

**SACRAMENTO CENTRAL GROUNDWATER AUTHORITY  
REGULAR MEETING OF THE BOARD OF DIRECTORS**

Wednesday, April 20, 2016; 9:00 am

10060 Goethe Road

Sacramento, CA 95827

(SRCSD/SASD Office Building South Conference Room No. 1205 – Valley Oak)

The Board will discuss all items on this agenda, and may take action on any of those items, including information items and continued items. The Board may also discuss other items that do not appear on this agenda, but will not act on those items unless action is urgent, and a resolution is passed by a two-thirds (2/3) vote declaring that the need for action arose after posting of this agenda.

**1. CALL TO ORDER AND ROLL CALL – 9:00 a.m.**

- 2. PUBLIC COMMENT:** Members of the audience may comment on any item of interest to the public within the subject matter jurisdiction of the Groundwater Authority. Each person will be allowed three minutes, or less if a large number of requests are received on a particular subject. No action may be taken on non-agendized items raised under “Public Comment” until the matter has been specifically included on an agenda as an action item. If a member of the public wants a response to a specific question, they are encouraged to contact any member of the Board or the Executive Director at any time. Members of the audience wishing to address a specific agendized item are encouraged to offer their public comment during consideration of that item.

**3. CONSENT CALENDAR**

- Minutes of the March 9, 2016 Board meeting, minutes of the March 10, 2016 SGMA Subcommittee meeting, minutes of the March 30, 2016 Budget Subcommittee, and minutes of the April 7, 2016 SGMA Subcommittee meeting.

*Recommended Action: Approve Consent Calendar items.*

**4. SCGA UPDATE ON DRAFT GROUNDWATER SUSTAINABILITY PLAN (GSP) EMERGENCY REGULATIONS**

- Staff prepared and submitted public comments on the Draft GSP Regulations released by State DWR on February 18, 2016. SCGA’s March 30, 2016 comments are posted on DWR’s website ([http://water.ca.gov/groundwater/sgm/gsp\\_comments.cfm](http://water.ca.gov/groundwater/sgm/gsp_comments.cfm)) as of April 12, 2016. On April 20, 2016, the California Water Commission hearing will include a DWR staff update on the GSP Regulation review and development process.

*Action: Information presentation.*

**5. SGMA SUBCOMMITTEE REPORT BACK AND RECOMMENDATIONS**

- Basin Boundary Modification Request by Omoichumne-Hartnell and Sloughhouse Resources Conservation District (OH/SRCD).
- Report back and recommendation the Board adopt a resolution to develop an Alternative (Plan) Submittal.
- Report back and recommendation the Board adopt a resolution initiating the GSA formation process.

*Action: Information.*

#### **6. INITIATE “ALTERNATIVE” PLAN SUBMITTAL PROCESS AND DELEGATE PREPARATORY ACTIONS TO STAFF**

- Pursuant to the April 4, 2016 SGMA Subcommittee recommendation, staff provides the SCGA Board a resolution to commence the “alternative” submittal process. While the final GSP Regulations are required to be adopted on or before June 1, 2016, and will further guide required elements of a submittal, staff can begin preparation of the existing Groundwater Management Plan, outreach to other local agencies and stakeholders, and work on collaborative agreements that may be required for a successful submittal due by January 1, 2017.

*Recommended Action: Adopt the proposed resolution.*

#### **7. INITIATE THE PROCESS TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY WITHIN IDENTIFIED AREAS OF SCGA’S JURISDICTION IN THE SOUTH AMERICAN SUBBASIN**

- Pursuant to the April 4, 2016 SGMA Subcommittee recommendations, staff provides the SCGA Board a resolution memorializing its February 10, 2016 Board direction to conduct outreach, notice, and required public hearing to file a Notice of GSA Formation for the SCGA service area within the South American Subbasin as defined in DWR Bulletin 118-03. Further, on March 29, 2016 the Boards of Omoichumne-Hartnell Water District (OHWD) and Sloughhouse Resource Conservation District (SRCD) elected to become GSAs for portions of the South American subbasin within SCGA’s jurisdiction. The proposed resolution identifies three areas for SCGA GSA formation within the South American subbasin: Area 1 is currently uncontested by any other groundwater management entity; Area 2 is within OHWD’s jurisdiction and would be contested if OHWD files a Notice of GSA Formation; Area 3 is within SRCD’s jurisdiction and would be contested if SRCD adds this area to the existing GSA Notice of Formation posted by the State Department of Water Resources on April 13, 2016. Adopting the proposed resolution memorializes the Board’s intent for what areas of SCGA’s jurisdiction should be identified for its GSA formation and public hearing process.

*Recommended Action: Adopt the proposed resolution.*

#### **8. COSUMNES COALITION OUTREACH TO SCGA**

- The Cosumnes Coalition is a collaborative partnership of conservation stakeholders interested in the local, regional and global ecological importance

of the Cosumnes River. The Coalition is reaching out to SCGA because collaborative, sustainable groundwater management is requisite to accomplishing restoration and stewardship goals. Representatives will be providing a presentation of the Cosumnes Coalition's strategies and goals, challenges and opportunities, and participation in SCGA's management programs.

*Action: Information presentation.*

#### **9. 2014/2015 AUDIT REPORT**

- Presentation by Bill Konigsmark, Accounting Manager.

*Action: Information presentation.*

#### **10. EXECUTIVE DIRECTOR'S REPORT**

#### **11. DIRECTOR'S COMMENTS**

#### **ADJOURNMENT**

#### **Upcoming meetings –**

**Next SCGA Board of Directors Meeting** – Wednesday, May 11, 2016, 9:00 am;  
10060 Goethe Road, SRCSD/SASD Office Building South Conference Room No.  
1212 (Sunset Maple).

# **APRIL 20, 2016 SCGA BOARD PACKAGE MATERIAL**

### **AGENDA ITEM 3: CONSENT CALENDER**

#### **BACKGROUND:**

The Board package includes draft minutes of the March 9, 2016 Board meeting, minutes of the March 10, 2016 SGMA Subcommittee meeting, minutes of the March 30, 2016 Budget Subcommittee meeting, and minutes of the April 7, 2016 SGMA Subcommittee meeting. Draft meeting minutes are provided for Board approval.

#### **STAFF RECOMMENDATION:**

*Action: Approve Consent Calendar items.*

***Item 3 Attachment 1. March 9, 2016 Board meeting minutes***

**SACRAMENTO CENTRAL GROUNDWATER AUTHORITY (SCGA)**

**Governing Board Meeting**

**Draft Minutes**

**March 9, 2016**

**LOCATION:** 10060 Goethe Road, Room 1212  
Sacramento, CA 95827  
9:00 a.m. to 11:00 a.m.

**MINUTES:**

**1. CALL TO ORDER AND ROLL CALL**

Brett Ewart called the meeting to order at 9:00 a.m.

The following meeting participants were in attendance:

Board Members (Primary Rep):

Tom Nelson, Florin Resource Conservation District/Elk Grove Water District  
Tom Mahon, Agricultural Interests  
Rick Bettis, Conservation Landowners  
Christine Thompson, Public Agencies Self-Supplied  
Dave Ocenosak, Sacramento Regional County Sanitation District  
Paul Schubert, Golden State Water Company  
Carl Werder, Agricultural-Residential  
Ron Lowry, Omochumne-Hartnell Water District

Board Members (Alternate Rep):

Brett Ewart, City of Sacramento  
Forrest Williams, Sacramento County  
Brian Frাগiao, City of Elk Grove  
Amittoj Thandi, City of Elk Grove  
Charlotte Mitchell, Agricultural Interests  
José Ramirez, Sacramento Regional County Sanitation District

Staff Members:

Darrell Eck, Executive Director  
Sarah Britton, Legal Counsel  
Ping Chen  
Ramon Roybal

Others in Attendance:

Rob Swartz, Sacramento Groundwater Authority  
Jonathan Goetz, GEI  
Tom Gohring, Water Forum

Mark Madison, Florin Resource Conservation District/Elk Grove Water District  
Bruce Kamilos, Florin Resource Conservation District/Elk Grove Water District  
Allen Quynn, City of Rancho Cordova  
Jesse Roseman, The Nature Conservancy  
Rodney Fricke, Public  
Darlene Gillum, Rancho Murieta CSD  
Mike Wackman, Omochochumne-Hartnell Water District  
Mike Eaton, Cosumnes Coalition  
Jay Schneider, Sloughhouse RCD  
Mike Koza, Sacramento County Department of Waste Management  
Mark Souverville, State DWR-NCRO  
Barbara Washburn, VFWC  
Maureen Kerner, Sacramento State Office of Water Programs  
Joe Turner, Kleinfelder  
Jim Blanke, RMC Water and Environment  
Linda Dorn, Sacramento Regional County Sanitation District

*Member Agencies Absent*

*City of Folsom*  
*City of Rancho Cordova*  
*Rancho Murieta CSD*  
*Commercial/Industrial Self-Supplied*  
*California-American Water Company*

**2. PUBLIC COMMENT**

None.

**3. CONSENT CALENDAR**

The draft meeting minutes for the February 10, 2016 Board meeting were reviewed for final approval.

***Motion/Second/Carried*** – Mr. Schubert moved, seconded by Mr. Bettis, the motion carried unanimously to approve the minutes.

**4. SCGA THE WATER FORUM AND SGMA**

Mr. Ewart introduced Tom Gohring, Executive Director of the Water Forum as a guest speaker (*Note: Mr. Gohring's presentation can be viewed on the Authority's website for the March 9, 2016 meeting date*). Mr. Gohring provided a background of the Water Forum and its purpose to address the health of the Lower American River watershed and its role in facilitating the development of the Sacramento and Sacramento Central Groundwater Authorities. Mr. Gohring stated that relative to SGMA, SCGA faced significant process



issues to work through and announced that the Water Forum was available to serve as a neutral space for SCGA to utilize via such activities as mediation services.

Mr. Lowry asked if there was a concern about the Cosumnes River going dry would there be advocacy for storage upstream similar to the American River. Mr. Gohring replied that he could not answer the question.

Mike Eaton commented on behalf of the Cosumnes Coalition that he had participated in the Water Forum process but had stepped away with the understanding that a follow up effort to specifically address the Cosumnes River would occur which did not. Mr. Eaton then pointed out that there were a number of projects referenced in the Water Forum website that claimed to benefit the Cosumnes River but that none of them were active. Mr. Eaton finished by stating that the Cosumnes River and Deer Creek were world class ecological resources that were threatened but that there were some innovative projects that could help and that he looked forward to seeing them become active.

#### **5. REQUEST BY FLORIN RESOURCE CONSERVATION DISTRICT FOR A NEW JOINT POWERS AGREEMENT**

Mr. Eck stated that he had received correspondence from FRCD on March 2<sup>nd</sup> requesting to place a proposal for a new JPA on the March 9th SCGA Governing Board meeting agenda. Mr. Eck stated that the proposed JPA presented a new management and financial structure for the Authority. Mr. Eck then stated that in concurrence with representatives from FRCD, it was decided to place the proposed JPA on the Governing Board agenda as an informational item and on the March 10<sup>th</sup> SGMA Subcommittee agenda for discussion.

Mr. Williams asked if there was documentation of action by the FRCD Board to propose a new SCGA JPA. Mr. Nelson called upon Mark Madison to respond. Mr. Madison stated that there was no formal action taken by the FRCD Board but that the issue had been vetted by the board and that Mr. Nelson had full authority from the his board to make the determination to present the JPA.

Ms. Thompson remarked that it would be appropriate for the FRCD Board to be on record in support of the proposal to the SCGA Board and that it would help avoid the appearance of the proposal being on behalf of just one or two people. Ms. Thompson further stated that it was an important formality considering the significant nature of the proposal and that such a formality would include a rationale for the SCGA Board to consider.

Mr. Schubert stated that he felt that any board member of SCGA should be able to bring forward ideas and items for discussion without necessarily requiring formal approval from their respective boards but that he was confused as to why this item was being brought forward when the SGMA Subcommittee had already discussed it and determined a schedule to follow. Mr. Schubert asked what had changed or occurred with respect to FRCD for the issue to be raised again so soon.

Mr. Madison stated that FRCD sought to ensure that all members of the SCGA Board had received a copy of the proposed JPA and would wait to discuss the item at the SGMA Subcommittee as agreed.

## **6. BOUNDARY CHANGE REQUEST**

Mr. Ewart stated that he had been requested by the Executive Director to change the requested action for the item to an informational item.

Mr. Eck announced that staff had attended a public meeting held by the North Delta Water Agency on March 2, 2016 at which Delta and Solano County interests discussed their approach to SGMA compliance. Mr. Eck reported that staff was surprised to hear that North Delta Water Agency no longer had strong interest in pursuing groundwater management or GSA formation in the Delta. Mr. Eck then stated that other conversations a group called the Local Agencies of the North Delta (LAND) did indicate a strong interest in GSA formation and support of a boundary line adjustment as discussed but that the group had other items on its agenda that did not necessarily support a boundary line adjustment at the current time. Mr. Eck reported that one of the major issues with LAND was that it was not organized under a unifying document such as an MOU rather it was largely an loose coalition of Reclamation Districts. Mr. Eck then reported that in conversations with the Solano County Water Agency and Solano County it was suggested that the current time was not the time to pursue a boundary modification. Mr. Eck said that staff then spoke with legal counsel and State DWR and determined that pursuing a boundary modification at the current time was not feasible. Mr. Eck stated that staff would continue pursuit of an Alternative Plan absent a basin boundary modification and would continue to have discussions with North Delta, LAND, State DWR, and the Water Forum throughout the process.

Mr. Werder asked what downside there was to using the Bulletin 118 boundary as opposed to modifying the boundary at Interstate 5. Mr. Eck replied that the current SCGA boundary was determined as a part of the Water Forum process and that it was recognized that the nature of groundwater in the Delta was different than that area to the east of Interstate 5 and that those interests in the Delta should not have to pay for management activities related to declining groundwater levels and other issues that had no relevancy within the Delta.

Mr. Nelson stated that he understood that there would be additional opportunities to request a basin boundary modification at a later date. Mr. Eck concurred and stated that the next likely opportunity would be during the update to Bulletin 118 in 2017.

Mike Eaton asked if the issues of recharge into the Central basin from the Delta would be addressed as a part of the Alternative Plan process. Mr. Eck replied in the affirmative.

Mr. Schubert asked if an action needed to be taken to modify the agenda to reflect that the item being discussed was informational. Ms. Britton replied that it was not necessary but that the board could choose to do so.

***Motion/Second/Carried*** – Mr. Schubert moved, seconded by Mr. Williams, the motion carried unanimously to modify Agenda Item #6 that originally called for an action by the board to an informational item.

## **7. DEVELOPMENT OF A STORMWATER RESOURCE PLAN FOR THE AMERICAN RIVER BASIN**

Mr. Eck introduced Maureen Kerner from the Sacramento State - Office of Water Programs to give a presentation (*Note: Ms. Kerner's presentation can be viewed on the Authority's website for the March 9, 2016 meeting date*).

Barbara Washburn from the Sacramento State - Office of Water Programs commented that the reason why groundwater interests should support the plan was that one of its key focuses was groundwater-surface water interaction and investigating stormwater runoff as a source of groundwater recharge. Ms. Washburn stated that it would be vital to have groundwater folks at the table during plan development to assist in coming up with good projects and criteria for project evaluation.

Mr. Schubert asked how the Stormwater Resource Plan would be distinct from those projects within the Integrated Regional Water Management Plan (IRWMP). Rob Swartz replied that it was a separate legislative requirement as defined under SB 985 and that it was a requirement that it be accepted by the IRWMP. Mr. Swartz then stated that it was important that the region become compliant with the law as it would affect the region's eligibility for future grant funding opportunities involving groundwater recharge projects or other State mandated recharge opportunities. Mr. Swartz finished by stating that it was a positive development to have the Office of Water Programs lead the effort as it was fully capable and had the resources to do so.

Sarah Britton stated that she had been contacted by Mr. Werder notifying her that he had been attending events related to the development of the Stormwater Resource Plan but that he had done so of his own personal time. Ms. Britton remarked that she was under the assumption that Mr. Nelson had discussed the issue with FRCD's counsel and that she would be contacting both Mr. Werder and Mr. Nelson to discuss appropriate measures with respect to remaining Brown Act compliant on behalf of SCGA. Ms. Britton also stated that the SCGA board had not yet taken formal action to support or otherwise designate funding or in-kind services for the project.

Mr. Ewart inquired about the nature of the support that was being asked for specifically was it to be collaboration and staff time or was there a financial or cost share component. Mr. Eck replied that it would be a letter of support with a commitment to a designated amount of staff time.

Mr. Nelson stated that he felt that it was a good opportunity to support the project as a board but encouraged individual agencies to also participate. Mr. Nelson stated that time spent in support of the project could be counted as financial support and that FRCD had committed sixty hours of his time plus sixty hours from another board member and one-twenty hours of time from Bruce Kamilos.

Mr. Eck requested that any coordination relative to the plan on behalf of SCGA be done through him.

***Motion/Second/Carried*** – Mr. Schubert moved, seconded by Mr. Werder, the motion carried unanimously to direct the Executive Director to provide a letter of support and authorize the provision of in-kind services as appropriate.

## **8. GROUNDWATER PROGRAM UPDATE**

Mr. Eck introduced Ping Chen, SCGA staff member, as the presenter (*Note: Mr. Chen's presentation can be viewed on the Authority's website for the March 9, 2016 meeting date*). Mr. Chen presented a set of hydrographs derived from wells in SCGA's CASGEM program and selected to represent each of the following SCGA management zones for the years 2011-2015: Sacramento River, Confluence, American River, Inter-Riverine, and Upper Cosumnes River. Mr. Chen reported that the hydrographs displayed generally level trends and stated that there was no indication of significant decline in groundwater levels in response to the drought conditions.

Mr. Schubert observed that there was a general decline of two to five feet over the period of the hydrographs. Mr. Eck remarked that the observed decline was consistent with what might be expected given the drought conditions.

Mr. Werder requested that the hydrographs be displayed with the same scale during future presentations.

Mr. Mahon asked if the well measurements were taken with the wells pumps running or shutoff. Ramon Roybal, SCGA staff member, replied they were taken with the wells shutoff. Mr. Eck added that the well measurements were taken following a standard protocol described by the CASGEM plan.

Mr. Goetz commented that the draft GSP regulations were made public and open for comment and that the idea of management zones and reporting of groundwater elevations as detailed in Mr. Chen's presentation were consistent with what was described in the GSP regulations although it was expected that that the level of monitoring would need to be increased specifically as it related to groundwater-surface water interaction. Mr. Ewart asked if the increase in monitoring would involve frequency of data collection or monitoring locations. Mr. Goetz replied that both would apply. Mr. Eck added that under SGMA the determination of undesirable results specific to a basin would drive much of decisions regarding monitoring activity.

Mr. Schubert asked purveyor pumping data from 2015 had been requested and received and that he would be interested in seeing an analysis of demand relative to supply.

Mr. Werder asked if other monitoring data was available for additional wells in the region. Mr. Eck replied that all of the data was available via the State DWR CASGEM website and that SCGA CASGEM monitoring wells could be identified in SCGA's CASGEM plan.

Mr. Eaton commented on the importance of placing the monitoring data within the proper context so that it has more meaning. Mr. Eaton explained that as an example, data from well adjacent to a river could have a different meaning and significance if analyzed within the context of the dynamics of groundwater under and adjacent to a river system.

## **9. EXECUTIVE DIRECTOR'S REPORT**

Mr. Eck reminded that Board that the Sacramento Groundwater Authority was the recognized GSA for the Sacramento County portion of the North American Subbasin. Mr. Eck then announced that the Omoichumne- Hartnell WD had a scheduled public hearing for GSA formation at 6 pm on March 14, 2016 at Cosumnes Elementary School followed by a

regular meeting of the OHWD board on March 15<sup>th</sup> at 10 am, then a special meeting on March 18<sup>th</sup> at 10 am at the Rancho Murieta CSD Board Room, in conjunction with the Sloughhouse RCD, to present the jurisdictional and scientific justifications of their proposed Bulletin 118 basin boundary modification. Mr. Eck announced that on February 24, 2106 the Southeast Sacramento County Agricultural Water Authority voted to support OHWD's proposed basin boundary modification. Mr. Eck stated that the Sloughhouse RCD had voted the previous day to file a Notice of Formation for an area it refers to as Area 1. Mr. Eck reported that on March 2, 2016 the North Delta Water Agency voted at its SGMA Subcommittee to recommend that the Agency not become the GSA for the Sacramento County portion of the Solano Subbasin. Mr. Eck reported that LAND continued to express an interest in GSA formation and the creation of an independent Delta groundwater subbasin but that as a group, LAND is not currently prepared to act in a unified manner to form a governance structure or a GSA. Mr. Eck reported that some individual reclamation districts in that region had indicated an interest to form independent GSA's and that there was a potential for ten or more GSA's to form in that portion of Sacramento County. Mr. Eck announced that Yolo County was continuing to move forward with their proposal to draw groundwater subbasin boundaries based on the County's jurisdictional boundary and that Solano County and the Solano County Water Agency continue to have disagreements on SGMA implementation.

Mr. Eck reminded that Board that the next regular SCGA meeting would be held on April 20<sup>th</sup> rather than the regular schedule of the second Wednesday of the month.

Mr. Eck reminded the Board that Statement of Economic Interests Form 700 were due by April 1, 2016. Mr. Eck stated that he had spoken to administrative staff who told him that the annual audit report for the past year contained a 'significant deficiency' in that three board members had not filed a Form 700 during the previous year. Mr. Eck asked board members in attendance to relay the message to those board members from their respective agencies in addition to staff's attempts to communicate the reminder. Mr. Eck stated that before the audit report could be released that corrective action needed to be determined and that staff would adopt the Fair Political Practices prescription for handling submission of delinquent Form 700's as the corrective action.

Mr. Nelson asked if alternates were required to file a Form 700. Mr. Eck replied in the affirmative. Mr. Eck also clarified that a wet signature copy must be submitted to the Filing Officer for SCGA. Ms. Britton clarified that SCGA was a separate legal entity with its own adopted Conflict of Interest Code and thus its own Filing Officer and thus its board members were obligated to file a separate Form 700 specifically for SCGA.

Jay Schneider with the Sloughhouse RCD provided comments regarding actions related to GSA formation in the Cosumnes Subbasin by Sloughhouse RCD, Clay WD, and Galt ID.

Mr. Eck provided an advisory to the board, for those members who planned to attend the March 18<sup>th</sup> OHWD special meeting, on measures to remain Brown Act compliant.

## **10. DIRECTORS' COMMENTS**

Mr. Mahon requested to participate on the Fiscal Year 2016-2017 Budget Subcommittee.

Mr. Schubert stated that he would be interested in having SCGA utilize the mediation services referenced during Tom Gohring's presentation to help facilitate SCGA through the SGMA process. Mr. Schubert expressed a concern that SCGA should be further along in the SGMA implantation process given its status as an established groundwater management entity. Mr. Ewart suggested that the SGMA Subcommittee could discuss the issue of Water Forum led mediation services and make a recommendation to the board.

## **ADJOURNMENT**

Brett Ewart adjourned the meeting at 11:00 a.m.

## **Upcoming Meetings –**

**Next SCGA Board of Directors Meeting** – Wednesday, April 20, 2016, 9 am; 10060 Goethe Road, South Conference Room No. 1207 (Valley Oak).

By:

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Chairperson

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Date

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Date

***Item 3 Attachment 2. March 10, 2016 SGMA Subcommittee meeting minutes***

**SACRAMENTO CENTRAL GROUNDWATER AUTHORITY (SCGA)  
Sustainable Groundwater Management Act Sub-Committee Meeting  
Draft Minutes  
March 10, 2016**

**LOCATION:** 10060 Goethe Road, Room 1213  
Sacramento, CA 95827  
1:30 p.m. to 3:30 p.m.

**MINUTES:**

**1. Call to Order and Roll Call**

Paul Schubert called the meeting to order at 1:30 p.m.

The following meeting participants were in attendance:

Board Members:

Paul Schubert, Golden State Water Company  
Tom Nelson, FRCD/EGWD  
Tom Mahon, Agricultural Interests  
Brett Ewart, City of Sacramento  
Forrest Williams, County of Sacramento

Staff Members:

Darrell Eck, SCGA  
Sarah Britton, Legal Counsel  
Ping Chen, SCGA  
Ramon Roybal, SCGA

Others in Attendance:

Mark Madison, FRCD/EGWD  
Bruce Kamilos, FRCD/EGWD  
Jonathan Goetz, GEI

**2. Public Comment**

None

**3. Draft Emergency Regulations for Groundwater Sustainability Plans and Alternatives**

Jon Goetz with GEI provided a review of the Draft Emergency Regulations. Mr. Goetz stated that committee members could provide comments to staff to incorporate into the final comments that would be submitted by SCGA to State DWR by April 1. Mr. Goetz then announced that DWR would be hosting a statutorily mandated webinar on March



24<sup>th</sup> addressing the draft regulations in addition to three regional meetings. Mr. Goetz stated that the webinar would be an opportunity to see comments from interests across the state. Mr. Goetz then referred to the draft regulations guidebook that was provided to the SCGA board and available on the DWR website and mentioned that two additional publications would be produced by DWR, the first being a plain language version of the regulations expected June 2016 after the regulations were adopted, and second a Best Management Practices document that would be important for instructing on how to implement the regulations.

Mr. Goetz remarked that there had been discussions that he had overheard in other forums where it had been expressed that entities that had existing groundwater management structures, data, and groundwater models should not be penalized by the regulations with additional requirements that would not be asked of entities starting from the beginning. Mr. Madison commented that those established entities should also not be penalized when it came to grant funding.

During discussion of the Alternative Plan submittal option, Mr. Mahon suggested that SCGA submit written comments to Omoichumne-Hartnell (OHWD) regarding the option of an Alternative Plan for the whole subbasin. Mr. Goetz mentioned that the concept of a management zone for OHWD within an Alternative Plan had the potential to be an acceptable point of discussion with OHWD. Mr. Eck concurred and stated that a management zone concept might provide OHWD with the autonomy that it sought while keeping costs down specifically when considering that a multiple GSA or multiple GSP arrangement would require coordination under a formal management structure per the draft regulations. Mr. Madison suggested formally informing OHWD of SCGA's board actions relative to SGMA including a protest of a basin modification and application to file over the entire Bulletin 118 subbasin.

Mr. Schubert led a discussion on a schedule for submitting comments to DWR. Draft comments were to be distributed to the subcommittee by March 18<sup>th</sup>, subcommittee comments and feedback were due back to staff by March 20<sup>th</sup>, and all compiled comments would be submitted for legal counsel review by March 24<sup>th</sup>. Final comments would be submitted to DWR by April 1<sup>st</sup> with the subcommittee receiving a copy at that time.

#### **4. Request by Florin Resource Conservation District for a New Joint Powers Agreement**

Mr. Madison suggested that, in the interest of time and in consideration of providing adequate time for review by the subcommittee members, to provide a brief introduction to the proposed JPA with a plan to have a more in depth discussion two to three weeks later. Mr. Madison stated that the overarching goals of the proposed JPA were to introduce equality, to address a new funding structure, and to address the termination clause. Mr. Madison then introduced Mr. Kamilos to speak further.

Mr. Kamilos stated there was expressed resistance to moving forward with a new JPA by the SGMA Subcommittee but that no formal action had been taken to stop it. Mr.

Kamilos asked that the subcommittee receive the proposal with an open mind and stated his belief that if its members did so, they may become more receptive to the proposal. Mr. Kamilos stated the FRCD felt strongly that changes needed to be made to the existing JPA in order for SCGA to comport with SGMA going forward including a revised funding structure. Mr. Kamilos then explained that the list of signatories would be expanded and that if any signatory wished to withdraw it would not dissolve the agreement as the existing agreement was structured. Mr. Kamilos explained that the proposed agreement would also allow for any member of the Authority to withdraw without affecting the agreement. Mr. Kamilos then pointed out that FRCD had taken it upon itself to do the heavy lifting by having a new JPA drafted and was willing to lead the effort. Mr. Kamilos stated that the proposed agreement otherwise closely followed the overall structure of the existing document and that it would serve as a good starting point for when an analysis of the existing JPA would need to be made. Mr. Kamilos distributed a summary sheet to the subcommittee that highlighted the changes contained in the proposed agreement. Mr. Kamilos noted that the common powers referenced in the proposal were based on the powers granted under SGMA and that it was FRCD's opinion that the police powers under the existing agreement were not necessary. Mr. Kamilos then stated that the proposed agreement was more equitable for its member agencies.

Mr. Schubert questioned whether his company could be signatory to a JPA. Mr. Madison replied that their attorney had implied that it could and offered to follow up with confirmation. Mr. Schubert stated that he did not feel that his organization necessarily needed to be signatory to the JPA in order to have equal standing on the board. Mr. Schubert said that he felt like the document was a good start and addressed important issues but that he also saw areas of concern. Mr. Nelson responded that the document was intended to be a starting point and that he foresaw that it would be changed as it was discussed in detail. Mr. Nelson state that it was an important issue to FRCD and that the rest of his board was in full support of it. Mr. Schubert asked what it was the FRCD specifically needed from a revised JPA. Mr. Schubert mentioned that he understood that FRCD wanted the ability to appoint its own representative and not have to have their representatives vetted by the City of Elk Grove. Mr. Madison added that FRCD also sought to be a signatory to a JPA. Mr. Schubert requested that FRCD explain why it sought those changes to the JPA as it would help SCGA work through those issues. Mr. Ewart concurred with Mr. Schubert and added that an understanding what FRCD sought to achieve would aid his discussions with the City of Sacramento and that absent of that understanding it might be perceived as a distraction. Mr. Madison agreed to provide those explanations and offered to provide them prior to the next discussion of the subject.

Mr. Madison mentioned that he had a list of questions regarding Zone 13. Mr. Eck responded that those questions should be directed to Kerry Schmitz with the Sacramento County Water Agency.

## **5. Action Items/Next Steps Assignments**

Mr. Nelson asked for a list of specific tasks and items necessary before January 1, 2017 to complete the Alternative Plan submittal.

Mr. Ewart mentioned that he had in interest in having the subcommittee give consideration to recommending professional mediation services to facilitate negotiations with OHWD. Mr. Schubert concurred. Mr. Eck reminded that Tom Gohring had offered those services on behalf of the Water Forum. Mr. Madison recommended Dave Ceppos from the Center for Collaborative Policy as a good resource. Mr. Eck stated that Tom Gohring would have resources like Dave Ceppos available via the Water Forum.

## **ADJOURNMENT**

Mr. Schubert adjourned the meeting at 3:30 pm

## **Upcoming meetings –**

**Next SCGA Board of Directors Meeting** – Wednesday, April 20, 2016, 9:00 am; SASD South Conference Room 1207, Valley Oak.

By:

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Chairperson

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Date

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Date

***Item 3 Attachment 3. March 30, 2016 Budget Subcommittee meeting minutes***

**SACRAMENTO CENTRAL GROUNDWATER AUTHORITY (SCGA)**  
**Budget Sub-Committee Meeting**  
**Draft Minutes**  
**March 30, 2016**

**LOCATION:** 10060 Goethe Road, Room 1213  
Sacramento, CA 95827  
1:00 p.m. to 3:00 p.m.

**MINUTES:**

**1. Call to Order and Roll Call**

Brett Ewart called the meeting to order at 1:00 p.m.

The following meeting participants were in attendance:

Board Members:

Paul Schubert, Golden State Water Company  
Tom Mahon, Agricultural Interests  
Brett Ewart, City of Sacramento  
Forrest Williams, County of Sacramento  
Carl Werder, Agricultural-Residential

Staff Members:

Darrell Eck, SCGA  
Ping Chen, SCGA  
Ramon Roybal, SCA

Others in Attendance:

Bruce Kamilos, FRCD/EGWD  
Roger Kohne, City of Folsom  
Jonathan Goetz, GEI

**2. Public Comment**

None

**3. Discussion of the 2016-2017 Fiscal Year Budget for the Sacramento Central Groundwater Authority**

Jon Goetz from GEI, gave a presentation that addressed findings of the SGMA/Finance Subcommittee, presented a contribution methodology, addressed estimated level of effort and costs, and presented finance model assumptions and results.

During discussion of the contribution methodology Mr. Schubert expressed a concern over the requirement of a seat fee being tied with an ability to vote. Mr. Schubert stated that there may be another way to accomplish the same goal.

Mr. Ewart stated that during discussions within his agency there was an expressed concern regarding the base fee for water purveyors. Specifically, the discussions contemplated what the base fee was tied to or paid for in terms of access to water supply. Mr. Ewart stated that as an example, in SGA and the North Basin, there was a Water Accounting Framework in which purveyors had agreed to distinct total annual quantities of groundwater to which an individual purveyor would have access to and the actual amount of that annual quantity that was actually pumped would constitute the usage fee. Mr. Ewart remarked that absent of a similar framework under SCGA it was a question as to what the base fee was paying for. Mr. Ewart stated that he realized that a Groundwater Accounting Program was planned for future development by SCGA and that the issue could be addressed at that time.

The subcommittee discussed the importance of bringing in the participation of Florin County Water District and Fruitridge Vista Water District with SCGA as the SGMA process developed.

The subcommittee discussed scheduling of the proposed interim finance model for adoption by the June 2016 SCGA board meeting. The committee discussed having an introductory presentation at the April 20 SCGA board meeting where background and a draft proposal for an interim finance model would be provided so that board representatives could introduce the idea to their respective agencies and constituents. A formal presentation would then be provided in May to allow representatives to gather support for June adoption.

Mr. Ewart asked for subcommittee comments of the proposed model.

Mr. Kamilos stated that he supported the proposal and recommended to Mr. Eck that if there was a need to increase staffing levels under an interim structure for SCGA, that Mr. Eck should propose it to the SCGA board.

Mr. Kohne stated that he would be reporting back to his agency regarding the proposal and that he did not foresee any significant objections.

Mr. Goetz agreed to distribute the presentation as given to the subcommittee. Mr. Goetz then asked Mr. Kohne if he could provide detail on the distribution of service connections for the City of Folsom with respect to north and south of the American River.

The subcommittee agreed to reconvene on April 20<sup>th</sup> at 11 am and again on April 28<sup>th</sup> at 1 pm if necessary.

#### **4. Budget Committee Member Comments**

None.

**ADJOURNMENT**

Mr. Ewart adjourned the meeting at 3:00 pm

**Upcoming meetings –**

**Next SCGA Board of Directors Meeting** – Wednesday, April 20, 2016, 9:00 am; SASD  
South Conference Room 1207, Valley Oak.

By:

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Chairperson

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Date

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Date

***Item 3 Attachment 4. April 7, 2016 SGMA Subcommittee meeting minutes***



**SACRAMENTO CENTRAL GROUNDWATER AUTHORITY (SCGA)**  
**Sustainable Groundwater Management Act Sub-Committee Meeting**  
**Draft Minutes**  
**April 7, 2016**

**LOCATION:** 10060 Goethe Road, Room 1213  
Sacramento, CA 95827  
1:00 p.m. to 3:00 p.m.

**MINUTES:**

**1. Call to Order and Roll Call**

Paul Schubert called the meeting to order at 1:30 p.m.

The following meeting participants were in attendance:

Board Members:

Paul Schubert, Golden State Water Company  
Tom Nelson, FRCD/EGWD  
Tom Mahon, Agricultural Interests  
Brett Ewart, City of Sacramento  
Forrest Williams, County of Sacramento  
Rick Bettis, Conservation Landowners

Staff Members:

Darrell Eck, SCGA  
Sarah Britton, Legal Counsel  
Ping Chen, SCGA  
Ramon Roybal, SCA

Others in Attendance:

Mark Madison, FRCD/EGWD  
Bruce Kamilos, FRCD/EGWD  
Jonathan Goetz, GEI  
Mike Eaton, Cosumnes Coalition  
Mike Wackman, OHWD  
Rodney Fricke, Self  
Leyland Schneider, OHWD  
Jay Schneider, Sloughhouse RCD  
Herb Garms, Sloughhouse RCD

**2. Public Comment**

None

Mr. Nelson requested that the next SGMA Subcommittee meeting be scheduled to discuss FRCD's proposed JPA. The subcommittee decided on April 21, 2016 at 1 pm.

### **3. Draft Emergency Regulations for Groundwater Sustainability Plans and Alternatives**

Mr. Goetz provided a presentation reviewing the comments that were submitted on behalf of SCGA to State DWR regarding the Draft Emergency Regulations. Mr. Goetz announced that a draft of the comments was sent out to the subcommittee prior to submittal to DWR on March 30<sup>th</sup>.

Mr. Nelson asked if the subcommittee members were supposed to have received a draft copy of the comments by March 18<sup>th</sup> and that he did not feel like he had enough time to give feedback. Mr. Goetz apologized and explained that it was a resource issue and that putting the comments together took longer than expected.

Mr. Goetz explained that the nature of the comments that were submitted followed closely with the specific needs of SCGA as opposed to those expressing a statewide perspective. Mr. Goetz stated that SCGA was in concurrence with organizations such as ACWA and supported the more statewide comments that they submitted. Mr. Goetz explained that the SCGA's comments were drawn from the position that SCGA sought to preserve and build off of its existing groundwater management efforts and resources specifically, that SCGA had a successful SB1938 compliant plan and program in place.

Another focus of the comments was to ensure the integration of the Alternative Plan submittal process. Mr. Schubert asked for background on the significance of an Alternative Plan versus going through the entire GSP process. Mr. Eck replied that the Alternative Plan process should allow for an agency like SCGA that had an SB1938 compliant program to utilize the existing work and resources as a point to build from rather than starting from the beginning. Mr. Madison asked if an Alternative Plan would impair FRCD's request for a new JPA. Ms. Britton responded that it likely would not but that SCGA would have to be careful to conform with the adopted regulations that may require that existing agency apply for an Alternative Plan. SCGA would have to ensure that a change to its existing JPA did not put it in conflict with the definition of an existing agency.

Other focus areas of the comments were clarifying the nature and extent of external agency coordination and addressing the realities of implementing new funding programs at the local level. Mr. Goetz mentioned the comments also addressed the need for DWR's financial and technical assistance for coming into compliance with SGMA but that at the appropriate time DWR would also recognize that the local agencies would be able to provide technical feedback to DWR regarding the condition of the local groundwater basin. Mr. Goetz then mentioned that the comments addressed the concept of substantial compliance which discussed setting reasonable timelines for agencies and encouraging but not requiring the sharing of data.

Mr. Goetz stated that an informational presentation would be given to the SCGA Board at its April 20<sup>th</sup> meeting regarding the draft regulations and would address the current status

of the draft regulations relative to their approval through the State and the California Water Commission. The presentation would also highlight SCGA's concurrence with ACWA and its principles and would introduce comments from member organizations that were relevant to SCGA.

Mike Eaton with the Cosumnes Coalition commented that Rick Bettis as the Conservation Landowner representative was not afforded appropriate time to review the comments submitted to DWR and could not take into consideration any feedback that he may have received from the stakeholders that he represented.

Mr. Madison asked what was the most important comment that Mr. Goetz was hearing from across the state. Mr. Goetz responded that there is a common concern that the regulations are overly prescriptive.

#### **4. Basin Boundary Modification**

Mr. Goetz stated that SCGA's interest in keeping the current basin boundary as defined by Bulletin 118 was to preserve its existing management actions and resources, not as a measure of competitiveness for the region.

Mr. Goetz provided review of OHWD/SRCD basin boundary modification application and associated technical documentation.

Mr. Goetz discussed OHWD's assertion that its participation in the management of the South American Subbasin was not critical to the sustainability of the basin due to well established funding mechanisms and existing management structure. Mr. Goetz then discussed San Joaquin County's jurisdictional basin boundary modification to move the boundary north to the San Joaquin/Sacramento County border as a means to consolidate resources county wide. Mr. Goetz then pointed out that the modification would have the effect of diminishing the resources available to OHWD and Sloughhouse RCD within the Cosumnes Subbasin and thus seemingly result in a ripple effect in which the loss of resources on one side of the basin must be made up for on the another side. Mr. Goetz suggested that the subcommittee might consider addressing the San Joaquin boundary modification request relative to the ripple effect it may cause. Mike Wackman, General Manager of OHWD, commented that it was explained to him that San Joaquin County's motivation to support moving the basin boundary north was driven by North San Joaquin Irrigation District desire not to be split along the Mokelumne River and thus split available resources on either side of the river. Mr. Schubert asked Mr. Wackman to confirm his statement to the Sacramento County Board of Supervisors that the proposed San Joaquin boundary modification would affect the sustainable yield of the Cosumnes Subbasin. Mr. Wackman confirmed that the modification would affect the calculation of the sustainable yield in the Cosumnes Subbasin and that he had made the comment to highlight to Sacramento County that it was an issue in addition to similar issues that may occur within the South American Subbasin and that as the County it should be aware of the potential effects of the proposals throughout the County.

Jay Schneider with the Sloughhouse RCD, distributed a request letter to the SCGA Executive Director, board clerk, and members of the subcommittee. Mr. Schneider then

made a verbal request for SCGA not to oppose the basin boundary modification application by OHWD and Sloughhouse RCD and a request for SCGA to not file an overlapping GSA.

## **5. Groundwater Sustainability Agency Formation**

Mr. Goetz reported to the subcommittee that OHWD had passed a resolution to file for GSA formation over its service area and that additionally Sloughhouse RCD had passed a resolution to form a GSA for a portion of its service area within the South American Subbasin. The subcommittee discussed the Board's previous action to direct staff to take action to file a competing GSA encompassing the entire South American Subbasin if any other agency filed within the basin without first coordinating and reaching agreement with SCGA on how the arrangement would function going forward in compliance with SGMA. Mr. Nelson asked if GSA formation could synchronize with the submittal of an Alternative Plan without causing a conflict between the two processes. Ms. Britton answered that the deadline for Alternative Plan submittal was technically before the deadline required for GSA formation and that it was likely to be determined in the adopted regulations that a GSA boundary should largely match the boundary as defined by an Alternative Plan.

Mr. Nelson asked what SCGA planned to do to solve the problem of coming to an agreement with OHWD in the event that SCGA filed a competing GSA. Mr. Nelson suggested that OHWD felt that the current SCGA model did not work for them and that was why they were filing as a separate GSA. Mr. Wackman clarified that OHWD was acting in accordance with the SGMA legislation and the authorities and functions that it provided to those entities who applied to become a GSA. Mr. Wackman stated that OHWD was not saying that it SCGA had done a bad job or was a bad model for the role that it served prior to SGMA rather OHWD sought to implement SGMA on its own behalf largely due to the powers it granted.

Mr. Schneider commented that SCGA should not file a competing GSA and should instead negotiate with OHWD and Sloughhouse RCD after they become GSA's.

Mr. Goetz discussed the difference between the area's that could be potentially covered by an Alternative Plan which may encompass the current footprint of SCGA, and the potential SCGA GSA, which would strictly follow the Bulletin 118 boundary for the South American Subbasin. The difference between the two areas might need to be reconciled either through coverage by another entity other than SCGA or the regulations may ultimately allow for the Alternative Plan boundary to be adjusted.

Mr. Goetz introduced a potential SCGA GSA application boundary that encompassed the entire South American Subbasin and was divided into three zones, two of which corresponded to the potential respective overlap areas with OHWD and Sloughhouse RCD. Ms. Britton explained that the zones would theoretically allow for any uncontested area to move forward with GSA acceptance while any potentially contested area would go through the legislatively prescribed process. Ms. Britton further explained that it

might allow for SCGA to come to resolution with OHWD and Sloughhouse RCD in distinct fashion and thus afford for optimization of the GSA process.

Mr. Schubert expressed a concern of preempting any remain potential negotiations and mediation with OHWD. Mr. Eck replied that the board could pass a resolution to move forward with the process but that the public hearing for noticing the GSA formation would not occur until May 11<sup>th</sup>.

The subcommittee discussed clarifying the language of recommended action number two to specify that the proposed boundaries in question were the Bulletin 118 boundary and not limited to the current jurisdictional SCGA boundary.

***Motion/Second/Carried*** - Mr. Williams moved, seconded by Mr. Ewart, the motion carried to recommend the Board adopt a resolution stating SCGA's intent to move forward with an alternative submittal. Mr. Nelson opposed.

***Motion/Second/Carried*** - Mr. Ewart moved, seconded by Mr. Ewart, the motion carried to recommend the Board adopt a resolution commencing the SGMA GSA formation process relative to the proposed boundaries. Mr. Nelson opposed.

#### **6. Action Items/Next Steps Assignments**

Present the submitted SCGA comments regarding the Draft Emergency Regulations to the Board at the April 20 meeting.

Present recommendations to the SCGA Board per actions one and two of Item #5.

#### **ADJOURNMENT**

Mr. Schubert adjourned the meeting at 3:00 pm

#### **Upcoming meetings –**

**Next SCGA Board of Directors Meeting** – Wednesday, April 20, 2016, 9:00 am; SASD South Conference Room 1207, Valley Oak.

By:

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Chairperson

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Date

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Date

## **AGENDA ITEM 4: SCGA UPDATE ON DRAFT GROUNDWATER SUSTAINABILITY PLAN (GSP) EMERGENCY REGULATIONS**

### **BACKGROUND:**

Staff prepared and submitted public comments on the Draft GSP Regulations released by State DWR on February 18, 2016. SCGA staff's review of draft GSP regulations included four major focus areas:

- Honoring Existing Programs
- Ensuring Integration of Alternative Submittals
- External Agency Coordination
- State's Technical and Financial Assistance

SCGA concurs with statewide organizations such as ACWA in supporting principles of revision for less prescriptive regulations reinforcing local discretion (see Exhibit "A" of attached comments). SCGA's comments focused on revisions that would promote SCGA preserving and building off of its existing groundwater management efforts and resources, specifically, its successful SB1938 compliant plan and program currently in place. Some of SCGA's member agencies also submitted comments independently.

On April 20, 2016, the California Water Commission agenda includes a DWR staff update on the GSP Regulation review and development process. SCGA staff will provide any relevant California Water Commission hearing materials to the SGMA Subcommittee meeting on April 21, 2016.

### **STAFF RECOMMENDATION:**

***Action: Information presentation.***

## **AGENDA ITEM 5: SGMA SUBCOMMITTEE REPORT BACK AND RECOMMENDATIONS**

### **BACKGROUND:**

This is report back by the Chair of the SGMA Subcommittee regarding the committee's activities and recommendations.

### **STAFF RECOMMENDATION:**

*Action: Information.*



## **AGENDA ITEM 6: INITIATE “ALTERNATIVE” PLAN SUBMITTAL PROCESS AND DELEGATE PREPATORY ACTIONS TO STAFF**

### **BACKGROUND:**

The Sustainable Groundwater Management Act of 2014 (SGMA) authorizes local agencies to submit an alternative to a Groundwater Sustainability Plan (GSP) to the State Department of Water Resources (DWR) for evaluation and assessment of its satisfaction of SGMA objectives (Water Code 10733.6(a)). An alternative submittal provides agencies with proven groundwater management experience, established governance structures, and effective groundwater management plans to comply with SGMA without developing a GSP.

The alternative (plan) concept for SCGA began in the January 13, 2016 Board hearing when the alternative submittal element of the SGMA statute was introduced and presented to your Board as a viable option to maintain the 10 years of education, collaboration, and interest-based negotiation that took place in the Water Forum and the Central Sacramento County Groundwater Water Forum efforts leading up to the formation of SCGA. Predicated on expected language to be included in the final GSP Regulations, your Board requested staff evaluate the feasibility of the alternative submittal approach by reaching out to State DWR, and participating in activities as-needed to improve our understanding and chances for the alternative plan concept.

In the March 9, 2016 Board hearing, staff presented the need for the alternative submittal to cover the entire groundwater basin over which the submitting agency intends to manage groundwater under SGMA. At this time, staff noted concern regarding portions of the South American subbasin outside of SCGA, but concluded an alternative submittal may still be viable as a combination of two of the three statutory criteria:

1. A plan developed pursuant to Part 2.75 (commencing with Section 10750) or other law authorizing groundwater management.
2. Management pursuant to an adjudication action.
3. An analysis of basin conditions that demonstrates that the basin has operated within its sustainable yield over a period of at least 10 years. The submission of an alternative described by this paragraph shall include a report prepared by a registered professional engineer or geologist who is licensed by the state and submitted under that engineer's or geologist's seal.

The Draft GSP regulations further clarify that an alternative submittal may include agreements with local public agencies in areas not covered by the submitting agency's jurisdiction, contemplating a combination application wherein a submittal certifies 10 years of groundwater sustainability in areas not covered by a satisfactory groundwater management plan. In the case of the South American Subbasin, areas outside of SCGA (i.e., portions of the legal Delta west of I-5) will be required to provide sufficient evidence to achieve this requirement.

An alternative must be initially submitted to DWR no later than January 1, 2017 (Water Code 10733.6(c)). As summarized in Item 3, the GSP Regulations must be adopted by State DWR by June 1, 2016. This provides SCGA staff approximately 6 months to prepare an alternative plan submittal to comply with SGMA and the GSP Regulations, including all necessary local agency agreements and certified evidentiary reports showing 10 years of sustainability for all areas outside of SCGA's service area.

Initially, the alternative submittal will include the existing SCGA service area as depicted in the Water Forum Agreement and the SCGA GMP. There are two reasons for keeping SCGA whole through the alternative submittal process. The first is to ensure the relationship between the regional groundwater management goal of the Water Forum Agreement in the management area titled, "South Sacramento Groundwater Zone." The second is to show SCGA service area portions to be included in existing or proposed GSA governance structures at the time of submittal.

The attached resolution delegates authority to staff to begin this effort by initiating outreach to other local agencies and stakeholders outside of SCGA's jurisdiction to discuss an alternative plan submittal, seek potentially necessary agreements, and upon State DWR's adoption of the GSP Regulations, modify and supplement the GMP and other SCGA resources as may be required to develop a successful submittal.

**STAFF RECOMMENDATION:**

***Recommended Action: Adopt the proposed resolution.***

***Item 6 Attachment 1. Resolution - Alternative Plan Submittal***

# **SACRAMENTO CENTRAL GROUNDWATER AUTHORITY**

## **RESOLUTION NO. 2016-\_\_\_\_\_**

### **RESOLUTION COMMENCING AN ALTERNATIVE PLAN SUBMITTAL IN COMPLIANCE WITH THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT OF 2014 AND DELEGATING PREPATORY ACTIONS**

**WHEREAS**, the Sustainable Groundwater Management Act of 2014 (SGMA) authorizes local agencies to submit an alternative to a Groundwater Sustainability Plan (GSP) to the State Department of Water Resources (DWR) for evaluation and assessment of its satisfaction of SGMA objectives (Water Code 10733.6(a)); and

**WHEREAS**, such an alternative plan must be initially submitted to DWR no later than January 1, 2017 (Water Code 10733.6(c)); and

**WHEREAS**, draft GSP regulations were circulated by DWR for public comment and included some provisions concerning the content and evaluation standard for alternative plans; and

**WHEREAS**, the Sacramento Central Groundwater Authority (SCGA) submitted written comment on the draft GSP regulations focused in part on the alternative plan provisions; and

**WHEREAS**, the GSP regulations must be final and effective by June 1, 2016; and

**WHEREAS**, the draft GSP regulations contemplate elements for satisfactory alternative plan submittals that are not currently part of SCGA's Groundwater Management Plan (GMP); and

**WHEREAS**, the draft GSP regulations further contemplate required agreements between a submitting local agency and other local agencies or entities located outside of the submitting agency's jurisdiction to facilitate satisfactory alternative plan submittals; and

**WHEREAS**, SCGA has significant interest and investment in using its GMP and management authority for the sustainable management of groundwater within its jurisdiction; and

**WHEREAS**, to meet the January 1, 2017 deadline for an alternative plan submittal, SCGA must begin readying the GMP and seeking and negotiating the potentially required agreements with other local agencies and entities within the subbasin.

**NOW, THEREFORE, BE IT RESOLVED** the SCGA Board of Directors:

1. Delegates authority to SCGA staff to conduct outreach to other local agencies and stakeholders, as defined by SGMA, outside of SCGA jurisdiction to discuss an alternative plan submittal,

2. Directs SCGA staff to modify and supplement the GMP and other SCGA resources as may be required by adopted GSP regulations to develop an alternative plan submittal, and
3. Delegates authority to SCGA staff to negotiate agreements with other local agencies and stakeholders, as defined by SGMA, outside of SCGA's jurisdiction as may be required to support an alternative plan submittal; and
4. Delegates authority to SCGA staff to do and perform everything necessary to carry out the purpose of this resolution.

ON A MOTION by Director \_\_\_\_\_, and seconded by Director \_\_\_\_\_, the foregoing resolution was passed and adopted by the Board of Directors of SCGA this 20th day of April, 2016, by the following vote, to wit:

AYES: Directors,

NOES: Directors,

RECUSAL: Directors,  
(PER POLITICAL REFORM ACT (§ 18702.5.)

ABSENT: Directors,

ABSTAIN: Directors,

\_\_\_\_\_  
Chair of the Board of Directors  
of the Sacramento Central Groundwater Authority,  
a duly formed Joint Powers Authority

(SEAL)

ATTEST: \_\_\_\_\_  
Clerk of the Board of Directors of  
the Sacramento Central Groundwater Authority

## **AGENDA ITEM 7: INITIATE THE PROCESS TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY WITHIN IDENTIFIED AREAS OF SCGA'S JURISDICTION IN THE SOUTH AMERICAN SUBBASIN**

### **BACKGROUND:**

Upon review of January 13, 2016, and February 10, 2016 Board actions, the Board has previously directed staff to conduct the outreach, notice, and public hearing required for SCGA's GSA formation upon certain qualifying events: 1) Sloughhouse Resource Conservation District (SRCD) including any portion of the South American Subbasin in their GSA filing, and 2) a local agency's GSA filing including area within SCGA jurisdictional boundaries without outreach, engagement, and resolution of pertinent issues.

Staff proposes a resolution, on recommendation of the SGMA Subcommittee, to commence SCGA's GSA formation actions now even though 1) SRCD's GSA filing posted with State DWR does not yet reflect a South American subbasin portion, 2) Omochumne-Hartnell Water District (OHWD) does not yet have a GSA filing posted with State DWR, and 3) both SRCD and OHWD have engaged with SCGA to attempt to resolve groundwater governance issues within SCGA's jurisdiction.

On February 10, 2016, the SCGA Board directed staff to conduct outreach, notice, and required public hearing to file a Notice of GSA Formation for SCGA's service area in the South American Subbasin should SRCD's Board include any portion of the South American Subbasin as part of their GSA filing. On March 10, 2016, SRCD passed a resolution to form a GSA, but did not include area within the South American Subbasin. This Notice of GSA Formation was posted by State DWR on April 13, 2016. Staff understands that on March 29, 2016, SRCD passed a resolution to include area within the South American Subbasin in their GSA. As of April 14, 2016, SRCD's Notice of GSA Formation has not been amended in the online posting.

Similarly, staff is informed that OHWD passed a similar resolution on March 29, 2016, forming a GSA within their jurisdiction of the South American and Cosumnes subbasins. As of April 14, 2016, OHWD's Notice of GSA Formation has not been posted by State DWR.

Ninety (90) days after State DWR posts OHWD and SRCD's Notices of Formation as GSAs, the entities will be recognized as the exclusive SGMA groundwater sustainability agency for the noticed areas--unless another local agency like SCGA submits a Notice of Formation identifying overlapping area of intended management. Since the Board's last direction to staff on February 10, 2016, OHWD and SRCD have submitted a joint basin boundary modification application, and passed resolutions to become GSAs within SCGA's jurisdiction in the South American Subbasin. Further, draft GSP regulations were released, providing insight about how alternative plan submittals will be evaluated. Given the Board's desire to preserve its management efforts and resource investments, and to work collaboratively with both OHWD and SRCD for sustainable groundwater management and governance, staff proposes the Board adopt the attached resolution.

**STAFF RECOMMENDATION:**

*Recommended Action: Adopt the proposed resolution.*

***Item 7 Attachment 1. Resolution - Commence GSA Formation Process***



# **SACRAMENTO CENTRAL GROUNDWATER AUTHORITY**

## **RESOLUTION NO. 2016-\_\_\_\_\_**

### **RESOLUTION COMMENCING THE GROUNDWATER SUSTAINABILITY AGENCY FORMATION PROCESS FOR AREAS OF THE SOUTH AMERICAN SUBBASIN**

**WHEREAS**, the Sustainable Groundwater Management Act of 2014 (SGMA) authorizes a local agency overlying a groundwater basin to become a Groundwater Sustainability Agency (GSA) in satisfaction of SGMA objectives (California Water Code 10723(a)); and

**WHEREAS**, the Sacramento Central Groundwater Authority (SCGA) was duly formed under the Joint Exercise of Powers Act (Chapter 5 of Division 7 of Title 1 of the California Government Code) pursuant to a Joint Powers Agreement by and among the County of Sacramento and Cities of Sacramento, Elk Grove, Rancho Cordova, and Folsom dated August 29, 2006 (JPA), after outreach to fifty (50) regional stakeholders, representing agricultural, urban, self-supplied, environmental, and other groundwater interests; and

**WHEREAS**, SCGA was created for the primary purpose of maintaining the sustainable yield within the SCGA Groundwater Management Plan (GMP), and thereby qualifies as a local agency as defined in SGMA (California Water Code 10721(n)); and

**WHEREAS**, SCGA's jurisdiction overlies a portion of the South American subbasin, as defined in California Department of Water Resources' (DWR) Bulletin 118-03, classified as high priority; and

**WHEREAS**, SGMA requires a GSA be formed for high and medium priority groundwater subbasins in California by June 30, 2017 (California Water Code 10724); and

**WHEREAS**, SCGA understands on March 29, 2016 the Boards of Omoichumne-Hartnell Water District (OHWD) and Sloughhouse Resource Conservation District (SRCD) elected to become GSAs for portions of the South American subbasin within SCGA's jurisdiction; and

**WHEREAS**, Ninety (90) days after DWR posts OHWD and SRCD's Notices of Formation as GSAs, those entities will be recognized as the exclusive SGMA groundwater management authority for their noticed areas, unless another local agency like SCGA submits a Notice of Formation identifying overlapping area of intended management (California Water Code 10723.8(c) and (d)); and

**WHEREAS**, If a Notice of GSA Formation is duly and timely filed that identifies area(s) of overlapping intended management, the decision to become GSAs shall not take effect until one of the notifications is withdrawn or modified to eliminate overlap in the areas proposed to be managed (California Water Code 10723.8(b)); and

**WHEREAS**, Before deciding to become a GSA, SCGA must specially publish and hold a public hearing to consider GSA formation within its jurisdictional area, and adopt a resolution forming the GSA within identified service area boundaries (California Water Code 10723(b); and

**WHEREAS**, SCGA has engaged with OHWD and SRCD and other local agencies within the South American subbasin that have expressed interest in SGMA groundwater management, and encouraged a collaborative process to basin-wide groundwater governance; and

**WHEREAS**, SCGA has ongoing coordination and communication with other groundwater management entities in the North American, South American, and Cosumnes subbasins; and

**WHEREAS**, SCGA wants to continue communication and collaboration with OHWD, SRCD, and other local agencies interested in SGMA groundwater management in the South American and Cosumnes subbasins to achieve basin-wide governance and inter-basin coordination in an efficient and effective manner; and

**WHEREAS**, SCGA has significant interest and investment in using its GMP and management authority for the sustainable management of groundwater within the South American subbasin.

**NOW, THEREFORE, BE IT RESOLVED** the SCGA Board of Directors:

1. Directs SCGA staff to set a public hearing and provide the required notice and publication for SCGA's to form a GSA in the following areas of the South American subbasin as graphically depicted in Exhibit "A" to this resolution, incorporated by reference herein:
  - a. Within the territory identified as "Area 1", and
  - b. Within the territory identified as "Area 2", and
  - c. Within the territory identified as "Area 3".
2. Supports resolving competing or overlapping GSA formations within SCGA South American subbasin jurisdiction with expeditious intent, use of mediation services available in the region, and though continued coordination, communication, and collaboration with groundwater management interests in the region.

ON A MOTION by Director \_\_\_\_\_, and seconded by Director \_\_\_\_\_, the foregoing resolution was passed and adopted by the Board of Directors of SCGA this 20th day of April, 2016, by the following vote, to wit:

AYES: Directors,

NOES: Directors,

RECUSAL: Directors,  
(PER POLITICAL REFORM ACT (§ 18702.5.))

ABSENT: Directors,

ABSTAIN: Directors,

\_\_\_\_\_  
Chair of the Board of Directors  
of the Sacramento Central Groundwater Authority,  
a duly formed Joint Powers Authority

(SEAL)

ATTEST: \_\_\_\_\_  
Clerk of the Board of Directors of  
the Sacramento Central Groundwater Authority



## **AGENDA ITEM 8: COSUMNES COALITION OUTREACH TO SCGA**

### **BACKGROUND:**

The Cosumnes Coalition is a collaborative partnership of conservation stakeholders interested in the local, regional and global ecological importance of the Cosumnes River. The Coalition is reaching out to SCGA to educate and improve awareness of their efforts in collaborative sustainable groundwater management. Representatives will be providing a presentation of the Cosumnes Coalition's strategies and goals, challenges and opportunities, and participation in SCGA's management programs.

The Coalition is proposing governance in the spirit of the recommendations of Designing Effective Groundwater Sustainability Agencies and the *Criteria for Evaluation of Local Governance Options*, published by Wheeler Water Institute. Link to the document: <https://www.law.berkeley.edu/research/clee/research/wheeler/groundwater-governance-criteria/>

Given the Sacramento Water Forum's process which focused on identifying approaches to both protecting the ecological/recreational and water supply values of the American River, a similar approach was introduced in the negotiation and formation of SCGA and its GMP by conservation landowners (i.e., The Nature Conservancy) to protect the values of the Cosumnes River. SCGA member agencies continue to have an interest in sustainable projects and programs scientifically benefitting the Cosumnes River. To work towards this common goal, the Cosumnes Coalition is seeking to establish a stakeholder relationship with SCGA and to create effective approaches to support aquifer and river health.

The speakers of the today's presentation are Melinda Frost-Hurzel and Mike Eaton.

### **STAFF RECOMMENDATIONS:**

***Action: Information Presentation.***



***Item 8 Attachment 1. Cosumnes Coalition Presentation and Letter***

## **Cosumnes Sub-Basin Sustainable Groundwater Management Sacramento Central Groundwater Authority (SCGA)**

### **Cosumnes Coalition Outreach to SCGA**

*The Cosumnes River watershed is of local, regional and global ecological importance and many of its key functions are groundwater dependent. Decades of overdraft by public and private pumpers have put these groundwater-dependent resources at critical risk, undermining the previous investment of hundreds of millions of dollars by federal (USFWS, USBLM, USBR) and state (DFW, WCB, DWR) agencies. California's Sustainable Groundwater Management Act (SGMA) mandates a more balanced approach to groundwater management. SCGA's current governance structure, authorities, and groundwater management plan represent major accomplishments and provide an important foundation for SGMA compliance, but they fall short in key respects of satisfying SGMA requirements.*

#### Why is the Coalition interested in the Cosumnes River, and in reaching out to SCGA?

The upper reaches of the Cosumnes River are in the El Dorado National Forest, while the lower reach of the river flows through the last major stand of Central Valley Riparian Forest at the Cosumnes Preserve and provide a critically important ecological connection to the Delta. The Cosumnes River is part of the San Joaquin Watershed, and its flows eventually reach the Bay Delta Estuary.

Cosumnes is a Miwok word, cos=salmon, umne=people, or "salmon people". The Miwok people have traveled and lived throughout the Cosumnes River watershed for thousands of years. The Cosumnes River, and the salmon that spawn there, are an integral part of Native Cultural Resources today.

As the last free flowing western Sierra River, the Cosumnes is valued internationally for biological, hydrological, climate adaptation and hazard mitigation research. The Cosumnes contains a variety of habitats along its reaches, such as montane forests, seral forests, riparian forests, blue oak woodland, mixed chaparral, grassland, and seasonal wetlands. The watershed supports over twenty special status species of wildlife and twelve native fish species, including anadromous fish, with great diversity along its length. Over 200 species of birds have been observed at the Cosumnes Preserve alone. The protected landscapes of the Cosumnes watershed are the product of several hundred million dollars of public investment in conservation by non-profit organizations and local, state, and federal government partners. Millions of dollars have been invested in research to help us better understand this landscape, its underlying ecological process, and the short and long term threats that it faces.

The Cosumnes River is an important municipal and agricultural water source for communities throughout its length, and provides recreational opportunities such as Class V kayaking, swimming, birding, angling, and rock climbing. The steep gorges and mountain canyons the Cosumnes has carved have a unique, wild beauty that has previously been nominated for wild and scenic status. Visiting the Cosumnes River provides an opportunity to connect with nature and renew the spirit.

The Cosumnes Coalition was formed to leverage the resources and experience of each partner to preserve and restore Cosumnes River values on a watershed scale. Watershed scale management and restoration are necessary, as the river is hydraulically connected along its length; stewardship cannot be accomplished one reach at a time.

**The Coalition is reaching out to SCGA because collaborative, sustainable groundwater management is requisite to accomplishing restoration and stewardship goals.**

#### Who Are the Cosumnes Coalition Partners?

*American River Conservancy:* Prepared the strategic plan for the upper Cosumnes in 2001, and since then has preserved over 6,000 acres in the upper watershed.

*Cosumnes Culture and WaterWays:* Teaches and practices Traditional Ecological Knowledge (TEK). Informs Coalition restoration and stewardship activities with respect to Native American Cultural Resources and Practices.

*Fishery Foundation:* Cosumnes experts, the Fishery Foundation has improved fish passage and monitored anadromous fish presence on the Cosumnes River for over twenty years.

*Landmark Environmental Consultants:* Co-authored the upper Cosumnes Strategic Plan and expert on Cosumnes River history. Provides grant and permit guidance for stewardship efforts.

*Trout Unlimited:* Over 50 years experience working collaboratively with stakeholders and applying win/win, innovative, science based solutions to protect--reconnect--restore streams. "A river is more than the sum of its disconnected parts".

The Cosumnes Coalition benefits from the guidance of a Technical Advisory Committee, made up of Partner representatives and UC Davis, Cosumnes Preserve, USFWS, CDFW, WaterBoards, and BLM subject matter experts.

#### What has the Cosumnes Coalition done so far?

El Dorado Trout Unlimited initiated its Water Resources Surface Water Ambient Monitoring Program (SWAMP) compliant monitoring program for the Cosumnes River in 2015. The program monitored 17 sites across the watershed. The Program will continue in 2016.

Coalition Partners are embarking on a watershed assessment, which will be used to create a restoration and stewardship plan. The monitoring program will be used to gather baseline data, meet grant information requirements, and guide adaptive management efforts.

Coalition Partners have engaged with communities and water districts, to explore win/win solutions to groundwater overdraft and surface water flow enhancement, and will continue in that effort.

Coalition Partners (with USFWS, City of Plymouth, and Omoichumne Hartnell Water District support) engaged with US Bureau of Reclamation (USBR), seeking environmental water transfer opportunities for flow augmentation. USBR has added the Cosumnes to its work plan and is



willing to explore future options for groundwater recharge and off channel storage for flow augmentation.

Coalition Partners have engaged with communities and water districts to capture their concerns in the 2015 monitoring report, so they could be incorporated in the Sierra Nevada Conservancy Watershed Improvement Program.

Coalition Partners participate in agency efforts that affect the Cosumnes, such as SCGA groundwater management planning.

#### Coalition Proposal to SCGA:

The Coalition proposes that the SCGA create a Sustainable Groundwater Management Plan (SGMP) that meets the Department of Water Resources Best Management Practices and embraces best current thinking about governance (see, for example, the recommendations of Designing Effective Groundwater Sustainability Agencies: CRITERIA FOR EVALUATION OF LOCAL GOVERNANCE OPTIONS, published by Wheeler Water Institute. Link to the document: <https://www.law.berkeley.edu/research/clee/research/wheeler/groundwater-governance-criteria/>)

By engaging stakeholders/partners and looking at multi benefit criteria, funding for innovative projects is most likely to be secured. The context of prolonged drought as well as the flooding that may come from climate change, for example--provides a set of circumstances that differs from the assumed conditions on which the original SCGA groundwater plan was based. Effective, integrated management of groundwater and surface water would provide substantial benefits to Sacramento County, including greater storage of water in the combined surface and subsurface reservoirs to support more secure water quantity and groundwater quality for municipal and agricultural users, while reducing pumping costs and benefiting important terrestrial and aquatic ecosystems, among others.

The Sacramento Water Forum identified innovative approaches to protecting the ecological and recreational values of the American River. We suggest it is time for local agencies to bring a similar systematic and concerted approach to protect the values of the Cosumnes River.

The Cosumnes Coalition welcomes the opportunity to work with SCGA in preparing for the SGMP, and developing collaborative, effective approaches to support aquifer and river health.

## *The Cosumnes River: Connecting the Watershed*

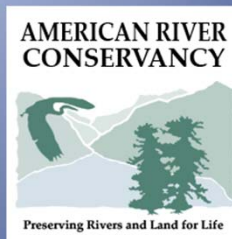


### *What We'll be Talking About....*

- Introducing The Cosumnes Coalition
- Why the Coalition is reaching out to SCGA
- Cosumnes Coalition Strategies & Goals
- Cosumnes Challenges/Opportunities
- Coalition Participation

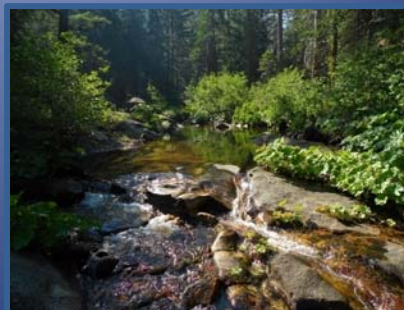


## *Cosumnes Coalition Partners*



## *Cosumnes Coalition Technical Advisors*

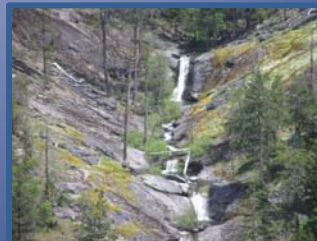
- Partner Representatives
- Cosumnes Subject Matter Experts
- US Fish and Wildlife Service
- Bureau of Land Management
- CA WaterBoards
- CA Fish & Wildlife
- UC Davis



## *Why the Coalition is Reaching Out to SCGA*

### Cosumnes Watershed Values:

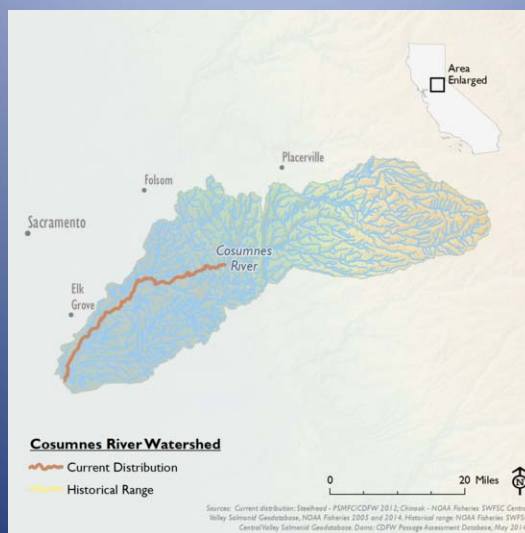
- Ecological Values
- Important Municipal & Agricultural Water Source
- Research Opportunities
- Cultural Resources
- Recreational Opportunities
- Unique, Wild Beauty



### Previous Public Investment

*Collaborative, Innovative Groundwater Management  
is Needed to Accomplish Restoration Goals*

## *Cosumnes Coalition: Strategies and Goals on a Watershed Scale*



Source: <http://www.casalmon.org/salmon-snapshots/location/cosumnes-river>

### *Coalition Strategies:*

- Work on a watershed scale towards watershed health
- Leverage each partner's strengths & resources
- Reach out to communities
- Collaborate with stakeholders
- Engage with subject matter experts
- Gather comprehensive, quality data
- Understand regulatory framework
- Apply best science, innovation, technology
- Facilitate partnerships and funding for projects
- Practice adaptive management

### *Coalition Short Term Goals:*

- Watershed Assessment
- Watershed Restoration Plan that includes sustainable groundwater management

Upstream--Foothills



Downstream—Valley Overdraft



### *Cosumnes Challenges:*

Sacramento Central Groundwater  
Management Plan:

- Cosumnes actions not implemented
- Upper watershed diversions not considered
- Upper watershed land use changes not considered
- Climate change and hazard mitigation not considered
- Salmon impacts accelerating

### *Cosumnes Opportunities:*

- Effective governance & basin boundaries
- Accountability for taking actions
- Flow augmentation
- Levee setbacks
- Lands for recharge and flood control
- Partner with upper watershed diverters
- Recycled water for over irrigation
- Integrate upper/lower watershed monitoring
- Multi-benefit approach + partnerships = funding



## *Cosumnes Coalition Participation*

- Stakeholder to SCGA sustainable groundwater management act process
- Partner to develop projects & obtain funding



## *Questions?*



## **AGENDA ITEM 9: 2014/2015 AUDIT REPORT**

### **BACKGROUND:**

Presentation by Bill Konigsmark, Accounting Manager to review the 2014/2015 Fiscal Year audit.

### **STAFF RECOMMENDATION:**

*Action: Information Presentation.*



**AGENDA ITEM 10: EXECUTIVE DIRECTOR'S REPORT**

**No Materials.**