

**SACRAMENTO CENTRAL GROUNDWATER AUTHORITY (SCGA)  
Sustainable Groundwater Management Act Sub-Committee Meeting  
Final Minutes  
August 18, 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 1:00 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  
Carl Werder, Agricultural-Residential

Staff Members:

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

Others in Attendance:

Bruce Kamilos, FRCD/EGWD  
Jonathan Goetz, GEI  
Rodney Fricke, GEI  
Amanda Platt, Sloughhouse RCD  
Mike Eaton, Cosumnes Coalition  
Melinda Frost-Hurzel, Cosumnes Coalition  
Suzanne Pecci, Domestic well-owner  
Charlotte Mitchell, Farm Bureau

**2. Public Comment**

Mr. Nelson asked for an update on the progress of the approval process for the recommended JPA modification. Mr. Eck replied that the standard language had been drafted and provided and that staff had received an inquiry from the City of Folsom.

### **3. Update on Alternative Plan Submittal**

Mr. Eck stated that the discussion would continue from where the last SGMA Subcommittee meeting had left off and in addition would include an update of the activities that had occurred since the last meeting and would address new information that had been gathered. Mr. Eck then presented Mr. Goetz who provided a presentation (*Note: The presentation given by Mr. Goetz can be viewed on the Authority's website for the July 20, 2016 meeting date*). Mr. Goetz began by reporting that much of the work that had been focused on in the past month was putting together the ten years of operation within the sustainable yield analysis. Mr. Goetz then reported that staff had also participated in consultation with State DWR and a Delta outreach meeting with Reclamation Districts. Mr. Goetz then stated that he would discuss the details of what the SGMA regulations required and how they defined a water budget.

Mr. Nelson asked if the Delta Reclamation Districts were accepting of the proposal to be covered by an Alternative Plan. Ms. Britton replied that the approach seemed to nicely dovetail their interests with SCGA's in that SCGA would need to acquire data from that area which in turn would likely demonstrate the disparate management of groundwater from the rest of the subbasin while aiding to build the case of ten years of sustainability. Those Delta interests would then be able to refer to the Alternative Plan to help support their potential argument for a separate subbasin. Ms. Britton then stated that she felt that it was a successful meeting because there was a sense that by their support of SCGA it would in turn help them for the rest of their efforts.

During the discussion of the ten years of sustainability analysis discussion by Mr. Goetz, Mr. Schubert asked for conformation that the Alternative Plan would not be required to remedy the hydraulic disconnection of the Cosumnes River with groundwater with it being a historical condition and that rather, the plan would have to demonstrate that no new impacts had occurred in the ten year period of analysis. Mr. Goetz replied that Mr. Schubert was correct and that 2015 was considered the baseline year to which the plan would be managing to. Mr. Goetz added that all of the undesirable results would have to be accounted for and that there were caveats with all of them depending on the local agencies acceptance of undesirable results and DWR and the Water Commission's interpretation of the basin. Ms. Britton added that the analysis was a ten year look back with staff using the ten most recent years to demonstrate sustainability and thus the disconnection of the Cosumnes River would be viewed as a pre-existing condition for under which the basin was managed sustainably. Ms. Britton added that it did not preclude actions that would enhance the condition of sustainability but that it was not required for the purposes of the Alternative Plan at the present time.

Mr. Werder asked if SCGA's GMP was going to be updated as it was ten years old and a lot had changed in that time including the drought. Ms. Britton replied that SCGA was legally prohibited from updating the GMP. Mr. Werder then asked if there could be an addendum to the GMP. Mr. Goetz replied that SCGA would end up with something similar to an updated GMP but under a different name such as the South American Groundwater Sustainability or Management Plan. Mr. Goetz stated that there was no requirement to produce a GSP under an Alternative but that the intent of staff was to

update the GMP to something new and that it was accounted for in the finance plan. Mr. Goetz clarified that the Alternative was not the mechanism that would provide any updates but would rather direct SCGA as an entity to go forward with the idea that there would be an update and collect the data gaps. Mr. Fricke added that the 5-year period following the submittal of the Alternative would be the venue through which those data gaps and updates would begin to be addressed. Mr. Werder stated that he felt that basing a plan on a ten year old document was like building a house on a false foundation. Melinda Frost-Hurzel added that there were changes in the upper Cosumnes River Watershed that should be considered. Mr. Goetz stated that he envisioned that a reviewer of the plan would likely notice that the GMP was ten years old and might ask the question of how the applicant accounted for present conditions. Mr. Goetz then said that the functionally equivalent portion of the document is where he would address changed conditions in a narrative format.

Mr. Ewart asked if staff felt that the Alternative Submittal process was still on track to be completed within the given time frame and that the last thing he would want is to find out in mid-December that it was not going to come together. Mr. Eck replied that the process was still on track but that things would have to progress quickly and smoothly. Mr. Schubert asked what could derail the process. Mr. Eck replied that if there were substantial issues or concerns that were not necessarily being addressed that needed to be. Ms. Britton added that the two meetings with State DWR were productive such that SCGA was able to communicate its approach and DWR was able to provide direction and expectations to allow SCGA hone in on framework that would have a good chance of being approved.

Mr. Ewart asked for clarification that a draft of the Alternative Plan would be brought to the SCGA Board for approval in early December. Mr. Eck pointed out that it was planned that there would be a public hearing held by the SCGA Board in December regarding the Alternative Plan.

Ms. Frost-Hurzel commented that she sought to provide a different perspective and that she was engaged in watching the San Joaquin County SGMA process as well and was struck by the differences in approach. Ms. Frost-Hurzel stated that SCGA was focusing on older data and a ten year old management plan that contained a lot of actions that were never taken whereas San Joaquin County, who perhaps being motivated by a much more dire situation, seemed to be approaching the process more as an opportunity as a way to re-think everything. Ms. Frost-Hurzel said that SCGA seemed to be taking the approach of taking old data, re-manipulating and refining it to say what it needed to say rather than taking a step back to look at the big picture and ask what are the resources and opportunities and new technologies available to do something beneficial for the region. Ms. Frost-Hurzel then stated that her experience in conducting work along the entire watershed that the upstream conditions had changed and that the assumptions used for upstream conditions might no longer be valid. Ms. Frost-Hurzel stated that the Cosumnes Coalition had an objective to see actions that would change the effects on the Cosumnes River. She then said SCGA's utilization of framework that was ten to fifteen years old was inaccurate and that her organization would speak to it. Ms. Frost-Hurzel then recalled that similar to when they first presented to SCGA that they sought to take a

collaborative approach to take advantage of the new technologies and ways to approach some of the problems and to opportunities to fix things. Mr. Ewart asked for examples of the opportunities and technologies available. Ms. Frost-Hurzel replied that Elk Grove's dry-well program was an example as well as looking at negotiating with upstream water rights holders or a cyclic groundwater recharge system such as storm water diversion within the Omochumne-Hartnell area but that SCGA would have to acknowledge that it sought those objectives.

Mr. Eaton stated that he did hear anything about proactive approaches to the undesirable results on the Cosumnes and asked if it was envisioned that there would be something more added to the Alternative that would indicate that SCGA had received the message that they had been delivering the past few months. Mr. Eck replied that DWR had a specific approach that it wanted to take but that identifying the technologies and opportunities available would be part of a dynamic process going forward and that the overall process was not going to be static. Mr. Eck said that there were a certain amount of things that needed to be accomplished as a part of the Alternative Submittal process prior to December. Mr. Eck then referred to the section of the proposed Alternative Plan that would seek to list perspective projects and stated that information on such projects was wanted. Mr. Eck said that the list might not contain a lot of project specific detail initially but that there would be an opportunity to discuss the specifics of what a project might be and how it would be ultimately developed but that there would not be time to do it before December. Mr. Eck said that SCGA did want the suggestions and insight of the Cosumnes Coalition because there were a lot of opportunities for different kinds of projects that could be done and supported and for which broad regional collaboration processes could be developed in order to secure grant funding and to support moving things forward. Ms. Frost-Hurzel replied that they wanted to stay engaged in a helpful way but that there was a concern when they heard that SCGA's argument was going to be essentially that everything was ok. Ms. Britton stated that SCGA had directly held that conversation with the State in consideration of the concerns expressed during the Coalition's presentations to the Board and that she understood from the State's response was that the legal framework for what had to be proven or shown for an Alternative Plan relative to that ten-year lookback of operating within the sustainable yield, was just that, a lookback. Ms. Britton continued by stating that they had confronted the State and told them that there were interested parties that had a lot of thoughts for projects that should be engaged in and so the concept of a menu of options for those projects was envisioned to be included. Ms. Britton then said that the alternative plan itself did not prevent the existing entity under its JPA and continuing implementation of the existing GMP from investigating and continuing to move forward on those projects. Ms. Britton said that those activities would actually help the agency in its required annual reporting should the Alternative be accepted. Ms. Britton stated that just because the plan itself would be characterized in a lookback sense, that it did not mean adoption of static mentality rather it was just a response to what the State was looking for in the submittal. Ms. Frost-Hurzel replied that there could be some dialogue in the future to discuss how it could be framed to include some place holders and that unfortunately there was a legacy of objectives not actually being followed though upon.

Mr. Eaton asked if it had been considered that the ten year lookback should include a lookback at the changes in conditions on the Cosumnes and how have the undesirable results changed in that ten year period and what would be the forecast based on the current plan status of how they might continue to change.

Mr. Ewart asked Mr. Eck if he envisioned a time for a formal solicitation of ideas and thoughts from interested parties. Mr. Eck replied that it was something that was being planned for as a part of the submittal process as reflected by one of the chapters of the plan.

Amanda Platt with the Sloughhouse RCD stated that the Alternative Plan was a concern for the District as there would be an adjacent basin working on a different timeline and concerns of how coordination and reconciliation of the two plans would occur in addition to the risk of overlap of the Alternative Plan should it extend into the Cosumnes basin. Ms. Platt then asked about the status of coordination efforts between the adjacent basins and asked for an update on the written response that was directed to staff at the July Board meeting to address Sloughhouse RCD's concerns specifically, how the SCGA management area that extends into the Cosumnes basin would be affected by the Alternative Plan. Ms. Britton replied that DWR was very clear in communicating that it would allow only one plan per basin and thus the Alternative Submittal would cover only the South American Subbasin. Ms. Britton stated that the Alternative Plan would have as an attachment the existing SCGA GMP but that it would only be referred to as it pertained to management within the South American Subbasin. Ms. Platt asked if that explanation could be put into writing in the form of a clarification letter. Mr. Ewart recalled that he had asked staff to put together a written letter that would explain those issues to the best of their current understanding and that it could possibly be CC'd to DWR so that everyone could feel comfortable. Mr. Williams added that he would like the letter to clarify that the Alternative would be tiering off of something that already existed as was nothing new.

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

- a. Letter from staff to Sloughhouse RCD regarding the extent of the Alternative Plan relative to the Cosumnes Subbasin. Mr. Williams stated that there were additional points of clarification that he wanted to make such as the fact that the Alternative Plan would not be in violation of CEQA. Mr. Mahon added that it could also clarify where the boundary was located between the basins. Mr. Goetz said that he would like to see the letter address the coordination of a common model or set of modeling assumptions in consideration of DWR's future analysis of the interaction between the basins and how each basin's plan addresses that interaction. Ms. Platt added that a meeting to discuss those issues would be welcomed if time permitted.
- b. Mr. Kamilos stated that FRCO would like to receive a regular update on the status of the recommended JPA amendment. Mr. Williams replied that the earliest County action on the item would be December.

- c. Next SGMA Subcommittee meeting tentatively scheduled for October 5, 2016 at 1 pm.

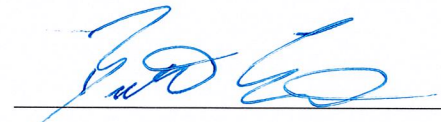
**ADJOURNMENT**

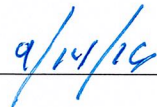
Mr. Schubert adjourned the meeting at 3:05 pm

**Upcoming meetings –**

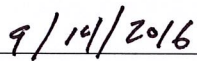
**Next SCGA Board of Directors Meeting** – Wednesday, September 14, 2016, 9:00 am;  
SASD South Conference Room 1212 Sunset Maple.

By:

  
\_\_\_\_\_  
Chairperson

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_

  
\_\_\_\_\_  
Date

