

Sacramento Central Groundwater Authority (SCGA)

Regular Meeting

Wednesday, September 14, 2016

1. CALL TO ORDER AND ROLL CALL

Chair Brett Ewart called the Sacramento Central Groundwater Authority meeting of Wednesday, September 14, 2016 to order at 9:02 a.m.

The following meeting participants were in attendance:

Board Members (Primary Rep):

Tom Nelson – Elk Grove Water District/ Florin Resource Conservation District

Tom Mahon – Agricultural Interests

Carl Werder – Agricultural-Residential

Christine Thompson – Public Agencies Self-Supplied

Dave Ocenosak – Sacramento Regional County Sanitation District

Paul Schubert – Golden State Water Company

Board Members (Alternate Rep):

Brian Frাগiao – City of Elk Grove

Brett Ewart – City of Sacramento

Forrest Williams Jr. – County of Sacramento

Staff Members:

Darrell Eck – Executive Director

Sarah Britton – Legal Counsel

Stephanie Studdert – Clerk

Ramon Roybal

Others in Attendance:

Jonathan Goetz – GEI

Rodney Fricke – GEI

Amanda Bishop – Sacramento County Clerk of the Board

Mark Madison – Florin Resource Conservation District/Elk Grove Water District

Bruce Kamilos – Florin Resource Conservation District/Elk Grove Water District

Debbie Whaley – Sacramento State, I West

Jose R. Ramirez – Regional Sanitation

Darlene Gillum – Rancho Murieta CSD

Kerry Schmitz – Sacramento County Water Agency

Tom Gohring – Water Forum

Charlotte Mitchell – Farm Bureau

Suzanne Pecci – Domestic Well Owner

Lisa Dills – Southgate Recreation Park District

Mike Eaton – Cosumnes Coalition

Mike Wactman – Omochochumne-Hartnell Water District
Jim Blanke – RMC Water and Environment

Member Agencies Absent

City of Folsom

City of Rancho Cordova

Commercial/Industrial Self-Supplied

Conservation Landowners

Omochochumne-Hartnell Water District

Rancho Murieta CSD

California American Water Company

2. PUBLIC COMMENT

Suzanne Pecci stated she is a domestic well owner and a representative of the rural community in Elk Grove. Ms. Pecci said there are 1800 to 2000 domestic well owners in the area. She stated they comprise about 25% of the area within the city limits of Elk Grove. Ms. Pecci stated she opposes the Sloughhouse RCD as the GSA over portions of residents within the city limits of Elk Grove and Omochochumne-Hartnell Water District area. She stated that in her reading of Bulletin 118, she feels there has been no consideration from Sloughhouse RCD on the jurisdictional boundaries. Ms. Pecci voiced concern regarding the capacity of Sloughhouse OH to perform the duties of a local agency in her area. She stated there has been a lack of transparency, lack of openness and lack of outreach to the community. Ms. Pecci said that this has caused a significant amount of distrust. In the last SCGA meeting, Amanda Platt talked about and acknowledged the learning curve for Sloughhouse RCD as the GSA. She stated that she does not want to be a part of the learning curve or the need for shift in attitude of water rights. Ms. Pecci expressed her concerns regarding the State taking over and the fear of mandatory metering of wells. She stated that in a time of diminished water in California, limits will be placed on everyone. She said she supports SCGA as the local GSA as she wants stability during this time of change and unknown.

3. CONSENT ITEMS

Motion/Second/Carried - Director Christine Thompson moved, seconded by Director Paul Schubert, the motion carried unanimously to approve the July 13, 2016 Board meeting, the July 20, 2016 SGMA Subcommittee meeting, and the August 18, 2016 SGMA Subcommittee meeting minutes.

4. UPDATE ON THE ALTERNATIVE SUBMITTAL

Chair Ewart introduced Jon Goetz and Rodney Fricke of GEI Consultants who provided an update on the Alternative Plan submittal and coordination with State DWR. (*Note: The*

presentation given by Jon Goetz and Rodney Fricke may be viewed on the Authority's website for the September 14, 2016 meeting date.) The Presentation covered the following topics:

- Recap on the Basin Boundary Modification (BBM) Workshop
- Delta outreach efforts
- DWR consultation meetings for the Alternative Submittal
- Findings for the 10-year operations within Sustainable Yield
- Alternative Submittal Chapters

Legal Counsel Sarah Britton provided clarification regarding the area of the Groundwater Management Plan (GMP). She further clarified that the local agency that is submitting the alternative does not actually cover or have jurisdiction over the entire basin for which it's submitting the alternative. The SCGA JPA has a limitation which does not extend west of I5 into the delta, but that does not preclude SCGA from submitting an alternative submittal that makes an analysis of the entirety of the subbasin.

Mike Wactman of Omoichumne-Hartnell Water District (OHWD) suggested that SCGA speak with the Sacramento Amador Water Quality Coalition responsible for the Agricultural group in the Delta. They have completed trim monitoring and groundwater assessment reports performed by Larry Walker and Associates. They found nitrate issues in the area.

Jon Goetz stated that SCGA has a draft Memorandum of Understanding (MOU) between SCGA and the Reclamation District. Legal Counsel Sarah Britton stated that Counsel has heard back from the Reclamation District concerning two minor language changes regarding the Reclamation District's relative authority and statute. Legal Counsel stated that staff should have it ready to present to the Board in the near future.

Legal Counsel Sarah Britton clarified that the state conveyed that they are taking a very strict interpretation of the three different criteria for alternatives. The State indicated that whichever alternative category you choose, it needed to be satisfied for the entire subbasin. Legal Counsel Sarah Britton explained that there was discussion between the State and staff for an example of a GMP that exists elsewhere in the State that covers an entire subbasin. She does not recall that they were able to name any.

Director Tom Nelson requested clarification on jurisdiction. He also asked if the Alternative passed, would SCGA still be under Department of Water Resources (DWR) jurisdiction. Jon Goetz stated SCGA would be obligated every year to provide a monitoring report under SGMA. Given that SCGA is taking the two-step route, SGMA still requires the monitoring piece. Also, since SCGA is providing the ten year look back approach, the five year update will be a moving ten year period. This way SCGA is always reporting the past ten years. He further stated that the idea is that SCGA is operating sustainably each time they submit the update. If SCGA falls out of the sustainability zone then SGMA would inform SCGA that you are on a GSP track and will need to go through the seven step process within a given timeframe.

Mark Madison addressed the Board stating he believes the questions from Director Tom Nelson were "which State agency is charged with implementing SGMA? Is it DWR or the State Water Board?" In response to Mark Madison, Jon Goetz stated that he believes it to be both DWR and the State Water Board. Department of Water Resources is the reviewing agency and the first threshold. The State Water Board waits for the decision of DWR and then State Board looks at the monitoring data and whether that data is meeting the thresholds and criteria in the GSP. If not, the State Water Board prepares to declare that SCGA is out of compliance. The State Water Board would then come in and manage the basin for you. Mr. Goetz further stated that even if SCGA did not satisfy the GSA requirement by June 30th 2017, then SCGA would be out of compliance. For example, if SCGA did not have a GSA formed over the entire South American Subbasin and the alternative was denied, then SCGA would be out of compliance.

Director Carl Werder asked if there is a line to cross that creates a fatal flaw, specifically related to decreased storage. Jon Goetz provided that the State will apply their view of what is significant and reasonable. Jon Goetz stated that the State would look at the reason why there is the decrease in storage and analyze whether it is due to over-pumping or actions that are occurring in a neighboring subbasin that are outside of SCGA's control. Director Paul Schubert asked if it was over time of the ten year period, or cyclical. Jon Goetz said that it will be every year. However, the average should be able to demonstrate that SCGA is not in a significant or reasonable condition throughout that ten year period. They want SCGA to provide evidence of stability in 2015. Chair Brett Ewart asked how much of the 2015 data was due to lack of recharge over the last couple of years as opposed to changes in pumping conditions. Rodney Fricke stated that when there is a lack of recharge, it is typically a wide spread phenomenon that covers the entire region. Mr. Fricke further explained that what you end up seeing is that the water elevations decline fairly uniform across the region and that they then rise during the spring. The less recharge you get the more you move the elevation down. He stated that the direction of flow doesn't really seem to be effected by the recharge phenomenon. The direction of the flow is more effected by the withdrawal of the water.

Director Carl Werder asked if the Sacramento River now recharges what historically was recharged from the Sierras. Rodney Fricke stated that all forms of water such as rivers, farm irrigation, and rainfall perform the function of recharge. Mark Madison addressed staff asking if the recharge started in 2012 with the Sacramento County Water Agency Vineyard plant. Jon Goetz responded stating that it did not, as it started in 1994/1995 with the Brown's Valley Irrigation District surface water supply delivered to SCWA Zone 40 through to the City of Sacramento.

Director Tom Nelson asked why there is a significant difference in water level between 2005 and 2015 in the Sloughhouse area. Director Carl Werder stated that the cone of depression by Galt could be pulling that away. Jon Goetz stated that the Kiefer remediation and Deer Creek are a part of the cause.

Director Tom Nelson asked if the loss of storage would be addressed in the proposal. He further asked how it would be fixed. Jon Goetz stated that you adapt if it's outside of your control. If

remediation is outside of your control then you enter into contract with the remediation responsible parties to reuse that groundwater that is recycled and discharged into the American River. He further explained that SCGA would allow that water to go down to the Sacramento River, and pull it out at SCWA diversion point then uses it in areas served by the Vineyard Surface Water Treatment plant. Jon Goetz said that this would keep the water in the basin and change the topography of the groundwater contours to adapt to remediation.

Jon Goetz reminded the Board to keep in mind that the 273,000, per the Water Forum agreement, is a long term average of groundwater extraction, not an absolute. Jon Goetz stated that SCGA may be below it in wet years and above it in dry years. However, when the years are averaged together, they fall below the 273,000 and that's acceptable.

Director Carl Werder asked if there is a time frame for public comment regarding public documents. Director Werder stated that he was concerned about the timeframe for publication. Legal Counsel Sarah Britton stated that her understanding is that Executive Director Darrell Eck is in discussion with the County Environmental Review and will know more about that particular timeline shortly. Legal Counsel Sarah Britton stated that there is a buffer built into the schedule. She also stated that staff is hoping to get the final document to the Board by November but that there is a December meeting date if necessary.

Director Nelson asked if he will be able to get the document next week. Mr. Nelson provided his concerns with getting material on the Friday prior to the Wednesday meeting as it does not leave much time to read the material. Legal Counsel Sarah Britton stated that the schedule as indicated would start the public comment period in October and then bringing it back for a potential Board action in November. Director Werder provided his concerns regarding the time frame in which they receive material. Jon Goetz clarified that the Alternative Submittal Plan is a lookback at the last ten years. Director Nelson asked if Article's 5 and 7 are new. Legal Counsel Sarah Britton rephrased stating, how SCGA is showing functional equivalence to those issues that are identified in the GSP regulations in Article's 5 and 7. Legal Counsel Sarah Britton stated that to her knowledge, there will be a referral to the GMP for projects and management actions. Director Tom Nelson asked if there would be anything new. Legal Counsel Sarah Britton stated that at this time, based on what they know from the State, the State is looking for a backward observing analysis and that SCGA has the capacity in existing documents and management rubric to continue implementation that which has worked for this backward looking analysis.

Mike Wactman of OHWD addressed the Board commenting that the agriculture use within the Cosumnes Basin would give a little perspective of what is going on in the Cosumnes Basin. He further stated that there has been a shift with switching to water saving systems. He said that we have lost the capacity to perform the groundwater recharge during the springtime. Mike Wactman said when we used to use flood irrigation from the Cosumnes River during April, May, and June. We were pulling surface water off the Cosumnes River. He stated that we are now all on groundwater since the switch to water saving measures. Mr. Wactman said that we are not taking advantage of the surface water that comes into the Cosumnes River or the groundwater

recharge when flood irrigation is performed. He stated that OHWD has been talking with environmental groups to figure out how to bring back the surface irrigation and functionality of over irrigation with that Cosumnes flow during the period that it wouldn't affect the fish flows. Mr. Wactman asked how the Alternative Plan Submittal affects the GSA applications and proposals. He also asked if a GSA is necessary when SCGA does the Alternative Plan. Legal Counsel Sarah Britton responded stating that in the State Intervention chapter of SGMA, it indicates that if the Alternative is approved it would forestall State intervention for lack of GSA coverage. She further stated that it also indicates that if the Alternative is still under review by June 27, 2017, and then denied there would be an additional 180 days to come up with full GSA coverage before State intervention occurred. Director Nelson asked if it is approved will SCGA become the GSA for everything. Counsel Sarah Britton stated that it does not and that the Alternative Submittal is an entirely separate process. She said that the Alternative does not dovetail with the GSA process. She further explained stating that if an Alternative is approved for the subbasin it would forestall State intervention on the basis of lack of GSA coverage. It was explained that SCGA, as the lead agency for submitting the project will continue doing what they are doing. There may be an additional agreement for the Delta portion that indicates continued work in assessing their sustainability. Jon Goetz stated that the GSA process is something that SCGA wanted to happen but it is not required. He further explained that the goal was to move forward in parallel with the Alternative. Legal Counsel Sarah Britton stated that it forestalls State intervention but it does not prohibit, prevent or preclude establishment of GSA.

Mark Madison addressed the Board stating that the deep cone of compression in the Cosumnes area is clearly an issue. He asked if the State would approve an Alternative Plan with that issue if it does not contain some sort of remedy for that local problem. Jon Goetz responded by stating that if they do not find that it is significant in terms of impact and this group feels that is the case as well, then that's acceptable. Mark Madison stated that this Board is going to be asked to approve an Alternative Plan in a pretty short time frame, and he suggests that at the next meeting there is a clear discussion of what the Alternative Plan will mean to each member and/or their constituents. Director Forrest Williams stated that he does not want people to lose sight of the fact that this is a ten year look back at what we have been doing. He also stated that there may be some corrective actions they provide to us that SCGA has to do in order to continue forward.

5. STAKEHOLDER OUTREACH FOR THE ALTERNATIVE SUBMITTAL

Executive Director Darrell Eck stated SGMA legislation requires public participation in the development of a Groundwater Sustainability Plan. Working within the compressed schedule of the Alternative Submittal and the increased level of coordination required with State DWR, SCGA has strived to follow similar public notification and participation steps in the development, adoption, and the implementation of an Alternative Submittal through its regular noticed Board and SGMA subcommittee meetings. Even with this effort it has become apparent that something more needs to be done. Staff has been working with the Water Forum to provide focused facilitation on the Alternative Submittal to specific stakeholder groups. This action will take place in parallel with the development of the Alternative Submittal. Tom

Gohring, Executive Director of the Water Forum, will provide an informal presentation on the proposed facilitation activities. Tom Gohring was introduced and provided a brief presentation.

Tom Gohring provided an explanation for the reasoning behind submitting the Alternative Plan. He stated that SCGA is able to leverage all of the work over the past ten years and hopefully avoid spending a significant amount of money by avoiding the Groundwater Sustainability Plan (GSP) process. However, by putting SCGA on that track, it means staff and the Board have an extremely tight schedule. The SCGA staff has to prepare and present a plan by the end of the calendar year. With this tight schedule, the Board has a ton of questions and Tom's team is prepared to facilitate a forum to assist staff with answering those questions.

Tom Gohring explained that this will be a two-step process. Tom Gohring said that October will be spent having meetings with staff and stakeholders sitting down together. He further explained that recording the questions and answers was optimal. Tom Gohring suggested two large stakeholder meetings that occur in conjunction with the Board meetings. Tom Gohring stated that not all recommendations will end up in the Alternative Plan but he has commitment from staff that they will include what they can. Mr. Gohring stated that he does not think that GSA overlap discussion is necessary at this time. Tom Gohring stated that dates are soon to come and they are willing to work with schedules.

Susanne Pecci addressed Tom Gohring and thanked him for coming to meet with the rural community in Sheldon and listening to their concerns and involving them in the process. She thanked Executive Director Darrell Eck for meeting with the city engineer and their planning director appreciated the update on the process of the GSA.

6. STATUS REPORT ON AMENDING THE JPA

Executive Director Darrell Eck provided a status report on amending the JPA. He stated that at the meeting held on June 8, 2016, the Board adopted Resolution No. 2016-05 recommending that the governing bodies of the signatories to the Groundwater Authority's JPA consider and approve the First Amended and Restated Joint Powers Agreement between the City of Elk Grove, Folsom, Rancho Cordova, Sacramento, and the County of Sacramento. This item provided a status report relative to progress made by the signatories on amending the JPA. Executive Director Darrell Eck stated that he was hoping that the representatives from those organizations would provide where they are as far as moving forward. He stated that the City of Elk Grove and City of Rancho Cordova had specific questions relating to the material but he had not spoken with others. Director Williams stated that the County Board of Supervisors calendar is about two months out and he is hoping for a November date. Director Brian Frাগiao with the City of Elk Grove stated that the document is currently with their attorney and it should be on the agenda in October. Executive Director Darrell Eck stated that the City of Rancho Cordova was similar to Elk Grove. Chair Brett Ewart of the City of Sacramento stated that it is slated for the October 25, 2016, on their consent calendar. Darrell Eck said he will check with Folsom.

7. **MEETING WITH RANCHO MURIETA CSD**

Executive Director Darrell Eck stated that on June 28, 2016, Rancho Murieta Community Services District (District) sent a letter to him indicating that the District wished to “terminate its membership and seat on the Authority governing board.” At the July 13, 2016, Board meeting a member of the Board asked about the status of the District and it was reported that staff was in the process of scheduling a meeting with District management to discuss the above referenced letter. Staff met with Darlene Gillum, General Manager of the District, on August 26, 2016, to discuss the matter. Mr. Eck provided that the outcome of that conversation was that the District is interested in submitting their nomination for a seat at the table but would like to revisit their budgetary contribution for fiscal year. It was suggested that this issue could be sent to the SGMA subcommittee for discussion and recommendation. The recommended action was to refer discussion on Rancho Murieta Community Services District’s fiscal year 2016-2017 budget contribution to the SGMA Subcommittee for additional consideration.

Director Carl Werder clarified that the information discussed at the SGMA Subcommittee meeting would be provided to the SCGA Board.

Motion/Second/Carried - Director Paul Schubert moved, seconded by Director Forrest Williams, the motion carried unanimously to refer discussion on Rancho Murieta Community Services District’s fiscal year 2016-2017 budget contribution to the SGMA Subcommittee for additional consideration.

8. **EXECUTIVE DIRECTOR’S REPORT**

Executive Director Darrell Eck stated that the Budget Subcommittee Meeting is scheduled for September 21, 2016, at 1:00 p.m. in the Sunset Maple Conference Room. Darrell Eck stated that the SGMA Subcommittee meeting will be October 5, 2016 at 1:00 p.m. in the Sunset Maple Conference Room.

Darrell Eck provided a legislative update and mentioned that the RWA provides information relative to what is happening with the legislature. He said that from the prospective of each organization or SGGA as a whole the Board may have an interest. There is mention on the website regarding issues that involve underground storage. This is a question regarding groundwater banking, greywater, storm water resources and the use of captured storm water, and ground water extraction.

Executive Director Darrell Eck provided an update on the GAP Proposal. Darrell Eck stated that he obtained a response on August 29, 2016, stating that it will be reviewed by staff including staff from Regional Sanitation as they have a specific immediate interest due to the agricultural irrigation project. He said staff will bring additional information to the Board on this as they get through the process.

Director Paul Schubert asked a question regarding the GAP Subcommittee reconvening. Executive Director Darrell Eck stated that it would probably be appropriate to have some type of reconvening of the GAP Subcommittee to review the material and make sure that the

members that doesn't know what the GAP Subcommittee does and would appreciate an explanation. Darrell Eck provided a brief explanation stating that it's looking at the rules of the road as far as groundwater banking and what the rules would be for someone who wanted to come into SCGA basin and operate some kind of groundwater bank.

9. DIRECTOR'S COMMENTS

Director Christine Thompson thanked Suzanne Pecci for her input. She further stated that it was very informative and thanked her for being here and clearly stating the issues and her concerns. Director Schubert stated that Golden State Water Company's current 5,000 acre-feet of remediated water that is being pumped from Aerojet and discharged from the American River, will now be pulled out from the Carmichael Treatment Plant with a pipeline that connects from their plant to Golden State Water Company's distribution system. They are testing the pipeline on Tuesday, September 20, 2016, and the go live is January 1, 2017.

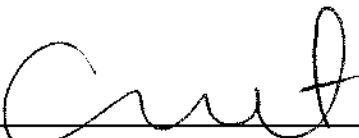
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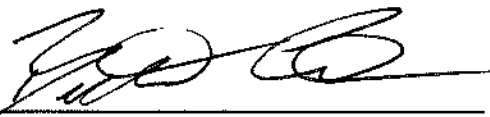
Chair Brett Ewart adjourned the meeting at 11:16 a.m.

UPCOMING MEETINGS

Next SCGA Board of Directors Meeting – Wednesday, October 12, 2016 at 9:00 a.m. located at 10060 Goethe Road, South Conference Room no. 1205 (Valley Oak)

ATTEST:


Clerk, of the Sacramento
Central Groundwater Authority Board


Chair, of the Sacramento
Central Groundwater Authority Board

