

Tracy Subbasin GSP Coordination Committee Meeting

Thursday, July 15, 2021

1:00 PM to 3:00 PM

Teleconference Meeting Only

Teleconference Link: <https://stantec.zoom.us/j/92863298104>

Phone Number: +1 (669) 900-6833

Meeting ID: 928-632-981-04#

NOTICE: CORONAVIRUS COVID-19

On March 18, 2020, Governor Gavin Newsom issued Executive Order N-29-20 recognizing that COVID 19 continues to spread throughout our community resulting in serious and ongoing economic harm. Governor Newsom has therefore waived certain requirements of the Ralph M. Brown Act relating to public participation and attendance at public meetings.

Based on guidance from the California Department of Public Health and the California Governor's Officer, **effective immediately** and while social distancing measures are imposed, members of the Tracy Subbasin Groundwater Sustainability Agencies and staff will be participating in this meeting remotely from multiple locations. In order to minimize the spread of the COVID 19 virus, the following options are available to members of the public to listen to these meetings and provide comments to the Committee Members before and during the meeting:

CALL-IN

Member of the public are encouraged to use the call-in number, which will allow them to fully participate in the meeting without having to be present in person. ***Once connected, we request you kindly mute your phone.***

PUBLIC COMMENT

If you wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Wednesday prior to the meeting. Please submit your comment via email to Matt Zidar, San Joaquin County, at mzidar@sjgov.org. Your comment will be shared with the Tracy Subbasin Groundwater Sustainability Agencies members and placed into the record at the meeting. Every effort will be made to read comments received during the meeting into the record but some comments may not be read due to time limitations. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.

DISABILITY-RELATED MODIFICATIONS

If you need disability-related modification or accommodation in order to participate in this meeting, please call 1 (209) 468-3089 at least 48 hours prior to the start of the meeting.

AGENDA

I. Opening of Meeting/Roll Call

II. Scheduled Items

- A. Approval of June 17 GSP Coordination Committee Meeting Minutes – *Action Item*
- B. Public Outreach Update – *Discussion Item*
- C. Draft GSP and Groundwater Modeling Updates – *Discussion Item*
- D. Memorandum of Agreement for GSP Implementation – *Discussion Item*
- E. GSP Public Comment and Adoption Requirements – *Discussion Item*
- F. GSP Development Schedule – *Discussion Item*
- G. DWR Status Report – *Discussion Item*

III. Public Comments

IV. Agency Comments

V. Next GSP Coordination Committee Meeting – August 19, 2021

VI. Adjournment

Agenda Item A

**Approval of June 17 Technical
Committee Meeting Minutes**

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MINUTES

I. Opening of Meeting/Roll Call

The meeting was called to order at 1:03 PM.

Roll call found the following Groundwater Sustainability Agency (GSA) representatives present via teleconference:

- David Weisenberger, Banta-Carbona Irrigation District GSA
- Greg Young, Byron-Bethany Irrigation District GSA
- Greg Gibson, City of Lathrop GSA
- Lemar Saffi, City of Tracy GSA
- Matt Zidar, San Joaquin County GSA
- Ryan Alameda, Stewart Tract GSA

Other attendees:

- Jackson Cook, California Department of Water Resources (DWR)
- Richard Shatz, GEI
- George Hartmann, Member of the public
- Elizabeth Simon, Stantec
- Kirsten Pringle, Stantec

II. Scheduled Items

A. Approval of May 20 GSP Coordination Committee Meeting Minutes

RESULT: APPROVED

MOVER: Matt Zidar, San Joaquin County GSA

SECONDER: Greg Young, Byron-Bethany Irrigation District GSA

AYES: Banta-Carbona Irrigation District GSA, Byron-Bethany Irrigation District GSA, City of Lathrop GSA, City of Tracy GSA, San Joaquin County GSA, Stewart Tract GSA

NOES: None

ABSENT: None

ABSTAIN: None

B. Public Outreach Update

Kirsten Pringle, Stantec, notified the Committee that she was developing a postcard that will be sent to two areas with a high concentration of domestic groundwater users in the San Joaquin County GSA's area of the Subbasin. She also noted that the Notice and Communication Groundwater Sustainability Plan (GSP) chapter had been completed and circulated for review among the GSA representations.

Greg Gibson, City of Lathrop GSA, indicated that Melissa Rhoades of The Nature Conservancy (TNC) had requested to be added to the public outreach list. He encouraged public outreach to environmental users of groundwater within the Subbasin. The group discussed potential outreach to agencies or organizations representing environmental uses or users of groundwater.

Mr. Gibson asked whether the GSPs found inadequate by DWR had been due to insufficient public outreach. Ms. Pringle responded that DWR had not commented on the description of public outreach activities included in the GSP. She recommended that the GSAs hold a public workshop in July or August prior to the formal release of GSP chapters to encourage participation in the public comment process.

C. Water Budgets

Richard Shatz, GEI, informed the Committee that the GSP chapters on water budgets and project and management actions had not yet been released. This was due to a potential issue in the C2VSIM model in the non-Delta area of the Subbasin. He proposed that the C2VSIM model results be included in their current form along with documentation identifying suggested model corrections in a subsequent iteration.

Mr. Gibson asked whether drought conditions were included in the model. Mr. Shatz responded that the model included both dry years and wet years and drought conditions were reflected in the historic conditions. Greg Young, Byron-Bethany Irrigation District GSA, noted that many districts in the basin have senior water rights; these rights do not have provisions curtailment in drought years. Ryan Alameda, Stewart Tract GSA, noted many districts had received notices for curtailment. George Hartmann, member of the public, provided context for pre- and post-1914 water rights and stated that the current drought would impact both junior and senior water rights.

D. Projects and Management Actions

Mr. Shatz noted that GEI plans to release the draft GSP chapter on projects and management actions on June 18. The chapter identifies two previously discussed projects that cover both aquifers and reduce demand by 7,000 acre-feet. Jackson Cook, DWR, stated that any projects and management actions to be considered for funding must be included in GSP. Mr. Shatz added that the Proposition 68 GSP implementation funding would be competitive since the Subbasin is not critically overdrafted and suggested that the GSAs consider other funding sources.

Mr. Gibson asked for a review of the GSP chapter review timeline. Mr. Shatz responded that public comments on the water budget and project and management actions chapters will be due in early July.

E. DWR 2020 GSP Reviews

Mr. Shatz provided an overview of the initial GSP assessments released by DWR. He noted topics relevant to the Subbasin GSP and stated that he would review the draft GSP chapters to ensure these topics were adequately addressed. Topics addressed in DWR's initial GSP assessments included sustainable management criteria, interconnected surface water, water quality constituents of concern, groundwater quality monitoring, and data used to measure subsidence.

Mr. Gibson asked Mr. Alameda about specific wells assigned to the City of Lathrop. Mr. Alameda indicated that he would review the locations and statuses of the wells.

Mr. Gibson stated that the groundwater quality constituents of concern should be identified only if they were specifically affected by pumping activities. Mr. Shatz responded that the GSP currently does not cover regionally managed water quality constituents. Mr. Shatz asked for GSA input on whether these regionally managed, naturally occurring, and highly variable constituents of concern should be included in the GSP. Mr. Gibson stated that these should be included as a baseline condition for tracking purposes.

F. GSP Implementation Governance Agreement

Ms. Pringle presented an analysis of GSA governance agreements. She recommended that the Committee consider modifications to the Memorandum of Agreement (MOA) between the GSAs to change the MOA termination date, add language related to GSP implementation, and add funding-related provisions. Ms. Pringle noted potential next steps and asked for GSA input on amendments to the existing MOA.

Mr. Hartmann encouraged a forward-looking approach to the amendments, especially related to funding. Mr. Gibson noted a potential conflict of interest if a single GSA's legal counsel drafted amendments. He indicated that an impartial third-party legal council would be expensive, but would resolve the conflict-of-interest concern. Ms. Pringle stated that draft could be developed and then circulated by all member agencies' legal counsels.

Mr. Gibson stated support for an acreage-based cost allocation methodology. Mr. Hartmann asked why the methodology would not be based on groundwater pumping and allocation. Mr. Shatz responded that pumping is not metered so the usage would be estimated with a computer model. Matt Zidar, San Joaquin County GSA, noted that cost sharing could also be weighted based on both pumping and population.

Mr. Gibson stated support for formalizing San Joaquin County as the fiscal agent for the Subbasin, if willing. Mr. Zidar requested that fiscal-agent specification

should be left open ended. Mr. Zidar and Mr. Gibson discussed equitable sharing of Zone 2 Funding.

Ms. Pringle asked for Committee input on the MOA timeframe. Mr. Gibson indicated that the 5-year timeline seemed appropriate.

Mr. Zidar asked the group to consider the benefits of a JPA since DWR would not contract with an MOA. The alternative of DWR contracting with individual GSAs might be problematic if there was insufficient consensus within the Committee.

Mr. Hartmann and Mr. Zidar discussed the feasibility of GSAs leaving the MOA.

The Committee decided to hire legal counsel to amend the MOA, or identify legal counsel support from one of the GSAs to draft the initial amendments prior to distributing the MOA to all the GSAs for review.

G. GSP Development Schedule

Mr. Shatz provided an overview of progress on GSP development and schedule. He asked the GSAs to send him board meeting dates for GSP adoption.

H. DWR Status Report

Mr. Cook noted the materials released by DWR on the GSP assessment process, including an informative video and fact sheet. He also noted on upcoming webinar on the Integrated Regional Water Management Program and SGMA being held on June 21.

III. **Public Comments**

There were no comments from members of the public on items not on the agenda.

IV. **Agency Comments**

There were no additional comments from the GSA representatives.

V. **Next GSP Coordination Committee Meeting – July 15, 2021**

The next GSP Coordination Committee meeting will be held on July 15, 2021.

VI. **Adjournment**

Ms. Pringle adjourned the meeting at 3:03 PM.

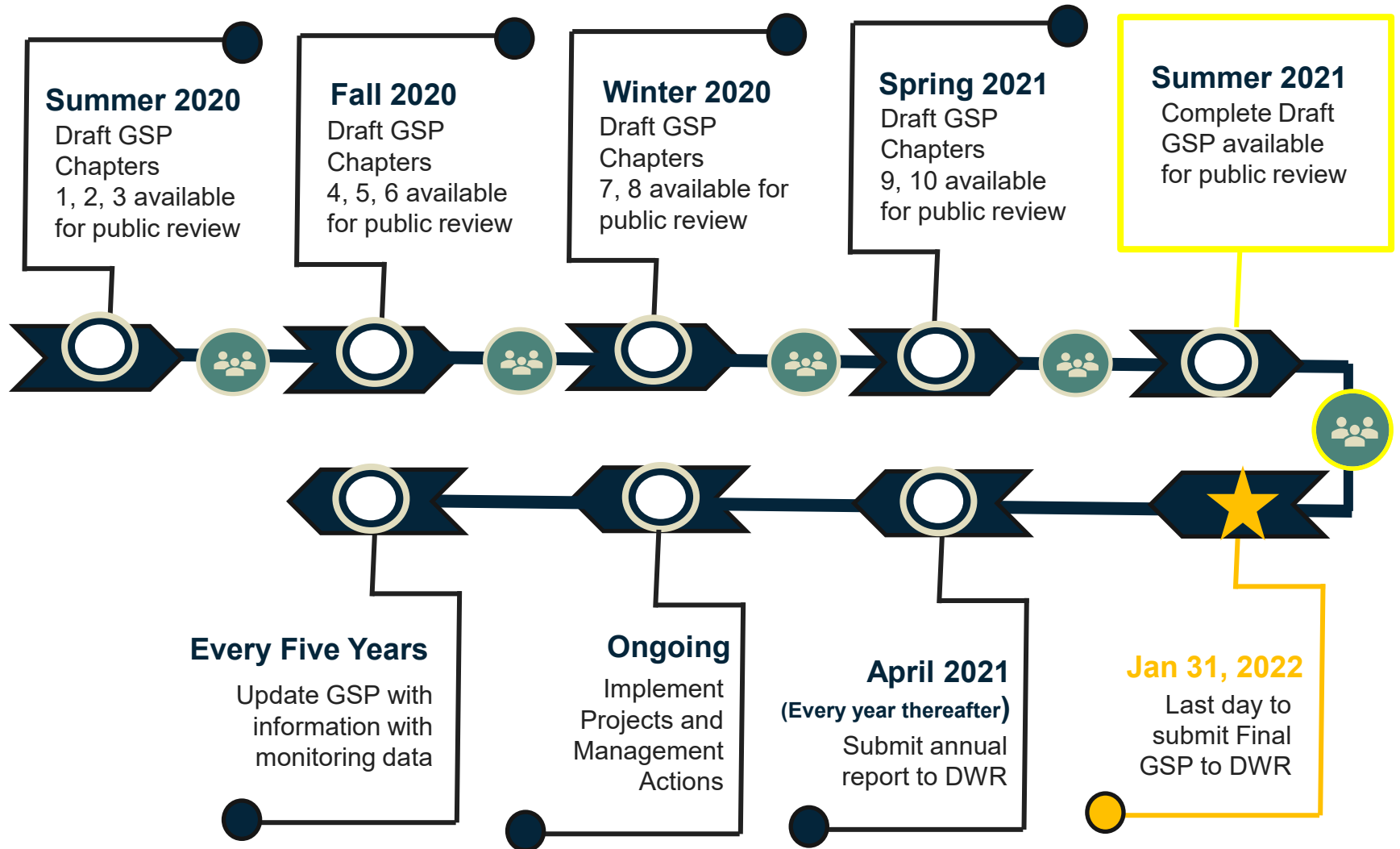
Agenda Item E

**GSP Public Comment and Adoption
Requirements**

California Water Code § 10728.4

A groundwater sustainability agency may adopt or amend a groundwater sustainability plan **after a public hearing, held at least 90 days after providing notice to a city or county within the area of the proposed plan or amendment.** The groundwater sustainability agency shall review and consider comments from any city or county that receives notice pursuant to this section and shall consult with a city or county that requests consultation within 30 days of receipt of the notice. Nothing in this section is intended to preclude an agency and a city or county from otherwise consulting or commenting regarding the adoption or amendment of a plan.

GSP Public Review Process



GSA Responsibilities

- Approve notice of intent to adopt the GSP
- Schedule and hold public hearing to adopt the final GSP
- Engage key stakeholders to ensure concerns are addressed
- Inform GSA governing body members
- Notice the public workshop and public comment process

GSP Submittal and Evaluation

GSP Submittal and Evaluation Timeline



Source: California Department of Water Resources and California State Water Resources Control Board, 2020