

MINUTES OF THE MEETING OF
THE BOARD OF DIRECTORS
OF THE MADERA WATER DISTRICT
GROUNDWATER SUSTAINABILITY AGENCY

March 10, 2021

The Board of Directors of the Madera Water District Groundwater Sustainability Agency (the “GSA”) held a meeting on Wednesday, March 10, 2021 by conference call due to COVID-19.

A quorum was established and the meeting was called to order at approximately 10:29 a.m. Directors in attendance via telephone were Phil Janzen, Pat Henry, Kevin Herman, Tony Canales and Carl Johnson. Others also in attendance were John Gies (“Manager”), Melanie Aldridge, Michelle Errecart, Eric Abrahamsen, Miguel Jimenez and Chris Montoya. When asked if anyone else was on the conference line, no other persons responded.

PUBLIC COMMENT. There were no members of the public present who wished to comment on GSA matters.

APPROVAL OF MINUTES. The Board reviewed the minutes of the GSA board meeting held on February 10, 2021. Ms. Aldridge reported that Mr. Abrahamsen suggested a change to the February minutes in connection with the statements made about monitoring wells of the Madera Irrigation District (“MID”) GSA. The minutes should be corrected to read that half of the wells identified and unmonitored were from areas managed by MID and the County of Madera. Ms. Aldridge said the unmonitored wells present some issues for the joint Groundwater Sustainability Plan (“GSP”) because the monitoring wells are identified in the GSP. The District GSA turned in all of its readings, but MID and the County were unable to give readings on half of the wells they identified as monitoring wells. The reasons given included the Bureau not taking measurements because of COVID-19 and landowners not allowing access to get readings. If the GSP says actions will be taken when a percentage of monitoring wells are at certain levels, the percentages are now skewed because not all monitoring wells were measured. With GSAs like MID taking the position that they are in balance, it is hard to prove when half of the designated monitoring wells were not measured. Director Janzen moved to approve the minutes as correct contingent upon clarification of the well monitoring issue and Director Johnson seconded the motion. The minutes were approved by a unanimous vote of the attending directors.

COORDINATION AMONG BASIN AND GSP ANNUAL REPORT. Ms. Aldridge reported there was a meeting of all representatives of the GSAs in the Madera Subbasin and it was decided there will be more meetings to address inter-basin and intra-basin issues. These issues are more significant for the MID GSA and County GSA given their size and amount of pumping. The bulk of the issue is that neighboring basins are concerned the Madera Subbasin is counting on groundwater the other basins believe is flowing from their basin to the Madera Subbasin. Ms. Aldridge does not believe this is true based on conversations she has had with Brian Thoreson of David’s Engineering as he has said the joint GSP is not relying on that water. Stephanie Anagnoson, Julia Berry and Brian Ehlers will attend the first meeting as representatives for the

GSA's involved in the joint GSP. Directors Janzen and Herman are designated representatives of the District GSA and may want to attend as well.

Ms. Aldridge reported the coordination group discussed a domestic well program. One of the main questions was whether the District GSA would participate in a remediation program funded by GSA's to compensate those who lose domestic wells as a result of decreasing groundwater levels. The position of MID's GSA is that it is in balance and therefore does not need to participate. The City of Madera GSA said it provides domestic water and does not need to participate. Root Creek Water District GSA took a position similar to the City of Madera. New Stone Water District GSA said there are no domestic wells within its boundary, so it does not need to participate. Mr. Abrahamsen reported that he has been monitoring MID GSA reporting in connection with determining whether the MID GSA is truly in balance, but their reports bury the data so it has been hard to find. Director Herman said he has farms in the Root Creek GSA area and believes agricultural deliveries in their GSA exceed domestic deliveries. Ms. Aldridge said it is difficult to establish a remediation program if GSA's are not able to identify how many wells are in the basin. The well inventory report needs to be finished before attempting to create a remediation program.

Ms. Aldridge reported the GSA's also discussed annual reports that are due. All GSA's in the Madera Subbasin have submitted their draft annual reports to the group except for New Stone. The group discussed circulating annual reports among the group earlier to allow more time for review before submitting to the Department of Water Resources ("DWR"). Each GSA was asked to discuss its ongoing projects. Ms. Aldridge reported to the group about the status of District GSA projects including the Madera Lake project and expanded water purchase. Each GSA discussed its projects which are all similar to what has been outlined in the GSP.

Ms. Aldridge said she and Mr. Abrahamsen will attend a SGMA meeting on March 31 regarding data management systems. One issue that may arise is whether monitoring will continue to be done independently or if GSA's will have to start reporting to a system. Ms. Aldridge said the concern is it is hard to trust self-reporting if the data initially promised is not being provided. Mr. Abrahamsen said review of annual reports has been challenging because each GSA reported its numbers differently. Director Herman said it is important to try to get the District GSA's partners to be transparent about the wells they are measuring. If a fair measurement is not being taken, then the data will not be accurate.

Mr. Abrahamsen also reported the District GSA has three wells on its monitoring site that are roughly 55-100 feet above the minimum threshold. The GSP says undesirable results exist if 33% of wells fall below the minimum threshold for two consecutive fall measurements.

Ms. Aldridge asked the Board if she should send a letter to the GSA's of MID and the County expressing the District GSA's concerns about this issue. The Manager said there should be a map of monitoring wells that everyone can see. Director Janzen asked Ms. Aldridge to send a letter. Ms. Aldridge said the point of the letter would be to tell the others that everyone is watching and if a GSA asserts it is in balance then it needs to be able to prove it.

Director Janzen moved to authorize Ms. Aldridge to prepare a letter to the GSAs of MID and the County expressing the concern of the MWD GSA over the well reading situation. Director Herman seconded the motion, adding the Board has a fiduciary responsibility to ensure everyone is in compliance with SGMA and the Board has an obligation to ask these questions to protect landowners.

The Manager asked whether water purchased from Dry Creek will be considered subordinate water because he needs to make sure he is sending it through the right pipelines. The directors said it would be. Director Janzen said there could be water to put everywhere so it is hard to say right now.

Director Henry left the meeting at 10:55 a.m.

The Board voted by roll call on Director Janzen's motion to authorize Ms. Aldridge to send a letter to the GSAs of MID and the County and approved the motion by unanimous vote of attending directors.

Roll call vote:

Director Johnson – Yes
Director Janzen – Yes
Director Herman – Yes
Director Canales – Yes

GSP ANNUAL REPORT. Ms. Aldridge recapped Mr. Abrahamsen's report that water readings are still 55-100 feet away from the minimum threshold and engineers are working to put data into a format everyone can understand. The Manager said he expects everyone will need to use telemetry readings soon to ensure everyone is using the same readings.

Chris Montoya of the DWR said implementation grant awards were just announced and the Madera Subbasin received a grant. Round two of grants will open in early 2022 with final awards announced in Fall of 2022. Mr. Montoya asked about the well monitoring issue and which GSAs were not reporting on all identified monitoring wells. Ms. Aldridge said she understood it was the MID GSA and the County of Madera GSA that designated certain wells to be part of the monitoring system but when it was time to report readings the GSAs did not have data for about half of those wells. Mr. Montoya said he would check with Brian Thoreson because it seems odd. Ms. Aldridge reiterated her concerns about data being skewed. Mr. Montoya said the monitoring network should be representative of the entire basin and if identified wells cannot be used then they need to be replaced. Ms. Aldridge said she does not fully understand the monitoring process but assumed the wells would not be listed in the GSP unless the GSAs knew they had access to them.

Ms. Errecart reported on the GSP webinar presented by DWR and SWRCB. She stated GSPs will be reviewed in stages with more complex GSPs being reviewed later. Ms. Errecart said there are three potential outcomes for GSP review: approved, incomplete and inadequate. If a GSP is approved it is likely the DWR will still recommend some corrective action. If a GSP is considered incomplete there are some minor deficiencies that DWR anticipates can be corrected

within 180 days and such corrections will be required. If a GSP is deemed inadequate, there are significant deficiencies that could not be corrected within 180 days which triggers probation and potential SWRCB intervention. Ms. Aldridge asked if corrective actions would require an amended GSP. Ms. Errecart said DWR anticipates any recommended corrective action could be swept up in the five-year GSP update but ultimately whether to amend a GSP to make corrections recommended by DWR is a decision to be made by each GSA. Mr. Montoya added the MWD GSA is likely to see a response regarding its joint GSP in 2022.

ADJOURNMENT. The GSA meeting was adjourned at approximately 11:07 a.m. The next meeting of the Board of the District GSA will be on Wednesday, April 14, 2021 immediately following the regular meeting of the District's Board of Directors.

Respectfully submitted,

Pat Henry, Secretary