



THE ADVISORY COMMITTEE WILL NOT MEET IN REGULAR SESSION ON MAY 17, 2018. THE MAY 17, 2018 MEETING WILL BE A SPECIAL JOINT MEETING WITH THE SVBGSA BOARD OF DIRECTORS – SEE THE BELOW AGENDA.

**SPECIAL JOINT MEETING AGENDA
BOARD OF DIRECTORS AND ADVISORY COMMITTEE**

**MAY 17, 2018
2 P.M. -5 P.M.**

**Monterey County Government Center – North Building, First Floor
Cayenne Conference Room
1441 Schilling Place, Salinas**

- 1. Call to Order**
- 2. Oath of Office – Robin Lee, Alternate Board Director**
- 3. Approve minutes of the April 19, 2018 Special Joint Meeting of the Board and Advisory Committee.**
- 4. Planning Workshop to provide information about projects associated with the development of Groundwater Sustainability Plan for the Salinas Valley Basin and to receive input from participants about information provided.**
- 5. General Manager Status Report**
- 6. Adjourn**

MEETING ACCOMMODATION

Disability-related modification or accommodation, including auxiliary aids or services, may be requested by any person with a disability who requires modification or accommodation in order to participate in the meeting. Requests should be referred to Ann Camel, Clerk to the Board at camela@svbgsa.org or 831-471-7519 as soon as possible but by no later than 5 p.m. two business days prior to the meeting. Hearing impaired or TTY/TDD text telephone users may contact the Agency by dialing 711 for the California Relay Service (CRS) or by telephoning any other service providers' CRS telephone number.

AGENDA POSTING

The meeting agenda was posted on May 11, 2018, 2018 at www.svbgsa.org, at the Salinas City Clerk's Office and City Hall Rotunda, Monterey County Offices at 1441 Schilling Place, Salinas, CA.



**UNOFFICIAL MINUTES
JOINT BOARD AND ADVISORY COMMITTEE SPECIAL MEETING
APRIL 19, 2018, 2 P.M.
Monterey County Government Center, Cayenne Room
1440 Schilling Place, Salinas**

1. Call to order

The joint special meeting convened at 2 p.m.

2. Roll call

Board: Chairperson Joe Gunter, Vice Chair Michael McHatten, Directors Luis Alejo (arrived at 2:45 p.m.); Janet Brennan; Lou Calcagno, Brenda Granillo, Bill Lipe, Steve McIntyre, Colby Pereira, Adam Secondo, Ron Stefani

Advisory Committee Members Tom Adcock, Alco Water Company; Horacio Amezcuita, Environmental Justice Coalition for Water; Michael Foster, North County rural residential well owner; Brian Frus, City of Salinas; Howard Franklin, Monterey County Water Resources Agency; Norm Groot, Monterey County Farm Bureau; Brett Harrell, Salinas Valley Sustainable Water Group; Nancy Isakson, Salinas Valley Water Coalition; Bob Jaques, Seaside Basin Watermaster; Dennis Lebow, Driscoll Strawberry Associates; Robin Lee, Environmental Caucus; Mike McCullough, Monterey One Water; Abby Taylor -Silva, Grower-Shipper Association; Paul Tran, CHISPA Housing; Dallas Tubbs, Chevron; Tom Ward, LandWatch; Harold Wolgamott, City of Gonzales

Also Present: Gary Petersen, General Manager; Les Girard, Agency Counsel; Gina Bartlett, Facilitator; Derrik Williams, HydroMetrics; Ben Gooding, DWR; Mike McKenzie, DWR; Ann Camel, Clerk

Gary Petersen provided an update on the 90 Day Work Plan report to the Monterey County Board of Supervisors and Water Resources Agency.

Derrik Williams provided a power point available at <https://svbgsa.org/meetings/> outlining the road map for the Groundwater Sustainability Plan development. Today is the first of three joint meetings, with joint Board and Advisory Committee meetings also scheduled for May 10, 2018 and May 17, 2018. The objective is to engage interested parties and bring them current. The Sustainable Groundwater Management Act (SGMA) requires that the Groundwater Sustainability Plan “consider the interests of all beneficial uses and users of groundwater.” They are seeking input and encourage questions. Mr. Williams emphasized that SGMA is a compromise between the State stepping in and managing local groundwater and keeping it local camp. This is an opportunity to manage the groundwater, or the State could step in and temporarily take over groundwater management.

In response to Brett Harrell, Mr. Williams stated that it is up to this group to determine what is significant and unreasonable for purposes of the minimum threshold sustainability management criteria.

In response to Janet Brennan, Mr. Williams stated that the safe yield and sustainable yields at their core may be thought of in the same way, i.e. without having an undesirable result, whether qualified or quantified.

In response to Mike Foster, Mr. Williams stated that SGMA allows locals to define sustainability, but there is a “straight face” test.

Steve McIntyre stated that describing the basin may be the most controversial. He suggests that become a peer review based on a preponderance of information.

In response to Norm Groot, Mr. Williams stated that the Plan has to include a financing plan for implementation.

Janet Brennan asked how the Water Resources Agency’s Habitat Management Plan will relate to the GSP. Mr. Williams stated that they relate in terms of the stream flow depletion, and this group has to determine how much depletion is reasonable. Mr. Petersen stated that he, Mr. Williams and Ben Gooding and Mike McKenzie of the Department of Water Resources had a meeting with NOAA Fisheries today on what that would look like, i.e. a federal agency that also has responsibility for a state mandated program.

In response to Nancy Isakson, Mr. Williams stated that they are taking different approaches with the various GSAs and are working with them to include them in the GSP.

Bill Lipe asked whether the SVBGSA should ensure that other projects are understood, are transparent and have a commonality of data. Mr. Williams stated the GSP would effectively need to say these other projects will help with sustainability. The SVBGSA wants to understand enough to know what the basin impact is.

Colby Pereira asked about interaction with the State and coastal water board. Mr. Williams stated that the criteria for water quality is to do no harm. In response to Tom Adcock, he confirmed that, generally, SGMA is not a requirement to achieve some drinking water standard, but to not reduce water quality.

In response to Tom Virsik, Mr. Williams stated that projects achieving sustainability would be needed to counter a permitted project that is going forward and has an impact on the basin,

In response to Chris Bunn, Mr. Williams stated that getting to sustainability while allowing export of water out of the basin is almost an impossibility. But this group would look at management actions, policies and programs regarding the export of water.

In response to Heather Lukacs regarding sustainability indicators, Mr. Williams stated that SGMA had language quirks that have been fixed, and the regulations were intended to clarify and expand on the legislation.

In response to Robin Lee, Mr. Williams stated that this project would not include a study on the impacts on habitats.

Dallas Tubbs asked whether HydroMetrics would prepare an analysis on each mitigation's impacts. Mr. Williams stated that HydroMetrics' speciality is combining projects. Les Chau is responsible for groundwater models. A determination would need to be made on which models are available for scrutiny.

Mr. Williams stated that the emphasis on today's presentation is what a sustainable basin would look like. The State does not tell us; it is up to us to define it. Mr. Williams outlined his informed ideas. Sustainability should not be considered in terms of adjudication and pumping within safe yields. He believes sustainability should be viewed in terms of avoiding undesirable results. If six undesirable results can be avoided, you are by definition pumping within your sustainability goal. You are considering the condition of the basin. Controlling pumping is one of many tools to achieve sustainability.

An undesirable result is part of the sustainable management criteria and is outcome based. There are six sustainability indicators: 1) groundwater levels; 2) basin storage; 3) seawater intrusion; 4) groundwater quality; 5) surface water depletion; and 6) land subsidence. Each of these metrics has three things: 1) minimum threshold; 2) measurable objective, and 3) undesirable result. Minimum thresholds are based on what is significant and unreasonable, which you will be asked to define. It drives what the minimum thresholds are. If water levels drop below what you say is significant and unreasonable, it is not necessarily an undesirable result.

Mr. Girard stated that the significant and unreasonable term is open to interpretation, so a fact based record will be required on how the decision makers reached consensus.

Mr. Williams stated that we do not measure every well. For every generalized area, we have to show either an existing or newly installed monitoring well, and all other area wells are demonstrably represented by this well. We have to turn in an update to the Plan every five years to reach the twenty year measurable objectives.

Undesirable results shall be based on a quantitative description of the combination of minimum threshold exceedances that cause significant and unreasonable effects in the basin.

In response to Janet Brennan, Mr. Williams stated that the measurable objective is not enforceable. The undesirable results are what need to be avoided, so minimum thresholds are effectively enforceable.

In response to Ms. Brennan, Mr. Williams stated that seawater intrusion is treated separately than other water quality impacts in SGMA. This group will decide, e.g. it could accept seawater intrusion to Gonzales or pushing it back to the coast, based on what the group decides is significant and unreasonable.

In response to Nancy Isakson, Mr. Williams stated that minimum thresholds are set at every monitoring point. Mr. Williams' opinion is that if there is one plan, the undesirable result applies to the entire basin. Marina Coast Water District's plan would have to reflect the same undesirable result definition for the basin.

In response to Mike Foster, Mr. Williams stated that very few representative monitoring points are measured in wells. Officially, seawater intrusion is measured by a line on the map. There is an option in the law that allows us to say that we believe there is good correspondence between water levels and what needs to be measured.

Howard Franklin asked if there is a base line condition that can be managed to with regard to sustainability. Mr. Williams answered with a qualified no. This comes up with discussion regarding seawater intrusion. For example, you could say we think it is reasonable to let seawater intrusion come in two more miles. The caveat is that on January 1, 2015, seawater intrusion was already past that. SGMA says you do not have to mitigate any undesirable result that happened before January 1, 2015. You would not be allowed to have any more undesirable result, and you could mitigate if you chose. Water balance is not necessarily a sustainability indicator, but the amount of water in storage is.

Horacio Amezcuita asked how water quality would be measured if it has already been undrinkable for ten or twenty years. Mr. Williams stated there are many ways to talk about water quality in the Plan. It is still a do no harm issue and how you define no harm. The GSA will have a monitoring program in place so that the water quality does not get worse. But it is not our role to clean it up. That is the responsibility of the regional and State Board.

In response to Mr. Lipe, Mr. Williams stated that meeting discussions would include variances in measureable levels.

In response to Tom Adcock, Mr. Williams stated that they would have to show that their actions are not impacting any change in water quality.

Mr. Girard stated that there may be changes that the GSA cannot influence.

In response to Mr. Virsik, Mr. Williams stated that dam releases may be part of a project to reduce groundwater depletion, but the discussion does not include monitoring dams.

Mr. Williams stated that there is not one way to go about this, but in discussions with the Department of Water Resources, this is a reasonable approach. This process will not be linear, e.g. decisions regarding acceptable projects will have to be made early on. He asked the decision makers, public and stakeholders to think about what is significant and unreasonable, because he will seek feedback and guide them through this in the near future. This will be a long and iterative process.

Mike McCullough stated that the opinions being sought, melded with the science, is what will get us where we want to be.

Ms. Brennan asked about the decision making process. Mr. Williams stated that it is outlined in the GSA bylaws. Mr. Girard stated the Advisory Committee would make a recommendation to the Board on the GSP adoption. Ms. Brennan thinks the Board should make decisions on building blocks early in the process. Mr. Williams stated that he does not believe the Board would be asked to define significant and unreasonable before the stakeholder meetings, but parts of the Plan would come to the Board with the stakeholders' consensus.

In response to Ms. Isakson, Mr. Williams stated that there are a couple of ways to evaluate potential projects for feasibility and then for effect. He will provide a matrix for evaluating projects at an upcoming meeting. Back up projects would be needed in the event initial projects are not meeting the goals. The DWR expects that all plans would be modified as they go forward, so and not to wait twenty years when it is clear the project is not meeting goals after five years, e.g.

In response to Brett Harrell, Mr. Williams stated that the State would not review the GSP until the Plan is submitted. However, it behooves us to keep the State involved on decisions before the formal review of the submitted Plan.

In response to Adam Secondo, Mr. Williams stated that funding does not have to be in place before the Plan is submitted, but the Plan has to identify the plan for funding and a back up plan if financing fails. Mr. Petersen noted there is a financial consultant developing alternatives.

In response to Ms. Lee, Mr. Williams stated that they would have a better idea of what projects they may have in various parts of the basin after their interactive meeting for feedback from participants.

Mr. Tubbs asked when the Technical Advisory Committee will meet.

Dennis Lebow asked if there is protection in SGMA in the event of short term impairment. Mr. Williams stated that SGMA realizes there may be occasional undesirable results, and they have planned for that. He does not know of any regulatory enforcement or additional rules that address this.

In response to Gina Bartlett, Mr. Williams confirmed that development of the GSP is exempt from CEQA, but projects are not.

Mr. Girard stated that the Plan may not pre-select a project in a way that would conflict with CEQA. SGMA does not explicitly state that the GSA preempts other authorities, although there are arguments to be made if there is a dispute.

Tom Virsik stated that it must be kept in mind that when there is an overdraft in pumping, the Plan must reduce over pumping, so you will get to the question one way or another. The process will help figure out whether the Plan is for one basin or seven subbasins.

Mr. Lipe analogized to thresholds being set too low when air quality thresholds were enacted, which was evidenced 60 years later at an Air Resources Board meeting this morning. So the minimum thresholds will be a critical piece of this.

Mr. Petersen stated that it is clear that some technical review is desirable, and he and Derrick Williams will be contacting them. They will assess whether a Planning Committee is needed for interim decisions. Both May 10 and May 17 would include joint meeting presentations to the Board and Advisory Committee.

ADJOURNMENT

The meeting adjourned at 4:30 p.m.