

**South San Joaquin Groundwater Sustainability Agency  
Regular Meeting  
Manteca, California  
July 17, 2019**

The Governing Board of the South San Joaquin Groundwater Sustainability Agency (SSJGSA) met in a regular session at the South San Joaquin Irrigation District (SSJID) Board Room at 9:00 a.m. Chairman Holmes called the meeting to order and led the flag salute.

Upon roll-call the following members were noted present:

**DIRECTORS:** Tammy Alcantor, City of Escalon  
Robert Holmes, South San Joaquin Irrigation District  
Dave Kamper, South San Joaquin Irrigation District  
Leo Zuber, City of Ripon

**ABSENT:** NONE

Also present were SSJID General Manager, Peter Rietkerk; SSJID Water Resources Coordinator, Brandon Nakagawa; Special SSJGSA Counsel, Valerie Kincaid; SSJID General Counsel, Mia Brown; and SSJID Clerk of the Board, Danielle Barney.

**Public Comment** – None

**ACTION CALENDAR**

**Item #1 - Consider Approval of the Special Meeting Minutes of June 19, 2019**

**MOTION:** A motion was made by Director Zuber and seconded by Director Kamper to approve the minutes as submitted. The motion passed 4 to 0 by the following vote:

**AYES:** ALCANTOR HOLMES KAMPER ZUBER  
**NOES:** NONE  
**ABSTAIN:** NONE  
**ABSENT:** NONE

**Item #2 – Discussion and Possible Action for Appointment of Primary and Alternate SSJGSA Member Representatives to the ESJGWA**

Mr. Dale Kuil, late SSJID Board Director, was serving as the primary representative of the South San Joaquin Groundwater Sustainability Agency (SSJGSA) to the Eastern San Joaquin Groundwater Authority (ESJGWA) Board of Directors. Chairman Holmes stated that he had been appointed as the alternate representative to the ESJGWA, but has been filling in as the primary since early May 2019, due to the unexpected Board vacancy of Director Kuil’s seat. Ms. Valerie Kincaid, SSJGSA Special Counsel, clarified that a representative of an ESJGWA member agency can be an employee or elected official, but the latter is preferred. However, an elected official could be appointed as a primary SSJGSA representative, and an employee appointed as the

alternate. Vast discussion included careful consideration of the representatives appointed to the ESJGWA so as not to be in violation of the Brown Act regarding the presence of a quorum.

**MOTION:** A motion was made by Director Zuber and seconded by Director Kamper to appoint Chairman Holmes as the SSJGSA primary representative to the ESJGWA Board of Directors; and Mr. Brandon Nakagawa, SSJID Water Resources Coordinator, appointed as the SSJGSA alternate representative to the ESJGWA Board of Directors. The motion passed 4 to 0 by the following vote:

AYES:	ALCANTOR HOLMES KAMPER ZUBER
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

### **Item #3 – Review of Financial Statements for June 2019**

Mr. Bere Lindley, SSJID Assistant General Manager, reviewed the SSJGSA Income and Expense Summary (through June 30, 2019), and Expense Transaction Report (through June 30, 2019), and reported that the year-to-date expenses are \$20k under budget. Mr. Lindley stated that the SSJGSA budget, originally approved by this Board, was for the full calendar year of 2019 but divided into two segments, one for each half of the year, in anticipation of establishing the SSJGSA as a Joint Powers Authority (JPA) by July 1, 2019. He added that the approved budget will continue through December 2019, and through the formation of the SSJGSA into a JPA.

### **Item #4 – Update Regarding Eastern San Joaquin Groundwater Authority Business, Including Groundwater Sustainability Plan Development Activities**

Mr. Nakagawa provided an update of recent discussion and activity at the Eastern San Joaquin Groundwater Authority (ESJGWA) meeting held on July 10, 2019. The Groundwater Sustainability Plan (GSP) is in the final stages of development. A Public Review Draft GSP has been posted on the ESJGWA website at [www.esjgroundwater.org](http://www.esjgroundwater.org), beginning a statutory 45-day public comment period which will end August 25, 2019. Mr. Nakagawa stated he will read the entire draft document for accuracy relevant to the SSJGSA. He added there have been no public comments to date.

Before the adoption of the GSP, a Notice of Intent (NOI) needs to be published whereby action cannot take place sooner than 90-days from the date of the approved NOI. A single NOI is being prepared by the ESJGWA consultant team, which will include the date each GSA is expected to recommend adoption of the GSP to their respective boards or councils. The SSJGSA has scheduled its action for the regular Board meeting on November 20, which is ahead of the State-mandated deadline for adoption of the GSP by January 31, 2020.

Vast discussion amongst the Board included the problems that could occur should all GSAs not adopt the GSP. Mr. Rietkerk inquired about the concept of a “dual adoption” of a GSP at the ESJGWA level, and also at the member GSA level. Ms. Kincaid addressed the “dual adoption” question stating that a separate adoption of a GSP by a GSA’s member agency could be challenged by the other GSAs. Ms. Kincaid added that she does not anticipate a non-adoption issue with any GSAs as the intent has always been one GSP at the higher basin level, providing protection within

the JPA of the ESJGWA. Ms. Kincaid recommends drafting a SSJGSA resolution in support of the ESJGWA GSP, and directing the SSJGSA representative to vote to adopt the GSP at the ESJGWA level.

Additional topics highlighted by Mr. Nakagawa included GSA accountability and roles in the GSP, and grant opportunities. He recommends applying for grant funding as the estimated ESJGWA cost per year for implementation of the GSP is \$1.5 million, which includes activities towards SGMA required studies, 5-year plan updates, and monitoring.

Mr. Nakagawa reported on the following activities:

- Will be attending the ESJGWA Public Meeting on July 18, 2019, at the Robert J. Cabral Agricultural Center from 5:00 to 8:00 p.m.
- Distributed customer flyers explaining SGMA and the GSP adoption process. No responses to date. Director Zuber and Director Alcantor requested the informational flyer for posting on their respective Facebook pages.
- Has been attending the ESJGWA Ad Hoc Committee meetings with Chairman Holmes. Discussion includes elements of accountability of the GSAs to the GSP; timeliness of SGMA required annual reports and updates; and, an ESJGWA GSA survey regarding the implementation plan, tasks, projects, monitoring, reporting and management of SGMA. Mr. Nakagawa stated that discussion needs to occur at the SSJGSA level on who will conduct the required monitoring of the wells, but added that our member agency has the internal capabilities.

Mr. Nakagawa clarified that there is a subset of nineteen (19) wells represented for sustainability in the Eastern San Joaquin Basin. A second subset of wells have been identified for SGMA monitoring. A third subset of wells are identified as CASGEM wells, which are a requirement for grant funding. Lastly, a fourth subset of wells are monitored by San Joaquin County and not required in SGMA reporting. It is being recommended to San Joaquin County to reassign the monitoring resources from the 4<sup>th</sup> subset of wells to 1 of the 3 remaining SGMA subset wells.

- Will be attending the ESJGWA Ad Hoc Committee meeting on August 5, 2019. Topic discussion will include the ESJGWA GSA survey.

Mr. Nakagawa reported that the ESJGWA voted to appoint Mr. Kris Balaji, San Joaquin County Public Works Director, as the ESJGWA Plan Manager and direct contact to the California Department of Water Resources.

#### **Item #5 – Update Regarding Conversion of SSJGSA into a Joint Powers Authority**

Mr. Peter Rietkerk updated the Board on recent activity to convert the SSJGSA into a JPA. A draft JPA agreement was presented to the SSJGSA JPA Technical Advisory Committee for review at 8:00 a.m. on the morning of this Board meeting. Consensus was reached on format, though some sections have been flagged to revise language in alignment with the original Memorandum of Understanding, and to appropriately address the city entities. A future JPA Technical Advisory Committee meeting will be scheduled to discuss and review the revisions. A revised draft JPA

agreement is forthcoming for each SSJGSA member agency to take to their respective councils for approval. Mr. Rietkerk anticipates presenting the JPA to the SSJGSA Board of Directors at the meeting scheduled for August 21, 2019.

**Item #6 – Communications**

**a) Staff and Consultant Updates**

None

**b) Technical Advisory Committee**

None

**c) Member Reports**

None

**Item #7 – Adjournment**

There being no further business to discuss, the meeting was adjourned at 10:00 a.m.

ATTEST:

---

Danielle Barney, Clerk of the Board