



**APPROVED** BOARD OF DIRECTORS MEETING MINUTES

**July 13, 2022**

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 AND WELCOME**

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:

<b>Name</b>	<b>Organization</b>
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) (participated by teleconference)
Cynthia Benavidez	Le Grand Community Services District (LGCSD)
Daniel Chavez	Planada Community Services District (PCSD)
Phillip McMurray	General Counsel
Jennifer McMaster	Board Coordinator

Roll call showed the following MIUGSA representatives absent:

None.

**CORRECTIONS OR ADDITIONS TO THE AGENDA**

General Counsel Phillip McMurray noted that since Board members are participating in the meeting by teleconference, any action taken at today's meeting would need to be taken by roll call vote.

**PUBLIC COMMENT**

None.

**CONSENT CALENDAR**

- 1. Meeting Minutes – June 8, 2022
- 2. Meeting Minutes – June 16, 2022

On motion by Director Vinson, seconded by Director Elwin; the Board voted unanimously to accept the Consent Calendar, as presented. A roll call vote was taken and the votes were as follows:

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

**PUBLIC HEARING**

Mr. Eltal opened the Public Hearing regarding the adoption of the modified Merced Groundwater Basin Groundwater Sustainability Plan at approximately 9:05 AM. Mr. Matthew Beaman began the public hearing by providing the Board with a presentation summarizing the Sustainable Groundwater Management Act and the development of the groundwater sustainability plan for the Merced Subbasin. The presentation included a detailed overview of communications between GSAs, and communications with the public regarding the Merced GSP since 2015. He discussed DWR’s notification regarding actions needed to correct or address potential deficiencies in the draft GSP. He also noted staffs work with consultants and the other local GSAs to diligently address the potential deficiencies and re-submit the Merced GSP to DWR by July 27, 2022.

Mr. Beaman provided an overview of the GSAs boundaries, discussed key elements of the Merced GSP and provided a detailed review of changes made prior to resubmission with DWR. Mr. Beaman and the Board discussed changes to the GSP at length, and Mr. Beaman responded to a variety of questions. Mr. Beaman then provided an overview of the hearing schedule for the other two GSAs to adopt the revised GSP. He estimated that all three Merced Subbasin GSAs would adopt the revised GSP before July 27, 2022.

Upon further discussion, Mr. Beaman asked the Board to consider approving the revised GSP and submittal to DWR. On motion by Director Chavez, seconded by Director Elwin; the Board voted unanimously to adopt Resolution No. 2022-05 and approve the revised GSP and submittal to DWR, as presented. A roll call vote was taken and the votes were as follows:

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

**REPORTS**

Mr. Beaman discussed and provided the Board with an update regarding Merced County’s well permitting process and MIUGSA’s letter and acknowledgment form related to well consistency

with the GSP. He noted well applicants have expressed appreciation for MIUGSA's streamlined process, however MIUGSA is still awaiting a response from the County.

Mr. Beaman provided an overview of communications that staff has had with Merced County staff regarding well consistency determinations. He noted the County has provided a form of their own. Mr. Beaman noted the form provided by the County lacks the detail required by MIUGSA in order to provide the consistency determination needed, and also lacks the opportunity for MIUGSA to provide input and certain acknowledgements from well applicants. He discussed communications with other neighboring GSAs and noted MIUGSA staff is working on refining the process further with County staff.

The Board and staff engaged in a lengthy discussion regarding the inappropriateness of sending well applicants from one place to another and potential options for further streamlining the processes. The Board agreed the County has been unreasonable in developing their process and in developing their forms. They discussed attachments that MIUGSA could make to the County's form and the potential for a joint and unified response in coordination with other similarly placed GSAs. Mr. Beaman noted approximately 3-4 well applications have been received to date and he anticipates more in the coming days. Director Elwin also noted several calls for water from G Street to the Farmland area.

Mr. Beaman discussed outreach regarding the development of rules regulations and policies for implementation of the GSP. He noted several meetings held with stakeholders over the last couple of months. Chair Eltal also noted meetings anticipated to be held in September/October 2022. Chair Eltal noted that it would be helpful if the MID Board authorizes making MID developed water available to growers, the Board agreed. Mr. Eltal indicated the issue would be brought to the MID Board at an upcoming meeting.

The Board discussed the SED briefly. General Counsel McMurray noted that the item is currently under litigation with MID, but he also indicated there were several regulatory activities occurring with the State Water Resources Control Board to begin the implementation process. He indicated a letter from MIUGSA commenting on the Bay Delta Water Quality Control Plan and SED would be helpful from the context of SGMA and groundwater impacts.

## **ACTION/DISCUSSION**

Mr. Beaman discussed and provided a presentation regarding staff's recommendation for obtaining liability insurance from ACWA-JPIA. He provided background and an overview of a proposal from ACWA-JPIA. He discussed coverage that would be made available, if approved. He also provided an overview of a risk assessment performed by ACWA-JPIA staff. He noted MIUGSA has received approval from ACWA-JPIA to join.

Mr. Beaman discussed requirements for participation, including a 3 year commitment. He discussed steps moving forward if the Board authorizes MIUGSA to join and designate a director and alternate representative. Director Benavidez asked what the cost would be to join. Mr. Beaman noted the cost would be approximately \$1,000/year, and had been included in the FY 2023 budget.

On motion by Director Elwin, seconded by Director Vinson; the Board voted unanimously to adopt Resolution No. 2022-06 authorizing execution of an agreement with the Association of California Water Agencies/Joint Powers Agency and other actions relating thereto, as presented. A roll call vote was taken and the votes were as follows:

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

**ADJOURN**

Meeting adjourned at approximately 10 AM.