



**Stanislaus County  
Water Advisory Committee**

**Minutes**

September 10, 2014, 6:00 p.m.  
Alliance's Kirk Lindsey Center  
1020 10<sup>th</sup> St, Suite 102  
Modesto, California

**Members Present:**

Louis Brichetto	Ray Kablanow	Thomas Smith
Larry Byrd	Jim Mortensen	Walter Ward
Francisco Canela	Tom Orvis	Terry Withrow
Vince Dykzeul	Donald Petersen <i>(late; after vote)</i>	Forrest White
Richard Gemperle	Sean Roddy	Wayne Zipser
Neil Hudson	Cooper Rossiter	Bill Zoslocki <i>(late; after vote)</i>

**Members Absent:**

Michael Lynch  
Rob Santos  
Chris Vierra

- I. Called to Order** at 6:00 p.m.
- II. Pledge of Allegiance**
- III. Public Comment**  
None.
- IV. Roll Call**  
A quorum of voting members was present.
- V. Approval of August 13, 2014 Meeting Minutes**  
Motion: Neil Hudson  
Second: Forrest White  
Vote: Unanimous
- VI. Don Pedro Reservoir Relicensing Update and Status of the State Water Resources Control Board's Proposed Instream Flows (MID-TID representative)**

Steve Boyd from the Turlock Irrigation District (TID) made a presentation regarding the status of the Federal Energy Regulatory Commission's (FERC) relicensing of Don Pedro Reservoir (a link to the Don Pedro FERC relicensing webpage has been added to the County's Groundwater Resources webpage). The bottom line is that this process (which is extremely expensive - \$17 million dollars spent to-date and much more to go) will result in a reduction in surface water reliability as an outcome due to the fact that the State of California's Water Resources Control Board (Water Board), will have "mandatory

conditioning authority” on the revised license issued by FERC. The Water Board has effectively shown its hand (but could do more *conceivably*) with regards to increased instream flow requirements (further discussed below). Other fishery management agencies, such as the California Department of Fish & Wildlife and the federal government’s National Marine Fisheries Service, can also place additional restrictions on the FERC license related to protecting certain fish species such as fall-run Chinook Salmon and Steelhead Trout, that could further minimize the amount of surface water availability for agricultural and public supply purposes.

An overview of the Water Board’s ’s proposal to increase (regulate) the volume of instream flows from the eastside San Joaquin tributaries, in particular the Tuolumne River, was provided to the WAC by Herb Smart from TID. The increase flows being proposed are significant and harmful to our local economy. It is incredulous that the State can mandate two such widely divergent concepts such as re-allocating surface water out of the region (ostensibly for the benefits of certain protected fish species) while at the same time mandating the development of sustainable groundwater management plans. Both can’t exist at the same time. The State recognizes this in the environmental impact documents that were prepared for the flow proposal by finding that the impacts to groundwater resources will be “significant and unavoidable” without addressing any means of mitigation.

These presentations were very enlightening for the WAC members as it demonstrates the threats aimed at further reducing the availability of surface water stored in the east foothill reservoirs. As we have discussed many, many times at the WAC, and as expressed in other public forums, the sustainable management of groundwater resources in our region fits hand-in-glove with surface water availability.

## **VII. Water Well Permitting Activity (Ward)**

Walter Ward presented an update regarding the number, type and general location of new water well permits that have been issued in the County. These charts are available on the WAC webpage on the County’s website under the tab for this meeting’s presentation materials.

## **VIII. Groundwater Legislation Update (Ward)**

Ward provided a summary document regarding the “Sustainable Groundwater Management Act” package of bills and briefly described the main elements of the legislation to the WAC. This document is available on the WAC webpage. The legislation provides a framework for the creation of Groundwater Sustainability Agencies (GSA’s) that are given broad powers to develop, implement and enforce Groundwater Sustainability Plan (GSP’s). Specific timelines for creating the GSA’s and developing/implementing the GSP’s are provided in the legislation, as well as compliance reporting horizons. The legislation defines “sustainable yield” as the maximum quantity of water that can be withdrawn over a period of years without causing an “*undesirable result*.”

An "undesirable result" means one or more of the following effects caused by groundwater conditions occurring throughout the basin:

- (1) chronic lowering of groundwater levels;
- (2) significant and unreasonable reduction of groundwater storage;
- (3) significant and unreasonable seawater intrusion;
- (4) significant and unreasonable degraded water quality;
- (5) significant and unreasonable land subsidence that substantially interferes with surface land uses; and
- (6) depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of the surface water.

The plan must include monitoring and management for the basin over a 50-year planning horizon, and plans must articulate measurable objectives to be achieved every five years. DWR will review the plans and will have the power to request changes to a submitted plan. The downside of non-compliance is State intervention via the State Water Resources Control Board.

Significant stakeholder input and public outreach at the outset of any groundwater sustainability plan process will be critical to cost-effectively resolving groundwater disputes, protecting vested water rights, and implementing an appropriate management structure that is responsive to local interests in a timely manner.

The Governor has not yet signed the bill package into law. It is expected that the Governor will do so before the end of September.

#### **IX. Alternative Local Groundwater Management Entity Governance Structures (Ward/TAC)**

A couple alternative governance structures for managing the local groundwater basins in compliance with the emerging groundwater legislation were reviewed with the WAC. Both of these alternatives (developed by the TAC) primarily defer to the status quo institutions related to historical groundwater management in the County. It seemed to resonate with most of the WAC members that a broader governance structure may provide greater benefits in the long-term and represent a significantly stronger political position in response to seeking funding opportunities and responding to future water resources challenges that will surely come.

The TAC was directed to further explore this work with consideration to a broader regional structure. The Delta Mendota basin on the west side of the San Joaquin River (which overlaps multiple jurisdictions) will more than likely develop a separate governance structure to address the groundwater issues unique to that

area. The same may hold true for the Northern Triangle of Stanislaus County. This will require engagement with San Joaquin County and is somewhat dependent on the approach that they decide to pursue with regards to governance issues pertaining to East San Joaquin basin.

**X. Meeting Adjourned** at 8:00 p.m.

**Next Meeting:**

Wednesday, September 24, 2014 at 9:00 a.m.  
Alliance's Kirk Lindsey Center  
1020 10th St, Suite 102  
Modesto, California

PREPARED BY:  
ANETTE ARIAS, Administrative Secretary

DRAFT