



MINUTES
SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA)
MADERA SUBBASIN COORDINATION COMMITTEE MEETING

Date: Thursday, March 21, 2019
Time: 3:00 p.m.
Location: Frank Bergon Senior Center
238 South D Street
Madera, CA 93637

In attendance:

GSA

City of Madera (CM)
Madera County (MC)
Madera Irrigation District (MID)
Madera Water District (MWD)

Committee Member

Absent
Brett Frazier arrived at 3:30 p.m.
Dave Loquaci
Phil Janzen

Technical Expert

Keith Helmuth
Greg Young
Dina Nolan
Ken Bonesteel

Malka Kopell, Facilitator
Andrea Sandoval, Committee Secretary
Sam Boland-Brien, State Water Resources Control Board
Nick Watterson, Luhdorff & Scalmanini

1. WELCOME AND INTRODUCTIONS – Malka Kopell, CCP Facilitator

Goal: Review meeting agenda
The meeting was called to order at 3:07 p.m.

Ms. Kopell introduced herself to attendees. Ms. Kopell noted Spanish translation is available during the meeting. She noted this is a meeting of the Madera Subbasin Coordination Committee and reminded everyone this is the forum that provides advice only to the Madera Subbasin GSAs and can only make recommendations to the individual GSAs. The decision-making bodies are the individual GSAs. Ms. Kopell reviewed the agenda and noted there will be time throughout the presentation to provide comments and questions. The members of the Madera Subbasin Coordination Committee introduced themselves.

2. APPOINTMENT OF CHAIR AND VICE CHAIR

Goal: Appoint a Chair and Vice Chair as specified in the Madera Subbasin Coordination Committee Charter
The appointment of chair and vice chair was tabled until later in the meeting.

Committee Member Loquaci suggested Committee Member Janzen as Chair and Committee Member Brett Frazier as Vice-Chair. The consensus from the Committee was to select Phil Janzen from MWD as Chair and Brett Frazier from Madera County as Vice-Chair. Ms. Kopell noted Andrea Sandoval has been selected the Committee Secretary.

3. **GSA / GSP OVERVIEW**

Goal: Understand the existing GSA and GSP structure

MID Technical Expert Dina Nolan reviewed the existing GSA and GSP structure. She explained there are 7 GSAs in the Madera Subbasin. They are MID GSA, MC GSA, MWD GSA, CM GSA, Root Creek Water District (RCWD) GSA, Gravelly Ford Water District (GFWD) GSA, and New Stone Water District (NSWD) GSA.

The 4 agencies that are preparing a joint GSP are MID GSA, Madera County GSA, Madera Water District GSA, and City of Madera GSA. They are also the 4 agencies are on the Madera Subbasin Coordination Committee. RCWD GSA, GFWD GSA, and NSWD GSA are preparing their own GSPs. There will be a Coordination Agreement that will be required between the GSAs/GSPs in the Subbasin. There will be 4 GSPs prepared for the Madera Subbasin.

Ms. Nolan stated the GSAs comprising the majority of the acreage in the Madera Subbasin are preparing a joint GSP.

4. **PRESENTATION FROM STATE WATER RESOURCES CONTROL BOARD**

Goal: Present the importance of coordination under SGMA and the potential for SWRCB enforcement

Committee Member Brett Frazier entered the meeting at 3:30 p.m.

A presentation was provided by Sam Bolland-Brien, Manager of the State Water Resources Control Board (SWRCB) Groundwater Management Program. The Groundwater Management Program at SWRCB is in charge of implementing SGMA. He provided an overview of where SWRCB fits into the SGMA process. Mr. Bolland-Brien stated the tenet of the SWRCB is groundwater management in California is best accomplished locally. The Department of Water Resources will be the agency in charge of reviewing the GSPs and the Coordination Agreements and will check in with the GSAs every 5 years to make sure everything is on track.

The SWRCB is the backstop that only steps in when local efforts fail and will temporarily protect the basin until locals come up-to-speed. The backstop is triggered by SGMA deadlines. The triggering backstop after January 2020 will be basins not covered by plan(s) or no coordination between the multiple GSPs. If there are multiple GSAs and one of the GSAs does not prepare a GSP, there is the risk of the entire basin being placed on probation. It's a risk when having multiple plans in the subbasin. When there are multiple plans, a Coordination Agreement is required to be submitted with the plan.

When a groundwater basin is on probationary status, the State makes decisions, the State gathers data, the State may require meters, and locals will have an opportunity to fix issues. The State

will begin gathering pumping data and individual pumpers will be required to submit reports to the State. Groundwater extraction reports will be submitted directly to the State from pumpers and will include well location and capacity, monthly extraction volumes, and place and purpose of use. The fees for groundwater pumpers are set at \$300 base filing fee (per well) + volumetric rate (per acre foot) ranging from \$25 -\$55 depending on basin status + late fee per month of 25%. The statute requires SWRCB to recover all costs.

The last step of the SWRCB is an interim plan developed by the SWRCB. An interim plan is not the same as a GSP. The SWRCB interim plan will also be required to follow CEQA, which can be expensive. The interim plan may include pumping restrictions, physical solutions, and principles and guidelines for administration of interconnected surface water rights.

Questions and Answers

Q: Ms. Nolan questioned what is required by the Madera Subbasin for the Coordination Agreement.

A: Mr. Boland-Brien answered the same data and same methodologies must be used for the entire subbasin. The statute provides 6-7 items that must be the consistent throughout the plans. These include the same water budget, how measure water levels, sustainable yield, data, and methodologies. The sustainable yield is the yield for the entire subbasin.

Q: Audience member questioned where water markets fit into SGMA.

A: Mr. Boland-Brien stated as a project and action, the SWRCB is agnostic as to how a subbasin becomes sustainable. The SWRCB will only evaluate the plan and the outcomes, not how a basin gets there.

Q: Ms. Nolan questioned what the fees are for.

A: Mr. Boland-Brien stated the fees shown in the presentation are only the SWRCB fees to run its program and is based on the volume of water pump. If special studies are required because SWRCB needs more data, the pumpers will be required to pay. The fees are tied to the extraction reports.

Q: Ms. Nolan stated many people attending today are landowners, what are the other costs that could be required if the basin is not in compliance.

A: Mr. Boland-Brien stated any CEQA cost and any litigation. The costs get absorbed by the pumpers. When the SWRCB designates a basin as probationary, the SWRCB can require meters and landowners will be responsible for the costs.

Q: An audience member questioned if small water systems or de minimis wells are included.

A: The default is the de minimis well for domestic purposes only are exempt from the process. If find the de minimis well has a significant impact through the probationary process can include and flat fee of \$100 required. Small community wells would be included in the fee schedule.

Q: Committee Member Frazier asked if the basin is on probation status would the State be the enforcement agency, or would the County be the enforcement agency.

A: Mr. Boland-Brien stated the SWRCB would be the enforcement agency.

Q: An audience member questioned if the negotiations related to the Coordination Agreement are occurring publicly.

A: Mr. Boland-Brien stated public input is encouraged. Stephanie Anagnoson emphasized the individual GSAs are the decision-making bodies and encouraged stakeholders to attend those meetings. The Madera Subbasin Coordination Committee is for coordinating between the 4 GSAs preparing the joint GSP. Committee Member Brett Frazier noted the County GSA meets

during the Madera County Supervisor meetings. Committee Member Loquaci stated the 4 agencies preparing a joint GSP are having their technical experts meet almost weekly. Committee Member Loquaci stated, however, the entire Madera Subbasin has to coordinate and be in agreement. There cannot be fake plans, and everyone has to use the same numbers. Committee Member Loquaci stated the MID GSA meets during the MID regular board meetings on the 3rd Tuesday.

Q: Mr. Mesple questioned if there are comments submitted during the 90-day comment period for the GSP, does the 90-days restart.

A: Mr. Boland-Brien replied no. The comment period does not extend.

5. GROUNDWATER SUSTAINABILITY PLAN GSA PROJECTS

Goal: Discuss GSA-specific projects that will be included in the groundwater model and GSP

This item was tabled to a later meeting.

6. PRESENTATION BY NICK WATTERSON ON GROUNDWATER MODELING

Goal: Understand Madera Subbasin Model as a decision tool

Mr. Nick Watterson, Luhdorff & Scalmanini provided a presentation on groundwater modeling. Mr. Watterson discussed the guidance from DWR on use of groundwater modeling in the GSP. In the regulations, it states GSP analyses must employ methods sufficient to evaluate historic/projected future water budgets and undesirable results. Numerical modeling is a tool that can be used for these analyses through simulation of many interrelated factors and processes.

The model can constantly improve with more data. As SGMA and GSP gets implemented, the more data and modeling will occur. Numerical modeling is the approach in the Madera Subbasin. DWR's Central Valley model (C2VSim-Fine Grid) was used as a basis for local model refinement. It uses the Integrated Water Flow Model (IWFm) code that can simulate groundwater, surface water and interactions between surface and groundwater water. The local model was calibrated over the historical base period of 1989-2015. The calibrated model is used to evaluate future scenarios. There is one model that covers both the Madera and Chowchilla Subbasins, which provides for more accurate/efficient simulations of interactions between the two subbasins.

Groundwater models are tools to help understand potential outcomes of situations, decision, or actions. The model can inform decision and relies on specified input parameters. There are limitations in capabilities of the model. The model cannot completely represent the complexity of the region, limited calibration based on data, condition, and variables and local variability not captured. The GSAs and technical team identify potential solutions, then test solutions with the model, and review and refine solutions.

Questions and Answers

Q: An audience member questioned if the modeling process is just beginning.

A: Mr. Watterson answered the model has been calibrated and projects have been tested using the model.

Q: An audience member questioned if the model publicly available.

A: Mr. Watterson answered the model will be submitted with the GSP. The model will be available once it has been submitted.

Q: An audience member questioned Mr. Watterson works for and if the model is being funded by the taxpayers.

A: Mr. Watterson answered he works for Ludhorff and Scalmanini, the consultant hired by the Madera Subbasin. The work has been funded by a Prop. 1 grant from the Department of Water Resources.

There was a comment from Amanda Monaco, Leadership Council stating that while implementation is being phased in unincorporated communities should be considered and these folks would like to be considered and receive an insurance their wells do not go dry during the phasing in.

Q: An audience member questioned how this model interacts with other models being used in the Madera Subbasin.

A: Mr. Watterson stated this model covers the entirety of the Madera Subbasin and includes all the GSAs. One of the requirements of the GSP and SGMA is consistency in the model.

Q: An audience member questioned if all the GSAs are in agreement with the model.

A: Mr. Watterson stated there has not been a final verdict.

Q: Christina Beckstead questioned when will there be coordination on the models being used by the other GSAs.

A: Mr. Watterson replied the GSAs preparing their own GSP have been party to the modeling, the meetings, and the results. Ms. Anagnoson stated the 4 GSAs have been generous and have invited the other GSAs to participate in the technical meeting. Ms. Anagnoson stated the model uses the best science available.

7. JOINT MADERA SUBBASIN GSP TIMELINE AND SCHEDULE

Goal: Discuss timing and methods of Chapter releases and information to the public

Stephanie Anagnoson, Madera County, provided an overview on timing and methods for Chapters releases for the joint GSP. Chapters will live on www.maderacountywater.com and the complete draft will have a 90-day comment period. It is expected that Chapter 1 will be released in March 2019, Chapter 2 in April 2019, Chapter 3-5 in July 2019. Comments will be able to be emailed, mailed, or dropped off. Ms. Anagnoson stated the 4 GSAs preparing a joint GSP absolutely invite the other GSAs to participate in the joint plan. It is a lot less work and if there is one plan and a Coordination Agreement will not be required.

For timing on release of the other GSPs, interested parties will need to reach out to those agencies directly. The timeline discussed is only for the joint GSP. There was a question from the audience regarding the public process for the Coordination Agreement. Ms. Anagnoson stated there is a Coordination Agreement that is in the draft form being circulated to the agencies.

The Committee returned to discuss Item 2. before proceeding to Item 8.

8. DISCUSSION AND PUBLIC INPUT

Goal: Members of the public have an opportunity to provide comments on what has been presented.

Chairman Janzen opened up public comment or questions.

An audience member stated the concern lies with there not being enough water in the State of California. She questioned if there has been any discussion on building dams to capture water. Mr. Greg Young, Technical Expert from Madera County GSA, replied Item 5. was tabled to a later meeting, but there are projects being discussed and included in the GSP that will capture water to use for recharge. MID is currently spreading water. Mr. Young stated MID has investing for 100 years in infrastructure and Madera County has not. Madera County does not have any conveyance or infrastructure. There are also management actions that can be done and include reduction in demands. It may include reducing acreage or growing other crops that use less water.

Ms. Dina Nolan, Technical Expert from MID GSA, stated a lot of the projects were discussed at the October 18, 2018 Public Technical Workshop and MID's projects were discussed at its most recent MID GSA Board Meeting. There are various public forums where the information has been presented. The information will also be discussed at a future Madera Subbasin Technical Workshop. Ms. Nolan stated MID is absolutely looking at ways to bring in more water including on-farm recharge programs, the MID Board of Directors has set the price of water at free to encourage growers to spread water, and the District recently purchased an additional recharge basin.

An audience member questioned what the fee structure will look like and what chapter of the GSP are fees included in. Mr. Young stated the SWRCB presented a fee structure if the basin is not in compliance. The fee structures will be a lot different if the basin is managed locally. Mr. Young stated Madera County is looking at potential fees to implement projects. The fee structure will be GSA dependent and each GSA will have its own fee structure. Ms. Anagnoson stated the MC GSA has an RFQ to obtain a consultant for a rate study and a Prop. 218 election may have to occur.

9. OTHER PUBLIC COMMENT

At this time members of the public may comment on any item not appearing on the agenda.

An audience member stated it seems there is some dissention between the other GSAs. She stated she felt confident coming to the meeting because she is in the MID GSA, however, she is concerned that if the other GSAs do not get on board we are all going down. Committee Member Loquaci stated representatives from the other GSAs have been invited and several are here today. Committee Member Loquaci stated numbers are the numbers and the other GSAs need to get together sooner rather than later.

GFWD Director Diane Kirk stated GFWD's technical expert has been attending the technical meetings for the joint GSP, even though GFWD GSA is preparing their own GSP. He is working with the other technical experts. Ms. Kirk stated GFWD directors do know they need to work together and are working hard on their own plan. An audience member questioned if the other "dissenting" GSAs that are in attendance would like to explain where the interest diverge. GFWD's Technical Expert Garth Pecchenino stated you have to look at each entities' complexity and GFWD wants to make sure their complexities and differences are well represented. Ms. Kirk stated GFWD is one of the only areas that is sustainable. Ms. Christina Beckstead, Madera County Farm Bureau, stated the entire basin has to become sustainable. Ms. Kirk stated many of

the GFWD growers also have land in the “white area” of Madera County. An audience member stated if the SWRCB comes in everyone will be treated the same in the basin.

An audience member asked who could explain how RCWD GSA and NSWG GSA are different. Joe Hopkins, Technical Expert from NSWG GSA, stated NSWG GSA since the beginning deciding to draft their own GSP because the owner of the majority of the land wants to draft their own GSP and believe they are closer to sustainability than other agencies. There were not any representatives from RCWD GSA in attendance.

10. RECAP AND OUTLINE NEXT STEPS

Goal: Review topics discussed during workshop. Provide an overview of additional opportunities to discuss and inform GSA decision making on GSP components.

Ms. Kopell encouraged all attendees to sign-up for the listserv to learn about the Madera Subbasin Coordination meetings. Ms. Kopell noted the individual GSA meetings are also included on the www.maderacountywater.com website and encourage attendees to be involved.

Vice Chairman Frazier noted there are “white areas” in Madera County that are close to the river that have stable water tables and Madera County still chose to be included in the joint GSP. Chairman Janzen stated he believes all the GSAs have been working good together and a Coordination Agreement has been drafted. There will be a lot of meetings coming up and a lot of opportunity for public comment.

11. ADJOURN

Chairman Janzen adjourned at 4:53 p.m.