



APPROVED BOARD OF DIRECTORS MEETING MINUTES

April 12, 2023

The Board of Directors for the Merced Irrigation-Urban Groundwater Sustainability Agency (MIUGSA) met on the above date, pursuant to notice, at 9:00 A.M.

CALL TO ORDER

At 9:00 A.M., Chair Hicham Eltal welcomed those present and called the meeting to order.

ROLL CALL

Roll call showed the following MIUGSA representatives present:

Name	Organization
Hicham Eltal	Merced Irrigation District (Chair)
Ken Elwin	City of Merced (Vice Chair)
Justin Vinson	City of Atwater
Tony Avina	City of Livingston
Carlos Valencia	Winton Water and Sanitary District (WWSD)
Daniel Chavez	Planada Community Services District (PCSD)
Jennifer McMaster	Board Coordinator

Roll call showed the following MIUGSA representatives absent:

Cynthia Benavidez	Le Grand Community Services District (LGCS)
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CORRECTIONS OR ADDITIONS TO THE AGENDA

None.

PUBLIC COMMENT

Ms. Leslie Moore, representative for the Moore property in Winton, addressed the Board and discussed GSA boundaries that cut across parcels as opposed to following boundary lines. She noted the Moore family has a couple of parcels, one of which is situated such that a majority of its

acreage lies within MIUGSA. But she said approximately 15 acres of the same property lies within the boundaries of MSGSA. She noted the 15 acres are irrigated by an agricultural well within MIUGSA and has an MID lateral running through it, yet it is not within MIUGSA's boundaries. Ms. Moore said this issue has resulted in being charged fees by both GSAs, and that somehow she actually pays more to MSGSA. She is also required to pay standby fees to MID.

Ms. Moore noted she would prefer to be located within and pay just one GSA, MIUGSA. She indicated that she has communicated with both GSAs and requested correction to boundary lines. She said both GSAs seem amicable to a solution, however she understands that an update to boundaries could take a long time. She is requesting a remedial solution to avoid being unduly taxed. She stated she will present a similar case to the MSGSA Board at their meeting to be held tomorrow.

Mr. Eltal thanked Ms. Moore for her comment and noted he will work together with MSGSA to develop a potential solution.

Mr. Anthony Roggero provided comments regarding the groundwater pumping allocation set by MIUGSA last year. He said due to Lake McClure water storage levels at the time and now the recent rain fall, he is shocked to hear of an allocation limiting the amount of groundwater that may be pumped. He noted his understanding of the allocation over the next three years and requested an adjustment. He discussed previous Board meetings and what he and his neighbors are likely to do regarding groundwater pumping into the future. He then moved on to discuss a shale formation on his property.

Mr. Eltal thanked Mr. Roggero for his comments.

CONSENT CALENDAR

1. Minutes – September 14, 2022 and February 8, 2023
2. Cash Transaction Report – January 2023 and February 2023

On a motion by Director Elwin, seconded by Director Vinson; the Board voted unanimously to adopt the Consent Calendar, as presented. The votes were as follows:

Ayes:	Eltal, Elwin, Vinson, Avina, Valencia, Chavez
Noes:	None
Abstain:	None
Absent:	Benavidez

REPORTS

Mr. Beaman presented a summary of the Water Year 2022 GSP Annual Report. He noted the report discusses basin conditions and implementation status. He briefly discussed DWR's recommendation for approval of the GSP and noted regardless of the status of the GSP, MIUGSA is expected to provide annual reports.

Mr. Beaman provided an overview of sustainable management criteria status. He noted in regard to groundwater levels that approximately 16 wells fell below the Minimum Threshold (MT). In addition, 20/20 wells fell below the Measurable Objective. However, 19/20 are above the 2025

interim milestone. He discussed coordination with other programs regarding TDS measurements and noted no wells exceeded MT.

Mr. Beaman presented the Board with a graph depicting the changes in groundwater storage since 2011. He noted that 2022 data reflects a 3rd year groundwater storage decrease. He discussed areas of uncertainty, due to no monitoring wells in areas above the Corcoran clay. He said below the Corcoran clay the western areas received the largest decrease in groundwater levels, not typically seen in that area in prior years. He also discussed changes in groundwater levels above the Corcoran clay.

Mr. Beaman discussed subsidence issues between December 2021 to December 2022 and provided a water quality update. He then discussed the annual estimated groundwater budget, broken down by deep percolation, stream seepage, outflow to adjacent area, and groundwater pumping. He noted approximately 156,000 ac/ft in recharge from canal seepage to the basin last year.

Mr. Roggero commented on surface water from MID and groundwater pumping. He also provided comments regarding a well that he says went dry in August 2022, significant rain storms in 1968, past El Nido Irrigation District water allocations, and unique soil/rock material that he indicates is currently being tested at Fresno State. Mr. Roggero noted he believes the water table is currently at 50 ft. He then asked and the Board responded to questions regarding groundwater conditions and the water table in the El Nido area.

Mr. Beaman discussed and provided a status update regarding the development of draft rules and regulations, and policies for implementation of the GSP. He noted a mailer was sent to landowners that have property within MIUGSA boundaries to give a pathway for registering wells. He reported approximately 300 registrations have since been submitted and that there are approximately 50 more to be entered into the portal. Mr. Beaman noted there are approximately 1,600 agricultural wells within the GSA and that he is impressed with the response from folks thus far.

Mr. Beaman discussed next steps for implementation of the GSP. He said staff will be sending some follow up communications to groundwater users within MIUGSA and at some point, will entertain ideas regarding penalties and fines. He discussed the well registration schedule and noted focus is currently on agricultural wells. He said staff intends to present the final draft of the Rules and Regulations at a later Board meeting.

Chair Eltal noted agricultural water usage is complicated from a management standpoint. He said the approach from MIUGSA has been and will continue to be a methodical and thoughtful process.

Mr. Brad Samuelson discussed and asked questions regarding potential rules for groundwater recharge. Chair Eltal noted recharge water and surface water are interrelated and that staff must review several policies prior to getting something in place. He said it is a very complicated process but that it is on the list of priorities.

Mr. Roggero noted there are meters on his wells, but he is not sure if his tenant Doug Brewner has registered. He does not want to incur a fine. Mr. Beaman noted he would review and get back to him sometime following the meeting.

Mr. Beaman presented the Board with a status update regarding winter 2023 groundwater levels. The report included an overview of MIUGSA's monitoring network and groundwater levels from January 2020 through present. He then discussed long term fluctuation in groundwater levels between March 2021 and March 2023 in some areas.

Mr. Beaman detailed the three principal aquifers within MIUGSA. He then provided an in-depth overview of groundwater levels among the aquifers from January 2020 through present. Mr. Roggero asked and staff responded to several questions regarding the aquifers before moving on to the next item.

Mr. Beaman provided an update regarding ongoing planning and implementation activities, including grant funding and project status, and the five-year GSP evaluation reports to be provided to DWR in 2025. Mr. Beaman noted MIUGSA's SDAC projects including the Planada recharge pilot project, data gaps project, and remote sensing decision support tool project are anticipated to be completed near the end of July 2023. Projects under SGMA Implementation Round 1 requiring MIUGSA involvement are currently on hold until SDAC projects are completed.

Regarding the GSP evaluation report, Mr. Beaman provided an in-depth overview of information to be included in the report and discussed forecasted funding needs of approximately \$800,000 to complete the effort. He discussed MIUGSA's cost share and noted approximately \$60,000 was included in the budget for FY 2023. Mr. Beaman discussed current efforts as well as future opportunities. Mr. Beaman then discussed the next steps, including continued progress on ongoing activities (e.g. Rules and Regulations, model improvement, etc.) and anticipated budgeting for the five-year GSP report.

Chair Eltal provided an update regarding MID's application for a temporary water right permit off Mariposa & Owens Creek – Flood-MAR. Mr. Eltal provided an overview of the integrated strategy to manage water resources for sustainability and climate resiliency. He discussed a major study with DWR identifying existing infrastructure, operations, and reservoir operations. He noted staff has been working on this for almost 4 years.

Chair Eltal discussed flood water to be evaluated for Flood-MAR. He provided an overview of a graph depicting water in the aquifer. He discussed paths to Flood-MAR and noted water diverted during a flood event is not applied to beneficial use and no groundwater credit will be awarded by SWRCB, however could still be recognized by the GSA. Chair Eltal reported diversions did occur almost to the end of January under this rule.

Chair Eltal discussed the differences between standard and temporary water rights permits. He noted a 180-day temporary permit request was submitted for a pilot project for Mariposa & Owens Creek flood-MAR. He said the process began in August 2022. DWR partnered with MID and were Co-applicants for the permit, funded by DWR. He showed a map depicting a simplified flow-path for Flood-MAR. Chair Eltal discussed the components of the MID/DWR Flood-Mar Permit and noted hydrology and diversions under the 90-20 Rule are anticipated to expire March 31, 2023. He then discussed diversions to prevent flooding at Hwy 59 until May 31, 2023. He noted no diversion have occurred yet, since folks are working to remove flooding off properties due to recent storms.

Chair Eltal also discussed Mariposa Creek flooding in January.. He provided an overview of a draft operation plan, including coordination regarding diversion staging and grower communication. He concluded with a discussion regarding the current status of the water rights permit. He noted that several challenges still exist, including water right permit limitations

preventing diversions prior to flooding, as well as a recent letter of concern to the SWRCB from Stevinson Water District, and pending concurrence from Merced Co. to corroborate MID's observed flooding at HWY 59 at 850 cfs.

Chair Eltal said he believes Flood-MAR would have been robust this year if major state reservoirs had a higher carry over similar to 1997, 2010, and 2016. He noted an opportunity to support AB 863, a bill to remove some of the DFW requirements for flood-MAR. He provided an overview of those requirements. He said the bill will be presented to the Committee on Monday. He hopes the legislation will pass as he believes it will remove barriers to the permitting process.

The Board and staff engaged in a robust discussion regarding Flood-MAR. Staff responded to various questions regarding the permitting process and AB 863.

Chair Eltal noted May or June will likely be a big meeting regarding draft rules & regulations as well as the budget in June.

ACTION/DISCUSSION

None.

ADJOURN

The meeting was adjourned at approximately 10:30 AM.