

Tracy Subbasin GSP Coordination Committee Meeting

Thursday, November 18, 2021
1:00 PM to 3:00 PM

Teleconference Meeting Only

Teleconference Link: <https://stantec.zoom.us/j/93541056999>

Phone Number: 1-669-900-6833

Meeting ID: 935 4105 6999

NOTICE: CORONAVIRUS COVID-19

Assembly Bill 361 amends Section 54953 of the Government Code to allow the legislative body of a local agency to meet remotely without complying with the normal teleconference rules for agenda posting, physical location access, or quorum rules. To do so, one of three scenarios must exist, all of which require that the Governor has proclaimed a State of Emergency pursuant to Government Code section 8625:

- A. State or local officials have imposed or recommended measures to promote social distancing;
- B. The agency is holding a meeting for the purpose of determining whether meeting in person would present imminent risks to the health or safety of attendees; or
- C. The agency is holding a meeting and has determined that meeting in person would present imminent risks to the health or safety of attendees.

Assuming the State of Emergency remains in effect and an agency wishes to continue meeting under the modified rules, it must adopt an initial resolution within 30 days of the first teleconference meeting (which applies retroactively to that first meeting), and then must adopt an extension resolution at least every 30 days thereafter. (Id. at subd. (e)(3).)

California Governor Gavin Newsom declared a state of emergency on March 4, 2020 in response to the COVID-19 pandemic. The state of emergency declaration remains in place. Pursuant to the requirements of Section 54953 of the Government Code, the Tracy Subbasin Sustainability Agencies have adopted a resolution determining that meeting in person would present imminent risks to the health and safety of attendees. This resolution allows the GSP Coordination Committee to continue to hold meetings remotely for a period of at least 30-days.

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 October 21 GSP Coordination Committee Meeting Minutes – *Action Item*
- B. Adoption of Resolution Proclaiming a Local Emergency, Ratifying the COVID-19 State of Emergency, and Authorizing Remote Teleconference Meetings of the Tracy Subbasin GSP Coordination Committee Pursuant to the Ralph M. Brown Act – *Action Item*
- C. Inter-Basin Coordination Update – *Discussion Item*
- D. Preparation of and Data Needs for 2022 Annual Report – *Discussion Item*
- E. Draft Scope and Budget for GSP Implementation Technical Support – *Discussion Item*
- F. DWR Status Report – *Discussion Item*

III. Public Comments

IV. Agency Comments

V. Next GSP Coordination Committee Meeting – December 16, 2021

VI. Adjournment

**Tracy Subbasin
GSP Coordination Committee Special Meeting**

**Thursday, October 21, 2021
1:00 PM to 3:00 PM**

Teleconference Meeting Only

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Phone Number: 1-669-900-6833

Meeting ID: 935 4105 6999

DRAFT 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
- Nick Janes, Byron-Bethany Irrigation District GSA
- Greg Gibson, City of Lathrop GSA
- Michael King, City of Lathrop GSA
- Lemar Saffi, City of Tracy GSA
- Matt Zidar, San Joaquin County GSA
- Ryan Alameda, Stewart Tract GSA

Other attendees:

- Richard Shatz, GEI
- George Hartmann, Member of Public
- Nader Shareghi, Mountain House Community Services District
- Jose Coronado, San Joaquin County
- Elizabeth Simon, Stantec
- Kirsten Pringle, Stantec

II. Scheduled Items

- A. Approval of September 16 and October 5 GSP Coordination Committee Meeting Minutes

RESULT: APPROVED

MOVER: David Weisenberger, Banta-Carbona Irrigation District GSA

SECONDER: Matt Zidar, San Joaquin County 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. Resolution Proclaiming a Local Emergency, Ratifying the COVID-19 State of Emergency, and Authorizing Remote Teleconference Meetings of the Tracy Subbasin GSP Coordination Committee Pursuant to the Ralph M. Brown Act

RESULT: APPROVED

MOVER: David Weisenberger, Banta-Carbona Irrigation District GSA

SECONDER: Matt Zidar, San Joaquin County 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

C. Public Outreach Update

Kirsten Pringle, Stantec, provided an update on inter-basin coordination with the Delta-Mendota and East Contra Costa Subbasins and recommended that the GSAs apply for support under the California Department of Water Resources' Facilitation Support Services Program to update the Communication and Engagement Plan for GSP implementation.

D. Approval of Budget and Cost Allocation Methodology for GSP Implementation

The Committee discussed the cost allocation methodology and estimated five-year budget for GSP implementation.

Michael King, City of Lathrop GSA, asked how often the groundwater pumping, population, and acreage numbers in the cost allocation spreadsheet would be updated. Richard Shatz, GEI, responded that each GSA will provide updated population and groundwater pumping on an annual basis. Greg Young, Byron-Bethany Irrigation District (BBID) GSA, stated that he would provide updated number for groundwater pumping with the District.

Mr. Young asked for clarification on whether the GSAs would be voting to adopt the budget itself or the cost allocation methodology. Ms. Pringle responded that the action will be to vote on the estimated five-year budget and cost allocation methodology, but not the actual budget for 2022. Mr. Young noted that the goal should be to reduce the estimated costs for GSP implementation on a year-to-year basis. Matt Zidar, San Joaquin County GSA, suggested that the GSAs consider a reserve fund.

George Hartmann, member of the public, encouraged the Committee to consider utilization of the Open Evapotranspiration (Open ET) model as a method for estimation of water used versus water pumped.

The Committee discussed the schedule for adoption of the Final GSP and Memorandum of Agreement (MOA). Many GSAs indicated that the MOA and GSP would be adopted by their respective governing bodies in mid-December.

The Committee voted to adopt the estimated five-year GSP implementation budget. Mr. Young noted that the total budget is \$1.1 million over a five-year period and that the GSAs are adopting anticipated expenditures over the next five years.

RESULT: APPROVED

MOVER: Greg Young, Byron-Bethany Irrigation District GSA

SECONDER: Matt Zidar, San Joaquin County 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

The Committee voted to adopt a cost allocation methodology proportionate to 60% of each GSA's groundwater use, 20% of each GSA's gross acreage within its GSA, and 20% of each Partner's population in the Non-Delta Management Area of the Tracy Subbasin.

RESULT: APPROVED

MOVER: David Weisenberger, Banta-Carbona Irrigation District GSA

SECONDER: Matt Zidar, San Joaquin County 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

E. Amendment to the Memorandum of Agreement

Ms. Pringle stated that the revised Amendment No. 1 to the Tracy Subbasin Memorandum of Agreement would be circulated following the meeting for review. She requested comments from the GSAs by October 27.

F. GSP Adoption Schedule

Mr. Shatz stated the Final GSP would be completed by the end of October.

III. Public Comments

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

IV. Agency Comments

There were no additional comments from the GSA representatives or DWR.

V. Next GSP Coordination Committee Meeting – November 18, 2021

The next GSP Coordination Committee meeting will be held on November 18, 2021.

VI. Adjournment

Ms. Pringle adjourned the meeting at 2:09 PM.

**TRACY SUBBASIN GROUNDWATER SUSTAINABILITY PLAN COORDINATION
COMMITTEE**

RESOLUTION NO. 2021-01

**PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE COVID-19 STATE OF
EMERGENCY, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF
THE TRACY SUBBASIN GROUNDWATER SUSTAINABILITY PLAN
COORDINATION COMMITTEE PURSUANT TO THE RALPH M. BROWN ACT.**

WHEREAS, the Tracy Subbasin Groundwater Sustainability Agencies (“GSA”) are committed to preserving and nurturing public access and participation in meetings of the Tracy Subbasin Groundwater Sustainability Plan Coordination Committee (“Coordination Committee”); and

WHEREAS, all meetings of the Coordination Committee are open and public, as required by the Ralph M. Brown Act (Gov. Code, §§ 54950 – 54963) (“Brown Act”), so that any member of the public may attend, participate, and watch the Coordination Committee conduct its business; and

WHEREAS, Assembly Bill 361 added Government Code section 54953(e) to make provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the Tracy Subbasin’s boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the Tracy Subbasin, specifically, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California due to the threat of COVID-19; despite sustained efforts, the virus continues to spread and has impacted nearly all sectors of California; and

WHEREAS, the Coordination Committee does hereby find that the ongoing risk posed by the highly transmissible COVID-19 virus has caused, and will continue to cause, conditions of peril to the safety of persons within the Tracy Subbasin that are likely to be beyond the control of services, personnel, equipment, and facilities of the Coordination Committee, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Tracy Subbasin GSAs do hereby find that the Coordination Committee shall conduct its meetings without compliance with paragraph (3)

of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the Coordination Committee shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, all meeting agendas, meeting dates, times, and manner in which the public may participate in the public meetings of the Coordination Committee and offer public comment by telephone or internet-based service options including video conference are posted on the Tracy Subbasin website and physically outside of the San Joaquin County office.

NOW, THEREFORE, THE COORDINATION COMMITTEE DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Coordination Committee hereby proclaims that a local emergency now exists throughout the Tracy Subbasin, and the ongoing risk posed by the highly transmissible COVID-19 virus has caused, and will continue to cause, conditions of peril to the safety of persons within the Tracy Subbasin.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Coordination Committee hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. GSA staff are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) Thursday, October 21, 2021 or such time the Coordination Committee adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Coordination Committee may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Tracy Subbasin Coordination Committee, this _____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN: