plan with continued land repurposing, fallowing, and securing surface supplies.
2. MSGSA plans a public workshop (hybrid Zoom/in person) tentatively for November 18, with details to be released shortly.
3. Eric Swenson noted that MSGSA is also looking at whether the Prop 218 process should fund filling data gaps and a well mitigation program

#### ii. MIUGSA:

1. Hicham EITal reported that MIUGSA has held three Stakeholder Guidance Committee meetings to receive feedback from constituents related to the types of policies they would like to see for implementing the GSP. A fourth meeting is expected and will most likely be the final meeting. MIUGSA hopes to start policy



development in February 2022 and receive multiple iterations of public before publishing the policy, likely in the form of a rules and regulations guidebook. The main emphasis has been on agricultural uses, but conversations around urban use and their accelerated efficiency standards have continued.



iii. TIWD GSA-#1

1. Kel Mitchell reported that although WY2021 was difficult due to extended lack of surface water, the District had a 15-20% reduction in water use relative to WY2020 largely due to growers making crop changes. Data indicate that they met their target of 1.5 AF per acre during WY2021. Kel observed it was good to know that even in one of the most challenging years the District has experienced, they were able to meet the target.
- d. Data Gaps Plan Update – Samantha Salvia (Woodard & Curran) reported that the Data Gaps Plan has been developed and will be modified as new information is collected. She noted that the grant the basin received to address data gaps includes funding for identifying and upgrading existing wells, and/or installing new wells which must be used by the end of 2022.
- i. Matt Beaman (MIUGSA) added that the Data Gaps work has been slightly delayed to due to parallel work on developing a methodology for setting minimum thresholds for areas that don't have domestic wells. He also clarified that approximately \$270K is remaining in the grant to support the Data Gaps work and MID will contract for this additional work. Matt noted that they have a proposal from QK and are going to review the cost estimate and perform their due diligence to ensure cost effectiveness.

## 6. ACTION ITEMS

- a. None.

## 7. DISCUSSION ITEMS

- a. Well Consistency Policy for Groundwater Well Permits – The Coordination Committee discussed options coordinating on well consistency determination policies.
  - i. Lacey McBride summarized the existing well permitting process. Well applications come into the County's Environmental Health Department, which permits all new wells. GSPs are in place in three of out four basins in Merced County and GSAs have been managing groundwater for the last two years. The County wants to shift determination of whether a well application is consistent with a GSP to the GSAs. Domestic wells would still be exempt, and the County would review and approve those permits.
    1. New wells within GSA boundaries will be required to obtain a letter of consistency from a GSA after a consistency determination is made. Then, the applicant will file a permit with the County, who will review construction standards and inspect the well.
    2. The proposed timeline for implementation is tentatively set for the end of 2021. Requires Board of Supervisors adoption.
    3. Lacey requested the committee discuss the potential for consistency among the three GSAs' policies and potential development of a joint CEQA document
  - ii. Committee Member Discussion
    1. Hicham EITal (MIUGSA) noted it would be interesting to see what other basins are doing and agreed that consistency within the basin would be very helpful.



2. Eric Swenson (MSGSA) added that MSGSA is considering establishing allocations of sustainable yield and transition allocations to reach sustainability by 2040. He expects these numbers would be established by 2025 and asked what other GSAs timelines were.
    - a. Hicham EITal (MIUGSA) responded that MIUGSA hopes to establish allocations next year, although they will be subject to changes as the GSP is implemented and more data become available.
  3. Lacey McBride (MSGSA) asked how MIUGSA will handle consistency determinations in the time between when the County adopts the updates in early 2022 and the development of their own policy.
    - a. Hicham EITal (MIUGSA) responded that MIUGSA will likely follow what the County has been doing until they have their own policy in place, but will need to discuss further with their legal counsel.
  4. Eric Swenson (MSGSA) recommended that each GSA designate points of contact to continue coordination on this topic before the next Coordination Committee meeting.
- iii. Public Questions Submitted Via Chat
1. Public Q: Is CEQA required for the development of an allocation or cap on groundwater extraction? A: Lacey clarified that the meeting discussion so far was related to CEQA coverage for well consistency determinations. Each GSA's legal counsel would need to advise on whether making a consistency determination on an individual well is a discretionary action.
- b. Proposal Solicitation Package (PSP) for SGMA Implementation Grants
- i. Matt Beaman (MIUGSA) presented the latest Draft Guidelines and PSP. Approximately \$152M is made available for critically overdrafted basins in Round 1 (not competitive between basins, but it is competitive within basins); funds are divided equally at \$7.6M for each basin.
    1. \$3.7M must be used for geophysical investigations, implementation of existing regional flood management plans that incorporate groundwater recharge, or projects that complement efforts of local GSP for floodplain expansion to benefit groundwater recharge or habitat; the remaining \$3.9M can be used for a wide variety of projects, such as data gaps, long-term planning, annual reports, coordination activities, or installation of monitoring wells.
    2. The Merced Basin is eligible for funding and would need to prepare a spending plan by Jan 31, 2022. The spending plan consists of developing a project list and evaluating and scoring projects using a process provided by the California Department of Water Resources (DWR). DWR will then review the spending plan and check the eligibility of the projects before developing a draft agreement.
  - ii. Discussion
    1. Jim Blanke (Woodard & Curran) noted that in order to be eligible for grant funding, projects must be in an adopted GSP. He has reached out to DWR to find out how projects can be added and suggested the group consider commenting to request they allow projects that help meet the goals of the GSP and provide more flexibility.
    2. It was recommended by the Coordination Committee that the following steps be taken:



- a. Attend the public workshop hosted by DWR on November 16, 2021 from 2-4pm to learn more and ask questions.
  - b. Provide a single comment letter to DWR (signed by the three GSAs) requesting an extended deadline to allow for review of DWR comments on the Merced GSP and allowing projects that help meet the goals of the GSP be eligible for funding, not solely those listed in the GSP.
    - i. Eric Swenson (MSGSA) offered to draft the comment letter and provide it to the GSAs for review.
  - c. Start identifying projects, select representatives to score projects, and begin preparation of the spending plan.
- c. Turlock Subbasin GSP – The Coordination Committee discussed the draft Turlock Subbasin GSP and options for commenting.
- i. Matt Beaman (MIUGSA) provided a summary of the Turlock GSP and provided comparisons to the Merced GSP. He noted that 6 of 9 chapters are now available for public review and there are also opportunities for the Basin to comment during the 60-day public comment period that begins after the GSP is submitted (due by January 31, 2022). He suggested the basin might be most interested in commenting on the sustainable management criteria and projects & management actions.
  - ii. Committee Member Discussion
    1. The group discussed Turlock’s water budget which indicates the Merced River could lose additional water to the subbasin (budget indicates losses from Merced River could increase from 17 TAF/yr to 60 TAF/yr). It appears improvements in the subbasin’s overdraft are partially the result of stream depletion, an undesirable result.
    2. The group discussed forum and timing for comments. The group agreed to continue to use informal comment mechanisms, including the County and MID’s participation on Turlock’s technical advisory committee, and to wait to submit formal written comments until DWR comments are received on the Merced GSP, so that the comments on the Turlock GSP would be more comprehensive.
- d. Insights from DWR Comment Letter on Other GSPs – The Coordination Committee discussed the comments made by DWR on other GSPs and the recent SWRCB comment letter to the Merced GSP.
- i. Samantha Salvia (Woodard & Curran) summarized the status of DWR review of submitted GSPs. They have approved two GSPs and provided comments on two others (Cuyama and Paso Robles). DWR reports they will complete review of all submitted GSPs within their two-year deadline. Samantha expects the basin will receive comments requesting some corrective actions and have 180 days to respond.
  - ii. Samantha presented a brief summary of the DWR comments provided on two GSPs with potential relevance to other Central Valley GSPs. Relevant comments were:
    1. Better justification for how minimum thresholds are consistent with avoiding undesirable results
    2. Concern about use of groundwater levels as a proxy for the Depletions of Interconnected Surface Water sustainability indicator



3. Request to add sustainable management criteria and a monitoring network for nitrates and arsenic (the Cuyama GSP only has criteria for salinity)
- iii. Samantha gave a brief summary of the SWRCB comment letter, which was received substantially after the public comment period, noting the GSAs have previously decided not to respond to comments submitted to DWR, but rather to wait to receive DWR's comments.

#### **8. Next steps and adjourn**

- a. The next Stakeholder Advisory Committee meeting is November 8, 2021.
- b. The next Coordination Committee meeting date is TBD, but expected virtually in January 2022, based on identification of a meeting space and status of Brown Act requirements.
- c. Meeting adjourned at 2:59 PM

#### **Next Regular Meeting**

**TBD, but expected to be in January 2022 (later scheduled for December 22, 2021)**

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