



**APPROVED** GOVERNING BOARD MEETING MINUTES  
**October 14, 2020**

The Governing Board of the Merced Irrigation-Urban Groundwater Sustainability Agency (MIUGSA) met virtually on the above date pursuant to notice at 9:00 A.M., consistent with temporary authorization to deviate from Brown Act meeting guidelines issued through Executive Order by California Governor Gavin Newsom.

**CALL TO ORDER AND WELCOME**

At 9:00 A.M., Chair Hicham Eltal welcomed those present and called the meeting to order. MIUGSA Board Coordinator, Jennifer McMaster made an announcement regarding changes that have been made to the Board meeting procedures in order to make good faith efforts to comply with the Governor’s Executive Orders and allow the public the opportunity to observe, participate and comment in the Board’s meeting.

Ms. McMaster stated that staff had not received any emails from members of the public requesting a link to the video portion of the meeting or commenting on any agenda item. Ms. McMaster also informed the public of the procedure for submitting comments during the meeting.

**ROLL CALL**

Roll call showed the following MIUGSA Representatives present:

<b>Name</b>	<b>Organization</b>
Hicham Eltal (Chair)	Merced Irrigation District
Ken Elwin (Vice Chair)	City of Merced
Justin Vinson	City of Atwater
Carlos Valencia	Winton Water and Sanitary District (CSD)
Cynthia Benavidez	Le Grand Community Services District (CSD)
Daniel Chavez	Planada Community Services District (CSD)

Roll call showed the following MIUGSA Representatives absent:

<b>Name</b>	<b>Organization</b>
Jose Antonio Ramirez	City of Livingston

**WRITTEN PETITIONS AND COMMUNICATIONS**

None.

## **BOARD ADDITIONS/DELETIONS TO THE AGENDA**

None.

## **CONSENT CALENDAR**

1. Meeting Minutes: July 28, 2020
2. Meeting Minutes: September 09, 2020

On motion by Director Benavidez, seconded by Director Chavez; the Board unanimously approved the motion. A roll call vote was taken and the votes were as follows:

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

## **ORAL COMMUNICATIONS**

None.

## **REPORTS**

Matthew Beaman, Merced Irrigation District, Water Regulatory Engineer, provided the Board with an update regarding acquisition of outside services. Mr. Beaman discussed, in particular, progress toward securing insurance, accounting/bookkeeping services and legal services. Mr. Beaman provided an overview of ongoing efforts and findings.

With regard to insurance, Mr. Beaman indicated that the search has been narrowed regarding insurance carriers to two most commonly used providers, California Special Districts Association or ACWA – JPIA. Mr. Beaman noted that ACWA – JPIA has extensive knowledge and background in providing coverage to similar water agencies. Mr. Beaman indicated the intention to engage in a more in-depth conversation with ACWA – JPIA regarding coverage. The Board generally agreed with that direction.

With regard to accounting services, Mr. Beaman indicated that he has reached out to a number of local firms to discuss qualifications and anticipated duties for providing accounting/bookkeeping services to MIUGSA. Mr. Beaman noted that a number of potentially qualified local providers has been identified. Mr. Beaman discussed suggested options for narrowing the list of qualified candidates and securing services moving forward. He discussed, in particular, going through an RFQ/RFP process or initiating an in-depth interview process with local providers. Mr. Beaman asked for feedback from the Board. The Board discussed and provided feedback, and based on that feedback he will begin with reviewing accounting/bookkeeping service recommendations from the Board and perform a review and comparison with qualifications of other local providers.

Mr. Beaman then discussed research related to securing general legal services for MIUGSA. He noted that there is a relatively small pool of firms or attorneys in the general area that are familiar with water and, more specifically groundwater issues in the Central Valley. He also noted that of those qualified firms and attorneys, there is an even smaller number of attorneys that would not have significant conflict of interest issues to work through. Mr. Beaman discussed a number of options for securing legal services moving forward, including exploring any suggestions from the Board for representation or continuing with a broader search for a qualified candidate. Chair Eltal noted another option would be to retain Mr. Phillip McMurray and work toward securing a formalized agreement for services. Mr. McMurray currently works as General Counsel for the Merced Irrigation District, and Mr. Eltal believes Mr. McMurray would be interested and willing to serve as counsel for MIUGSA. Mr. Eltal solicited feedback from the Board. The Board discussed in detail and provided feedback, and asked Mr. Eltal to begin working with Mr. McMurray to secure an agreement to provide legal services to MIUGSA moving forward.

Mr. Beaman provided a brief update on the Coordinating Committee. Mr. Beaman indicated that the Coordinating Committee has not met for some time, but an agenda is in the works and a meeting is anticipated to be held in November. Mr. Beaman noted that he anticipates a number of updates to be provided at the upcoming meeting. He is anticipating, among other things, a discussion regarding the GSP and the first annual report, an update regarding the Severely Disadvantaged Community grant, and an update regarding the Proposition 68 grant. Mr. Beaman noted he also anticipates an action item related to the selection of a consultant to assist with meeting objectives and deadlines under the Proposition 68 grant.

Mr. Eltal provided an overview of the Ad-Hoc Allocation Framework Committee (Committee) meeting held on September 30, 2020. Mr. Eltal discussed internal differences related to how groundwater within the aquifer will be treated, specifically recharge of imported water for conjunctive use and native groundwater. Mr. Eltal noted that the Committee discussed the establishment of a groundwater consumptive use baseline that they could all agree on in order to begin pumping reductions. Mr. Eltal noted that discussions included canal seepage and deep water percolation. Mr. Eltal discussed the definition and calculation of developed water and noted that the parties are working together to clarify deep percolation.

Mr. Eltal provided an overview of the Committees discussion regarding exempting the urban community from initial reduction in groundwater pumping since they have done a lot of work toward reduction already. Mr. Elwin added that the City of Merced's efforts to reduce consumption is in the neighborhood of 20-25% and this decision avoids penalizing the City to force more reduction when reductions have already been made. Mr. Vinson noted that similar reductions have also been made by the City of Atwater. Mr. Eltal noted that he would like each MIUGSA agency representative to put together reduction amounts or work together on a collective amount to determine their respective agencies reduction so that when agriculture reaches a certain threshold they can begin catching up with the Cities. Mr. Eltal suggested having a third party review and look at the basin to ensure that everyone is doing what they are supposed to do toward reductions to consumptive use. Mr. Eltal asked that the Board review and bring suggestions to the next MIUGSA meeting.

Mr. Eltal provided an overview of the Committee's discussion regarding groundwater storage credits and carryover losses. He noted that Woodard and Curran was invited and has been tasked with working on the consumptive use baseline for the agricultural users, and with reviewing the developed supply to work toward an agreement regarding seepage and deep percolation. He noted once it is determined how groundwater storage is looked at that would help the GSA's move to the next step. Mr. Eltal indicated that a lot more work is required in order to get information out to growers throughout the Merced Groundwater Basin.

Mr. Eltal advised the Board that the Committee did not discuss the sustainable yield of Native groundwater during their recent meeting, because they did not want it to hinder the process of establishing immediate cut backs on groundwater consumption. Mr. Eltal noted that the Committee's suggestion was to look at the sustainable yield of native groundwater as things move along.

Mr. Elwin noted a major item from the Committee's recent meeting was to do some reduction across the board to start with in light of the fact that the parties know that there are a lot of data gaps and that more monitoring is needed to more accurately identify what has been going on in the basin outside of the City. He also noted that there is a lot of work to be done regarding additional monitoring wells and filling data gaps. The Board engaged in a large discussion regarding monitoring wells in relation to this item.

Mr. Eltal noted that he, Larry Harris, Greg Young, and Mr. Elwin are going to have technical meetings as MIUGSA and MSGSA are looking at the baseline and consumptive use. Mr. Eltal noted that the technical meetings are anticipated to take place every couple of weeks in order to work things out in advance of the next Ad-hoc Committee meeting.

Mr. Beaman provided a brief update regarding the status of the Meadowbrook Intertie Feasibility Study (Study) project, funded under the 2017 Proposition 1 Sustainable Groundwater Planning Grant and located within the Severely Disadvantaged Communities. Mr. Beaman noted that the project is a study of potential connections between the Meadowbrook Branch of the California American Water Company, serving the Franklin/Beachwood area to the City of Atwater and/or the City of Merced's potable water system. He noted that one of the purposes of the project is to help prepare for drought or other emergency situations. Mr. Beaman advised the Board that a draft of the Study has been circulated to MID, the City of Merced, the City of Atwater, and California American Water Company.

Mr. Beaman discussed upcoming public workshops to discuss the projects funded under the Proposition 1 grant and noted that the bulk of discussion at those workshops will be in regard to the Meadowbrook Intertie Feasibility Study, tie-in options, and potential costs. Mr. Beaman indicated that a 30 day public comment period for the study will end November 20, 2020, and discussed next steps following the close of the public review period.

Mr. Beaman discussed and provided an update regarding the groundwater sustainability fee. He noted that hand-bills remain on track to go out by the end of the month or the first week of November. He discussed anticipated fund disbursement by Merced County and advised that the first disbursement is anticipated to occur in January 2021.

**ACTIONS**

None.

**BUSINESS FROM THE BOARD**

None.

**ADJOURN**

On motion by Director Elwin, seconded by Director Benavidez; the Board voted unanimously to adjourn the meeting at 10:09 A.M.