



Board of Directors Meeting

AGENDA

Wednesday, May 9, 2018

11:00 a.m. – 12:00 p.m.

San Joaquin County – Robert J. Cabral Agricultural Center
2101 E. Earhart Avenue – Assembly Room #1, Stockton, California

I. Call to Order/Pledge of Allegiance & Safety Announcement/Roll Call

II. SCHEDULED ITEMS

A. Discussion/Action Items:

1. Approval of Minutes of April 11, 2018 (See Attached)
2. Roadmap Update and Project Schedule
3. Outreach Update – Report Out on Stakeholder Committee Formation Process Extension
4. Discussion and Possible Action to Authorize the Consultants to Use the Model for Development of the Current and Future Water Budgets in Support of the Groundwater Sustainability Plan (GSP) Development
5. Discussion and Possible Action to Appoint Basin Coordinator for Department of Water Resources (DWR) Technical Support Services (See Attached)
6. Update from the Department of Water Resources
7. Lathrop Basin Boundary Modification

B. Informational Items (see attached):

1. April 27, 2018, Letter from Ms. Mary Elizabeth, Sierra Club, Delta-Sierra Group Mother Lode Chapter, “Use of Zone 2 Money to Fund California Water Service’s Groundwater Basin Authority JPA Assessment for the San Joaquin County Groundwater Sustainability Agency #2”
2. April 27, 2018, State of California, Department of Water Resources, “SGMA Data Viewer”
3. May 1, 2018, newsdeeply, “To Manage California’s Groundwater, Think More About Surface Water”

(Continued on next page)

EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY

Board of Directors Meeting

AGENDA

(Continued)

- III. Public Comment (non-agendized items)
- IV. Directors' Comments
- V. Future Agenda Items
- VI. Adjournment

Next Regular Meeting

June 13, 2018 at 11:00 a.m.

San Joaquin County - Robert J. Cabral Agricultural Center
2101 E. Earhart Ave., Assembly Rm. #1, Stockton, California

Action may be taken on any item

Agendas and Minutes may also be found at <http://www.ESJGroundwater.org>

Note: If you need disability-related modification or accommodation in order to participate in this meeting, please contact San Joaquin County Public Works Water Resources Staff at (209) 468-3089 at least 48 hours prior to the start of the meeting.

EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY
Board Meeting Minutes
April 11, 2018

I. Call to Order/Pledge of Allegiance & Safety Announcement/Roll Call

The Eastern San Joaquin (ESJ) Groundwater Authority (GWA) Board meeting was convened by Chair Chuck Winn at 9:36 a.m., on April 11, 2018, at the Robert J. Cabral Agricultural Center, 2101 E. Earhart Ave. Stockton, CA. Following the Pledge of Allegiance, a representative of the San Joaquin County Office of Emergency Services provided the required safety information.

In attendance were Chair Chuck Winn, Vice-Chair Mel Panizza, Secretary Kris Balaji; Directors John Freeman (arrived 9:40), George Biagi, Jr., Stephen Salvatore, Alan Nakanishi, Rich Silverman, Elbert Holman, Russ Thomas, David Fletcher, Mike Henry, Eric Thorburn, Dale Kuil; and Alternate Directors Reid Roberts, Joe Valente, and Doug Heberle.

II. SCHEDULED ITEMS

A. Discussion/Action Items:

1. Approval of Minutes of March 14, 2018

Motion: Director Henry moved, and Director Panizza seconded, approval of March 14, 2018 minutes. The motion was approved by directors.

2. Update Advisory Committee Appointment

It was indicated that an attachment listing the GWA Advisory Committee appointments was provided in the agenda packet.

3. Discussion and Possible Action to Change Time of May GWA Board Meeting

Ms. Alyson Watson, Executive Vice President at Woodard & Curran and Project Manager for GSP development, discussed changes to GWA Board meeting times. It was suggested that the GWA Advisory Committee meet at 9:00-10:30 a.m. on the second Wednesday of the month and the Authority Board Meeting move to 11 a.m., starting with the May 9th meeting. Ms. Watson explained the rationale for the meeting times and Mr. Brandon Nakagawa indicated that the fourth Wednesday of the month is also an option for additional meetings if the schedule is falling behind.

Director Thomas indicated a potential meeting conflict with Association of California Water Agencies (ACWA) on May 9th. There was also a potential conflict for Chairman Winn but no others.

Motion: Director Fletcher moved, and Director Panizza seconded that the May Board meeting will move to 11 a.m.

4. Lathrop Boundary Change

Director Salvatore, representing the City of Lathrop, gave a PowerPoint presentation regarding the potential Basin Boundary Modification (BBM) for the City of Lathrop. The City limit boundary encompasses portions of both the Eastern San Joaquin and Tracy Subbasins, and the Subbasin boundary is currently the San Joaquin River. With the current boundary, the city would need to support two GSAs and two GSPs, and on-going management of two different basins. The City is proposing a BBM to include the entire City in the Tracy Subbasin. Mr. Salvatore expressed that the BBM will allow a single GSA and GSP to cover the entire city; support the interests of the City and its water customers; consolidate the city into the Tracy Subbasin, which has more similar characteristics and conditions as are found in the City; and increase the City's ability to efficiently and sustainably manage groundwater. Director Salvatore stated there is precedence for such BBMs, and the City is following DWR's requirements to pursue the modification. He stated he is here requesting support and answer any questions about the BBM and stated he has sent out 17 requests for

letters of support and is awaiting responses. He concluded by stating that the BBM will have minimal impact on SGMA compliance in either basin.

Discussion among the GWA Directors followed the presentation, including clarifying questions from Directors Nakanishi and Panizza, Alternate Director Heberle, and Chair Winn. Director Thorburn raised concerns about the basin modification given that Lathrop's future water needs will be met from South San Joaquin Irrigation District's (SSJID) surface water and that Lathrop's wells are all in the ESJ Subbasin. It was also suggested that Lathrop consider fully joining the ESJ Subbasin rather than the Tracy Subbasin. A member from the public from SSJID suggested focus should be given to Lathrop's future plans for surface water in relation to overdraft going on in the basin.

Mr. Paul Wells, California Department of Water Resources (DWR), indicated that letters of support are not a requirement and that there will be public comment period. BBMs based on jurisdiction are acceptable and this is a common type of BBM. Mr. Bill Brewster, of DWR, stated that DWR will be looking at the information that is useful in evaluating the potential change, and consider if everyone agrees vs. if there is opposition. Mr. Salvatore stated the application will be submitted in about a week, but letters of support/concern may still be added after that time, to June.

It was suggested to add this item to next month's agenda for any updates, whether or not this body takes action on it.

5. Presentation by Woodard & Curran on GSP Development Process

Ms. Watson introduced Lori Denaro with Crocker & Crocker to go through the Stakeholder Engagement & Outreach Plan.

i. Stakeholder Engagement and Public Outreach Plan

Lori Denaro gave a PowerPoint presentation (included in the Board Packet) that introduced the outreach team, SGMA requirements, the Stakeholder Engagement and Outreach Plan purpose, stakeholder groups and activities, measurement and evaluation, and timeline.

Questions on Outreach Plan Presentation

Director Biagi asked how the outreach consultant is funded, to which Ms. Watson explained Crocker & Crocker is a subconsultant under the grant-funded project. Director Nakanishi indicated the subject material may not be engaging enough for the average citizen and asked how many people come to committee meetings. Ms. Denaro explained that key messages will be framed for the public in terms of "what's in it for me." Director Henry thanked Ms. Denaro for the presentation and noted that it will make GSAs' job easier. Ms. Carolyn Lott indicated that the Stakeholder Committee will also be charged with sharing/disseminating information.

Ms. Mary Elizabeth, member of the public, asked if the Outreach Plan presented today was the entire plan for review and Ms. Denaro replied that today's presentation was a highlight of the Outreach Plan and that a more comprehensive written plan will be available after finalization. Ms. Denaro also indicated that the website www.esjgroundwater.org will be updated with a link to join the interested parties list.

Ms. Elizabeth then asked if the list of 100 organizations of stakeholders would be disclosed upon request, as interested participants may want to see if the list is balanced and diverse. Ms. Watson indicated the list would be provided.

Ms. Elizabeth indicated there was conflicting information for the Stakeholder Committee stating that rules of engagement were going to be provided during the application process yet she was confused

that the charter is underway. She is concerned that new requirements would be brought forth in the Charter after application process is underway. Ms. Denaro indicated that the application had primary requirements (monthly meetings, authority, sharing information, etc.) listed in the email. Ms. Watson further indicated that the charter would not have new requirements. She confirmed that the link would be made available to organizations that did not originally receive the email, and the email may be forwarded to those who may be interested. Ms. Denaro then indicated that Stakeholder meetings will be public.

ii. Stakeholder Committee Progress and Update

Ms. Watson indicated the schedule and progress of the Stakeholder Committee formation and noted that this group does not have an authority role. Target is to have the first meeting late May.

iii. Physical Setting and Undesirable Results

Ms. Watson gave a PowerPoint presentation with an overview of the basin setting and undesirable results. She indicated that the GWA Advisory Committee will be critical for the technical development of the project. In response to the presentation, Ms. Elizabeth suggested the use of the terminology “depth to water,” as opposed to “groundwater elevation,” as people may think higher elevation will be closer to the surface.

Undesirable Results for Chronic Lowering Groundwater Levels Discussion: Ms. Lott mentioned intrusion on saline groundwater and Director Thorburn noted Water Quality as potential other undesirable results related to lowering groundwater levels. Director Thorburn noted that neighbors could be affecting other neighboring districts.

Undesirable Results for Reduction in Groundwater Storage Discussion: Chair Winn indicated that subsidence is a problem in the central valley and that it relates to groundwater storage. Reduction in storage by virtue of subsidence is a major issue and stated recharge is necessary to prevent that from occurring.

Undesirable Results for Seawater Intrusion Discussion: Director Nakanishi asked where saltwater intrusion harms the land and Ms. Watson indicated that saltwater intrusion is an issue for coastal areas due to brackish water intrusion from the Delta. This is an issue, but salinity is being addressed under Water Quality.

Undesirable Results for Degraded Water Quality Discussion: Director Silverman noted that many other chemicals should be included on the list. It was noted that moving plumes in areas should be listed and that salt is manipulated currently, being put back in the Bay. Ms. Watson indicated that climate change is evaluated in SGMA and sea level rise is part of that. We are waiting for guidance from DWR.

Undesirable Results for Land Subsidence Discussion: Ms. Lott noted that Chair Winn indicated that land subsidence could affect storage in the basin. Director Silverman indicated that the science is not out yet as to whether it can be reversed through recharge. Chair Winn noted that there is a concern about subsidence around the high-speed rail. Director Silverman noted that the way in which subsidence will change the flow of water is a new phenomenon that has not been looked at. Director Kuil asked where it is occurring, and Mr. Nakagawa indicated it is near Stanislaus and San Joaquin river confluence.

Undesirable Result for Depletion of Interconnected Surface Water: Director Biagi indicated that water rights is of primary importance.

iv. Materials for GSA Outreach

Ms. Watson shared the GSA outreach material. It was stated it will be on the website and emailed to Directors. Ms. Lott asked for the slides to be used for consistency for the public.

Ms. Elizabeth noted that community water systems and agricultural users were not included in the list of outreach participants and need to be included. She also noted that on the graphic on page 67, there should be a double-headed arrow between the General Public and Stakeholder Committee areas, rather than a single-headed arrow.

6. Update from the Department of Water Resources

Mr. Paul Wells stated there has been approval of the grant application for \$1.5M for GSP development. He stated that a commitment letter will be forthcoming, and that the ESJ Subbasin is a high priority for this grant agreement. The Modesto, Tracy, Cosumnes and South American Subbasins will also receive grants, and have a later schedule. DWR is doing SGMA assistance workshops in Chico on April 23rd, in Clovis on April 24th and webcast on April 27th. The workshops will provide information regarding planning and technical assistance, and there will be booths to interact with DWR staff. Additionally, the TSS online application will be available soon. One application is to be filed per basin. Lastly, he stated DWR representatives will attend GWA Board and Advisory Committee meetings. Chair Winn thanked DWR for the partnership.

III. Public Comment:

Ms. Elizabeth commented about the upcoming water budget presentation, stating that she would like to see each GSA boundary interface indicated. She thanked the group and noted that she looks forward to future engagement opportunities working in support of public outreach for each GSA.

IV. Directors' Comments:

Alternate Director Ward stated that he would like this group to spend more time on the geology and noted that not enough time has not been spent reviewing how geology relates to groundwater, its movement, quality, and related topics relating to SGMA. Director Thomas indicated his agreement on the need for fundamental understanding and suggested scheduling meetings to go over a geology primer. Chair Winn supported exploring the idea and also pointed out that the Advisory Committee will be convening soon. Ms. Watson indicated that at the next GWA meeting we will look at geology (background/basin conditions) as we discuss the work that has been taking place for a couple of years on the Model as part of the Stressed Basins Grant /SGMA readiness work. Several of the Advisory Committee members are very familiar with that work and she re-emphasized the importance of that group and its technical knowledge. Mr. Nakagawa agreed with Alternate Director Ward and stated his desire to make sure everyone understands that decades of work have been done via the USGS and other data and studies, and that we are fortunate to have a robust understanding of the geology of the Subbasin.

V. Future Agenda Items:

A discussion and update on the City of Lathrop BBM was raised as an agenda item for next month's meeting.

VI. Adjournment:

The meeting was closed at 12:06 pm.

Next Regular Meeting: May 9, 2018 at 11:00 a.m.

San Joaquin County - Robert J. Cabral Agricultural Center, 2101 E. Earhart Ave., Assembly Rm. #1, Stockton, CA.



MEMBER SIGN-IN SHEET

Location: SJ COUNTY ROBERT J. CABRAL AG CENTER Date: 4/11/18 Time: 9:30 AM

INITIAL	Member's Name	GSA	Phone	Email
JF	John Freeman	Cal Water Member	209-547-7900	jfreeman@calwater.com
	Steve Cavallini	Cal Water Alternate	209-464-8311	scavallini@calwater.com
GB	George Biagi, Jr.	Central Delta Water Agency Member	209-481-5201	gbiagi@deltabluegrass.com
	Dante Nomellini	Central Delta Water Agency Alternate	209-465-5883	ngmplcs@pacbell.net
	Grant Thompson	Central San Joaquin Water Conservation District Member	209-639-1580	gtom@velociter.net
RR	Reid Roberts	Central San Joaquin Water Conservation District Alternate	209-941-8714	reidroberts@gmail.com
	Stephen Salvatore	City of Lathrop Member	209-941-7430	ssalvatore@ci.lathrop.ca.us
	Greg Gibson	City of Lathrop Alternate	209-941-7430	ggibson@ci.lathrop.ca.us
AN	Alan Nakanishi	City of Lodi Member	209-333-6702	anakanishi@lodi.gov
	Charlie Swimley	City of Lodi Alternate	209-333-6706	cswimley@lodi.gov
RS	Rich Silverman	City of Manteca Member	209-456-8017	rsilverman@ci.manteca.ca.us
	Mark Houghton	City of Manteca Alternate	209-456-8416	mhoughton@ci.manteca.ca.us
EH	Elbert Holman	City of Stockton Member	209-937-8244	hoytir63@yahoo.com
ML	Mel Lytle	City of Stockton Alternate	209-937-5614	mel.lytle@stocktonca.gov

INITIAL	Member's Name	GSA	Phone	Email
RTS	Russ Thomas	Eastside San Joaquin GSA Member	209-480-8968	rthomascwd@hotmail.com
WPW	Walter Ward	Eastside San Joaquin GSA Alternate	209-525-6710	wward@envres.org
DF	David Fletcher	Linden County Water District Member	209-887-3202	dqfpe@comcast.net
	Paul Brennan	Linden County Water District Alternate	209-403-1537	ptbrennan@verizon.net
MB	Mike Henry	Lockeford Community Services District Member	209-712-4014	midot@att.net
JMS	Joseph Salzman	Lockeford Community Services District Alternate	209-727-5035	lcsd@softcom.net
	Eric Schmidt	Lockeford Community Services District Alternate	209-727-5035	lcsd@softcom.net
	Tom Flinn	North San Joaquin Water Conservation District Member	209-663-8760	tomflinn2@me.com
JV	Joe Valente	North San Joaquin Water Conservation District Alternate	209-334-4786	jvalente@softcom.net
ET	Eric Thorburn, P.E.	Oakdale Irrigation District Member	209-840-5525	ethorburn@oakdaleirrigation.com
	Emily Sheldon	Oakdale Irrigation District Alternate	209-840-5509	esheldon@oakdaleirrigation.com
W	Chuck Winn	San Joaquin County Member	209-953-1160	cwinn@sigov.org
	Kathy Miller	San Joaquin County Alternate	209-953-1161	kmiller@sigov.org
	John Herrick, Esq.	South Delta Water Agency Member	209-956-0150	jherlaw@aol.com
	Jerry Robinson	South Delta Water Agency Alternate	209-471-4025	N/A
DK	Dale Kuil	South San Joaquin GSA Member	209-670-5829	dkuil@ssjid.com
	Robert Holmes	South San Joaquin GSA Alternate	209-484-7678	rholmes@ssjid.com
MP	Melvin Panizza	Stockton East Water District Member	209-948-0333	melpanizza@aol.com
	Andrew Watkins	Stockton East Water District Alternate	209-948-0333	watkins.andrew@verizon.net
	Anders Christensen	Woodbridge Irrigation District Member	209-625-8438	widirrigation@gmail.com
AK	Doug Heberle	Woodbridge Irrigation District Alternate	209-625-8438	heberlewid@gmail.com

Eastern San Joaquin Groundwater Authority Staff & Support

INITIAL	Member's Name	Organization	Phone	Email
KB	Kris Balaji	San Joaquin County	468-3100	kbalani@sigov.org
FB	Fritz Buchman	San Joaquin County	468-3034	fbuchman@sigov.org
✓	Brandon Nakagawa	San Joaquin County	468-3089	bnakagawa@sigov.org
MC	Mike Callahan	San Joaquin County	468-9360	mcallahan@sigov.org
	Lynn Hoffman	San Joaquin County	468-3531	mlhoffman@sigov.org
✓	Kelly Villalpando	San Joaquin County	468-3073	krvillalpando@sigov.org
DB	Danielle Barney	San Joaquin County	468-3089	dbarney@sigov.org
CL	Carolyn Lott	Carlton Consulting / Facilitator	402-2024	carolynlott@sbcglobal.net
RA	Rod Attebery	Neumiller & Beardslee / Legal Counsel	948-8200	rattebery@neumiller.com



OTHER INTERESTED PARTIES - SIGN-IN SHEET

Location: SJ COUNTY ROBERT J. CABRAL AG CENTER Date: 4/11/18 Time: 9:30 AM

INITIAL	Member's Name	Organization	Phone	Email
LD	Lori Denaro	Crocker & Crocker	916-591-3276	lori@crocker-crocker.com
PMR	Peter Rietkerk	SSJID	209-249-4645	prietkerk@ssjid.com
CK	CONNELLY MILLS	CALAVITAS COUNTY	415-321-3409	ckconnedy@woodardcurran.com
CSK	Christy Kennedy	Woodard + Curran		
KV	Ken Vogel	Farm Bureau	209-815-5803	
GS	Grace Se	EBMUD		
EM	Elba Mijangos	City of Manteca		
RS	Rob Schumann	Klein felder	858 352 8243	rschumann@kleinfelder.com
SM	Scott Moody	SRWD		
MW	MARK WILLIAMSON	GR1	916 631 9559	
ASL	ALAN NAKAMISHI	Lod.		ALAN@SSENO.ACA
ES	Conrad Schmidt	Est. Maps		
LD	Linda Dorn	Sacramento County	916-874-1085	ldorn@saccounty.net
	Peter Martin	CCWD	209-754-3894	petem@ccwd.org

ATTACHMENT II
A.5.



Department of Water Resources

Technical Support Services General Application Groundwater Sustainability Plan Development

The Department of Water Resources (DWR) is offering Technical Support Services (TSS) to assist Groundwater Sustainability Agencies (GSAs) with the development of their Groundwater Sustainability Plans (GSPs).

*This TSS General Application collects information that applies to all GSAs located in the groundwater basin/subbasin and only one application per groundwater basin/subbasin is allowed. By submitting a TSS General Application for the groundwater basin/subbasin, you are volunteering to be the **Groundwater Basin/Subbasin Coordinator** for all TSS located in the groundwater basin/subbasin.*

*The **Groundwater Basin/Subbasin Coordinator** will be responsible for facilitating communication and planning for all GSAs located in a groundwater basin/subbasin when applying for TSS Requests (e.g. Groundwater Monitoring Well Installation, Geophysical Logging, Video Logging, etc). You or your designee can submit a TSS Request after completing this application.*

For questions or assistance with this TSS General Application, please contact Steven Springhorn at Steven.Springhorn@water.ca.gov

or (916) 651-9273 or the following DWR Region Office representatives:

- Northern Region Office - Michelle Dooley, Michelle.Dooley@water.ca.gov, (530) 529-7380
- North Central Region Office - Bill Brewster, Bill.Brewster@water.ca.gov, (916) 376-9657
- South Central Region Office - Mike McKenzie, Charles.McKenzie@water.ca.gov, (559) 230-3308
- Southern Regional Office - Tim Ross, Timothy.Ross@water.ca.gov, (818) 549-2345

This application will be evaluated on its merits. Please answer each question and provide supporting documentation where possible.

I. Applicant Background

(Questions 1-5 of 8)

* A blue asterisk denotes required information.

* 1) Select the groundwater basin/subbasin that pertains to this TSS General Application:

Only one TSS General Application per groundwater basin/subbasin is allowed.

Select File

* 2) Groundwater Basin/Subbasin Coordinator Information:

*By submitting a TSS General Application for the above groundwater basin/subbasin, you are voluntarily identifying yourself as the **Groundwater Basin/Subbasin Coordinator** for all TSS Requests located in the groundwater basin/subbasin.*

Note: Not required to be the "Point-of-Contact" for Coordination Agreements as used in 23 CCR §357.4 (b) (1) of the GSP Emergency Regulations, or the "Plan manager" as used in 23 CCR §351 (z), 353.4 (b), and §354.6 (c).

Organization Name:

Basin Coordinator Name:

Phone Number:

Email Address:

* 3) How many GSPs are planned for the groundwater basin/subbasin?

* 4) What other funding or technical services have the GSAs or GSA member agencies located in the basin/subbasin received from the State of California?

None

DWR:

Prop 1 - Sustainable Groundwater Planning (SGWP) Grants (Round 1 – Counties with Stressed Basin or Round 2 – GSP development)

Other current DWR IRWM Grants *(Please specify)*

[Attach Supporting Documentation](#)

State Water Resources Control Board (SWRCB):

Clean, Safe and Reliable Drinking Water (Prop 1)

Groundwater Sustainability (Prop 1)

Technical Assistance Funding Program (Prop 1)

Other:

Other non DWR and SWRCB Funding *(Please specify)*

[Attach Supporting Documentation](#)

Other non DWR and SWRCB Technical Services *(Please specify)*

[Attach Supporting Documentation](#)

* 5) Please explain the scope and current status of any funding or technical services that have been received.

[Attach Supporting Documentation](#)

II. Collaboration Within and Across Groundwater Basin/Subbasin

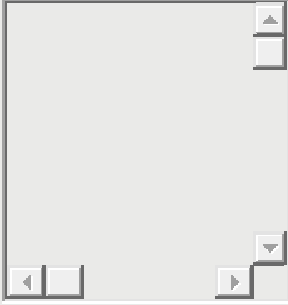
(Questions 6-8 of 8)

6) Select the GSAs' in *SAN JOAQUIN VALLEY – SUBBASIN (5-022.0X)* that the applicant has coordinated with on technical needs. If not applicable, please skip.

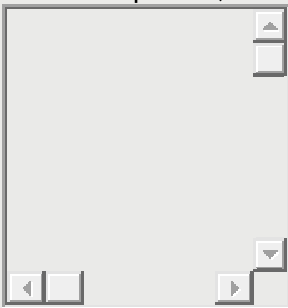
Subbasin XYZ GSA

Everyday Water District – 1

Please note missing GSA(s) and/or comment below:

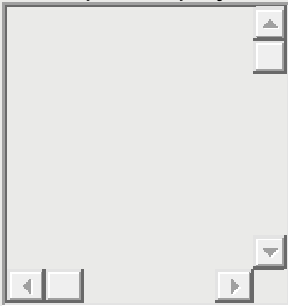


* 7) Regarding GSP preparation, describe and prioritize the most challenging technical needs of the groundwater basin/subbasin, and how the GSAs, local/regional water management groups, or interested parties, are collaborating on meeting those needs.



[Attach Supporting Documentation](#)

* 8) Which **GSP components** are the GSAs collaborating on? (e.g., data sharing, monitoring, model development, projects, actions, other).



[Attach Supporting Documentation](#)

[Attach General Supporting Documentation](#)

Submit

ATTACHMENT II
B.1-3.



Delta-Sierra Group
Mother Lode Chapter
P.O. Box 9258, Stockton CA 95208

4.27.18

San Joaquin County Board of Supervisors ¹ and Eastern San Joaquin Groundwater Authority ²
44 North San Joaquin Street
Sixth Floor, Suite 627
Stockton, CA 95202

RE: Use of Zone 2 Money to Fund California Water Service's Groundwater Basin Authority JPA assessment for the San Joaquin County Groundwater Sustainability Agency #2

The Delta-Sierra Group within the Sierra Club Mother Lode Chapter objects to the use of public funds, specifically Water Investigation Zone 2 money to fund any part of California Water Service's financial obligation in accordance with the San Joaquin County-California Water Service Memorandum of Agreement that created San Joaquin County GSA #2 and which afforded California Water Service with voting rights for the Eastern San Joaquin Groundwater Authority.

Background

On May 23, 2017 the San Joaquin County Board of Supervisors adopted A-17-146 a Memorandum of Agreement (MOA) between San Joaquin County and California Water Service to allow California Water Service to have voting rights, with restrictions, for the Eastern San Joaquin Groundwater Authority (ESJGA) which is a Joint Powers Authority (JPA) of 17 Groundwater Sustainability Agencies (GSAs). The JPA was formed to coordinate the development of a Groundwater Sustainability Plan for the Subbasin between 17 GSAs. San Joaquin County Board of Supervisors with the adoption of the MOA formed San Joaquin County GSA #2 to allow California Water Service, a privately owned utility to participate beyond just as a stakeholder but as a voting member representing a GSA. According to SGMA³ "A water corporation regulated by the Public Utilities Commission or a mutual water company may participate in a groundwater sustainability agency if the local agencies approve through a memorandum of agreement or other legal agreement." The MOA also specified how the San Joaquin County GSA #2 was to be funded. Below is an excerpt of the MOA between San Joaquin County and the California Water Service forming the San Joaquin County GSA #2 which is sometimes referred to as the Cal-Water County GSA or California Water Service GSA:

Cal Water shall be responsible for all operating and administrative costs, expenses, and financial obligations of the Cal Water-County GSA. The obligation of Cal Water to make payments under the terms and provision of this Agreement is an individual and several obligation and not a joint obligation with those of the County. Cal Water shall remain responsible for its proportionate share of any obligation or liability duly incurred by the JPA and apportioned to the Cal Water County GSA.

¹ Transmitted via email All Board Members allboardmembers@sjgov.org Clerk of the Board mduzenski@sjgov.org

² ESJgroundwater@sjgov.org

³ https://www.water.ca.gov/LegacyFiles/cagroundwater/docs/2014%20Sustainable%20Groundwater%20Management%20Legislation%20_with%202015%20amends%2011-10-2015_clean-2.pdf

Each Party shall otherwise be individually responsible for its own covenants, obligations, and liabilities under this Agreement. No Party shall be the agent or have the right or power to bind the other Party without such Party's express written consent, except as expressly provided in this Agreement. Contributions of grant funding, State, Federal, or County funding may be provided as funding or a portion of funding on behalf of a Party.

The MOA agreement was covered by a recommendation letter dated May 2, 2017, signed by Kris Balaji, Director of Public Works and reviewed by Les Tyler, County Administrator's Office and Larry Meyers, County Counsel Office. This recommendation letter included the following statements:

FISCAL IMPACT: Costs to Public Works consists of staff time to process the proposed Agreement and is funded by existing appropriations in the 2016-17 Water Investigation Zone No. 2 Budget. The proposed MOA is expected to reduce future County costs for SGMA compliance by shifting the County's financial obligations within the Cal Water-County GSA boundaries to Cal Water.

Use of Property Assessments to pay for California Water Service's share of costs

At the February 14, 2018 meeting the Eastern San Joaquin Groundwater Authority approved the use of San Joaquin County Water Investigation Zone No 2 money to pay part of California Water Service's financial assessment under the JPA for 1/17th of the annual cost for the 2020 Groundwater Sustainability Plan. At the same meeting the GBA did not approve the use of Zone 2 money to pay for part of the Eastside GSA because that was out of the county (Calaveras and Stanislaus County GSAs). The Water Investigation Zone No. 2 money is a property assessment paid by all property owners in San Joaquin County. In 2017, the San County Flood Control and Water Conservation District stated ⁴ that the Water Investigation Zone 2 money was to be used to:

This fee is used to support efforts to carry out the "Strategic Plan to Meet Water Needs" adopted by the Board of Supervisors, which includes the following goals and objectives: Preserve water rights; Manage groundwater in Eastern San Joaquin County; Protect water quality; Maintain and enhance southwest County water supplies; Develop funding programs; and Support watershed education programs.

The people of San Joaquin did not agree to pay for California Water Service's Eastern San Joaquin Groundwater Authority voting privileges and the San Joaquin County staff recommendation for the Cal Water MOA specifically stated that the expectation is that County costs for SGMA would be reduced not increased as is the case with Water Investigation Zone 2 money being used to fund a portion of California Water Service's financial obligation.

Prior to the vote approving use of Zone 2 money, I objected to giving Zone 2 money to California Water Service because the MOA between San Joaquin County and California Water Service stated that California Water Service would be responsible for all costs associated with the San Joaquin County GSA #2. The initial minutes prepared and made available for the March 14, 2018 meeting did not include my reference to the Memorandum of Agreement between San Joaquin County and California Water Service. I requested during the March 14, 2018 that the February 14, 2018 meeting minutes be amended to specifically reference the formal agreement between San Joaquin County and California Water Service.

⁴ http://www.sjwater.org/Documents/ZONE2/2017/ZONE%202%20FAQs%202017-18%20-%20FINAL_05252017.pdf

California Constitution: Use of Public Money

Set forth in Cal. Const., art. XVI, § 6 b. Prohibits the giving or lending public funds to any person or entity, public or private i. Prohibition includes aid, making of gift, pledging of credit, payment of liabilities 1. Encompasses the giving of monetary funds and any “thing of value” ii. “Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State, or of any county, city and county, city, township or other political corporation or subdivision of the State now existing, or that may be hereafter established, in aid of or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof, in any manner whatever, for the payment of the liabilities of any individual, association, municipal or other corporation whatever; nor shall it have power to make any gift or authorize the making of any gift, of any public money or thing of value to any individual, municipal or other corporation whatever”⁵

Summary

The Board of Supervisors or their delegate should direct the Eastern San Joaquin Groundwater Authority to revoke the use of Zone 2 money for California Water Service and use the money to provide extra outreach to disadvantaged communities particularly those having irrigation or water supply wells.

Sincerely,

Mary Elizabeth M.S., R.E.H.S.
Delta-Sierra Group Conservation Chair
Sierra Club
elizabeth@marric.us

⁵ https://www.cacities.org/Resources-Documents/Member-Engagement/Professional-Departments/City-Attorneys/Library/2016/Annual-2016/10-2016-Annual_Forboth_Gift-of-Public-Funds_Spoile.aspx



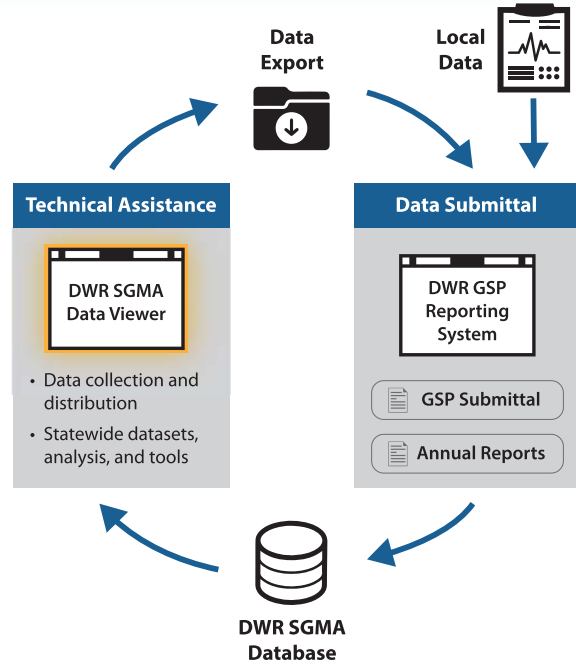
SGMA Data Viewer

The purpose of the [SGMA Data Viewer](#) is to compile and display regional and statewide groundwater information so Groundwater Sustainability Agencies (GSAs) and related stakeholders can efficiently access this information during Groundwater Sustainability Plan (GSP) development and implementation.

Objective

Data access is and will continue to be an important component of successful GSP development and SGMA implementation. Currently, SGMA-related data are managed and stored by a variety of local, state, and federal agencies making it difficult to find.

The [SGMA Data Viewer](#) integrates data from various sources to provide GSAs and the public the access to query, visualize, and download SGMA-related data. The SGMA Data Viewer provides data mapped to SGMA's sustainability indicators.



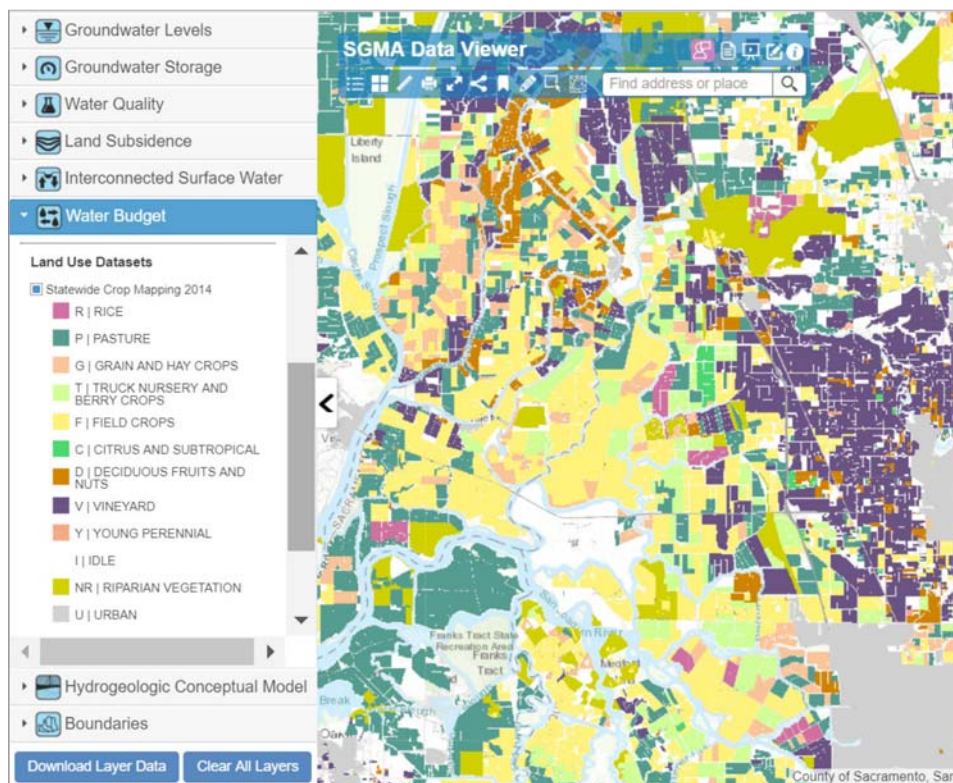
GSAs can use information from the viewer to develop GSPs. Data submitted to DWR for GSPs and annual reports will be added to the Viewer for future use.

<https://sgma.water.ca.gov/sgmadataviewer>

The screenshot displays the SGMA Data Viewer interface. On the left, there is a sidebar with various filters and tools. The main area shows a map of California with numerous blue dots representing wells. A detailed view of a specific well is shown, including its location, description, and a graph of ground levels over time.

Benefits of the SGMA Data Viewer

- **Compilation of Existing Statewide Coverage:** The SGMA Data Viewer provides access to many existing SGMA-related datasets that before were hard to find.
- **Supports GSP Development:** The SGMA Data Viewer integrates data from DWR and other agencies into a common, well organized, and accessible format that will provide benefit to GSAs as they develop and implement their GSPs.
- **Reduced Cost to GSAs and Land Owners:** Easily accessible SGMA data provided by DWR will save GSAs time and money, which in turn will reduce costs to land owners and other groundwater users in the basins.
- **Increases data sharing among GSAs:** Data submitted to DWR through the SGMA Portal will also be accessible through the SGMA Data Viewer, which makes it easy for GSAs to view and download data submitted by GSAs within the basin and in adjacent basins.
- **Data Access and Download:** GIS data available on the SGMA data viewer are available for download in ESRI shape file format. Data retrieved from databases such as groundwater level data are downloadable in Excel or comma-separated values (CSV) file format.



Contact and Additional Information

For more information or questions on DWR's technical assistance, contact Steven Springhorn at Steven.Springhorn@water.ca.gov

SGMA Data Viewer

<https://sgma.water.ca.gov/sgmadataviewer>

DWR SGMA Data and Tools Webpage

<https://www.water.ca.gov/Programs/Groundwater-Management/Data-and-Tools>



California Department of Water Resources
1416 Ninth Street
P.O. Box 942836
Sacramento, CA 94236-0001
<http://www.water.ca.gov>

To Manage California's Groundwater, Think More About Surface Water

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California's groundwater agencies need to create sustainability plans, says Michael Kiparsky of the University of California Berkeley School of Law, noting that, unless those plans also take surface water into account, they might not work.

WRITTEN BY
Ian Evans

PUBLISHED ON
 May 1, 2018

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To effectively manage California groundwater, agencies have to contend with how it interacts with surface water. [Chris Austin](#)

CALIFORNIA'S 2014 LEGISLATION, the Sustainable Groundwater Management Act (SGMA) was significant in that it was the state's first major groundwater regulation. But [Michael Kiparsky](#) the founding director of the Wheeler Water Institute at the University of California Berkeley School of Law, says that it was also significant in another way.

“It breaks with what had been decades of a legal fiction that groundwater and surface water were not part of a single hydrologic system,” he says.

While rivers, lakes and other surface waters are often thought of – and regulated – separately from the groundwater below, the two are connected. Depleted or polluted groundwater makes for depleted or polluted rivers, and vice versa. SGMA acknowledges this by placing

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some responsibility for surface water conditions in the hands of local Groundwater Sustainability Agencies which need to adopt a plan by 2020 that will keep their local aquifers sustainable and prevent “significant and unreasonable” impacts on both the groundwater and surface water in the area.

This, says Kiparsky, is a very exciting change, but one that is poorly understood. Many Groundwater Sustainability Agencies are not yet thinking about their own responsibility towards surface water, and not addressing these groundwater-surface water interactions could have significant consequences for how they manage their basin. To help bring these issues to the surface, Kiparsky and his colleagues produced a [report](#) on several important questions about how surface water-groundwater interactions affect groundwater management.

Water Deeply spoke with Kiparsky about his report, and about the importance and complexity of groundwater and surface water.

Water Deeply: When it comes to understanding how

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Groundwater Sustainability Agencies should be managing groundwater-surface water interactions, what are the biggest questions?



Michael Kiparsky says that groundwater sustainability agencies in California need to think more about groundwater-surface water interactions. (Courtesy of Michael Kiparsky)

Michael Kiparsky:
The first key question for Groundwater Sustainability Agencies to answer is, how does groundwater management in their basin affect surface water and its beneficial uses? That implies that Groundwater

Sustainability Agencies need to understand something about the hydrology of the basin and about those beneficial uses.

This leads to another really crucial [point], which is that Groundwater Sustainability Agencies need to make a decision about what “significant and unreasonable” intersections between groundwater and surface water systems will be, and what a “significant and unreasonable” impact on the beneficial uses of the surface water would be. This is where the SGMA

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statute builds in some legal uncertainty – what does “significant and unreasonable” actually mean in the context of groundwater management in California?

Ultimately, there is a two-part answer. The first is that Groundwater Sustainability Agencies need to explicitly or implicitly, through the shape of their groundwater sustainability plans, determine what they think “significant and unreasonable” impacts actually are in their basin, and how they will take action to avoid those impacts.

The second part of that question may come through the courts. If, and when, the groundwater sustainability plans in some basins face legal challenges, then it will be up to the courts to determine whether the Groundwater Sustainability Agencies’ plans are sufficient, ultimately, and to help define that notion of “significant and unreasonable.”

Water Deeply: Do you foresee a time when the questions that you bring up in this report will be answered definitively?

Kiparsky: Definitive answers to everything about [groundwater sustainability] in the state of California seems to me a lot to ask. I would love to see that clarity, but I don't expect that to happen anytime soon.

But Groundwater Sustainability Agencies need to make their decisions around how to manage groundwater, and how that groundwater interacts with surface water in spite of the significant uncertainty that currently exists in the legal system and in the scientific understanding.

By making decisions in the face of uncertainty, Groundwater Sustainability Agencies are going to overcome a range of hurdles. Those hurdles could include challenges to plans that they put forth – either legally or politically – or they could include determinations by state agencies to either influence or control a basin's groundwater.

My hope is that our work and the work of others can highlight this particular issue and spur more of the kind of integrative thinking that is required to develop solutions to this and a range of other SGMA issues.

Water Deeply: One of the things that your report goes into is this overlap of responsibilities for regulating surface water and groundwater. Can you talk a bit about that?

Kiparsky: The overarching message here is that collaboration is going to be very important for Groundwater Sustainability Agencies that are facing groundwater-surface water issues. There are multiple entities who have some sort of responsibility for these groundwater-surface water systems, or different parts of them, and there are multiple overlapping areas of law and regulation that have – at least in concept – some interplay between them.

So, as we argue in our report, in order to manage the risk of failing to consider the multiple different interests that will come to play around groundwater-surface water interactions, it will be important for Groundwater Sustainability Agencies to talk with the other various parties, including the other state and federal agencies that have explicit interests in the groundwater-surface water interactions.

But, there is also another important reason for Groundwater Sustainability Agencies to consider this collaboration, which is that these other entities already may have some expertise in the area. Groundwater Sustainability Agencies don't need to necessarily reinvent the wheel here. There is potential for Groundwater Sustainability Agencies to expand their capacity by working with others.

Water Deeply: What would be the implication of not thoroughly and thoughtfully addressing these points?

Kiparsky: One of the implications is that a plan could develop that does not put a groundwater sustainability agency on the path to achieving sustainability by the time the law requires it to. Were that to happen, then the state, namely the State Water Resources Control Board, would have the responsibility and the authority to step in.

Were that to happen, then the Groundwater Sustainability Agencies would lose its opportunity to craft creative solutions. A Groundwater Sustainability Agency

has the advantage of local knowledge, and to think in novel and nuanced ways. The State Water Board simply does not, and probably will not. Therefore, if the State Water Board were to come in and rely on curtailments of groundwater extraction in a blanket way, then that removes some of what is really promising about SGMA. ■

About the Author

Ian Evans

Ian is the community editor for environment at News Deeply. Before joining News Deeply, he was a freelance science journalist in Boston with a focus on environmental law and policy. He has been published in Undark Magazine, FiveThirtyEight, Nautilus and more. Ian grew up in California, and before getting into journalism he planned on becoming an ecologist. Instead, he pursued science writing and in 2016 he earned an MS in science journalism from Boston University. When he has spare time, Ian likes to get out and go hiking, backpacking and birding.

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