



**Stanislaus & Tuolumne Rivers Groundwater Basin Association**  
**Groundwater Sustainability Agency**  
1231 11<sup>th</sup> Street | Modesto, CA 95354  
Email: [strgba@mid.org](mailto:strgba@mid.org)

## **STRGBA GSA AGENDA**

**November 9, 2022 (1:30 p.m. – 3:00 p.m.)**

**Webinar Digital Platform or Phone Meeting**

<https://us02web.zoom.us/j/82844864384>

By phone: 1-669-900-9128

Webinar ID: 828 4486 4384

This meeting is being conducted via webinar for all seven member agencies, pursuant to Executive Orders signed by Governor Gavin Newsom related to the ongoing COVID-19 pandemic, including provisions regarding the Brown Act. Members of the public and member agency staff may join the meeting utilizing Zoom's webinar feature if desired, or a phone number as provided in this Agenda. Members of the public will continue to have the opportunity to provide public input via the webinar or phone features. Members of the public may also email public comments by 3:00 p.m. on the day preceding the GSA meeting to: [strgba.org](http://strgba.org). If public comments are timely submitted by email, then those comments will be identified during the public input section of the Agenda or during a specific agenda item if the agenda item is identified in the email. The Brown Act does not require a member of the public to state her or his name; please indicate in your email if you would like your name stated or if you want to remain anonymous. \_

### **PUBLIC PARTICIPATION**

**The public may participate in this meeting in the two ways described below.**

Instructions for Participating in STRGBA GSA & Technical Advisory Meeting via Zoom Webinar or Phone

#### **On your desktop/iPad or tablet/laptop:**

1. To join the webinar, click the link published in the Agenda for the current meeting about 5 minutes before webinar begins.
2. Follow the on-screen instructions to install and/or launch the Zoom application.
3. If prompted, enter the Webinar ID published in the Agenda.
4. All public attendees will enter the meeting muted.
5. If you wish to speak under Business from the Public, or after the Chairman calls for Public Comment, click on the "Raise Hand" button to request to speak.

#### **On your phone:**

1. To join the meeting by phone, call the number published in the Agenda for the meeting.
2. Enter the Webinar ID published in the Agenda, then hit the # symbol.
3. All public attendees will enter the meeting muted.
4. If you wish to speak under Business from the Public, or after the Chairman calls for Public Comment, press \*9 on your phone to "Raise Hand" or simply request to speak.



1. Call to Order/Welcome and Introductions  
(Four agencies needed for a quorum)
2. Business from the Public  
Who: Public  
Expected Outcome: Interested persons are welcome to introduce any topic within the Agency's jurisdiction. Matters presented under this heading may be discussed but no action will be taken by the Agency at this meeting.
3. Topic: Remote Teleconferencing Participation [\[Action Item\]](#)  
Who: Gordon Enas, Committee  
Expected Outcome: Approval
4. Topic: Approve 10/12/22 Meeting Minutes [\[Action Item\]](#)  
Who: Eric Thorburn, Committee  
Expected Outcome: Approval
5. Topic: Letter of Support for Oakdale Irrigation District [\[Action Item\]](#)  
Who: Eric Thorburn, Committee  
Expected Outcome: Approval
6. Topic: Groundwater Consultant Contract RFP/RFQ  
Who: Miguel Alvarez, Committee  
Expected Outcome: Discussion
7. Topic: Fall 2022 Monitoring Event  
Who: Todd Groundwater, Committee  
Expected Outcome: Discussion
8. Topic: Dry Well Update  
Who: Todd Groundwater, Committee  
Expected Outcome: Discussion



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9. Next Meeting

December 14, 2022 at 1:30 p.m. via Zoom

10. Items too late for the agenda



## AGENDA REPORT

**GSA Meeting Date:** November 9, 2022

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<b>Subject:</b>	Brown Act Provisions for Remote Teleconferencing Participation in Meetings during a Declared State of Emergency.
<b>Recommended Action:</b>	Resolution approving and confirming a Continuing State of Emergency Arising from the STRGBA GSA's Emergency Declaration During March 2020 (and Subsequent State and County Orders) due to the COVID-19 Pandemic and Further Authorizing Remote Conference Meetings of the STRGBA GSA's Governing Body Pursuant to the Provisions of the Brown Act and Duly Issued Laws and Orders from the State Related to the Pandemic and Operations for Governing Body Meetings.
<b>Background and Discussion:</b>	<p>All meetings of the STRGBA GSA are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963) and related state laws and orders, so that any member of the public may attend either virtually or in-person as the case may be to participate and watch the GSA's governing body conduct GSA business.</p> <p>The Brown Act makes provisions for remote teleconferencing participation in meetings by members of a governing body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions, such as when a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558. It is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the governing body meeting in person would present imminent risks to the health and safety of attendees.</p> <p>Such conditions now exist in the STRGBA GSA, specifically, a State of Emergency has been proclaimed pursuant to Government Code Section 8625 that the COVID-19 Pandemic has strained the State's healthcare system and workforce and that state and local health departments must use all available preventative measures to combat the spread of COVID-19. As a consequence of the declared emergency, the STRGBA GSA does hereby find that the governing body of the STRGBA GSA shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such governing bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953.</p>

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## AGENDA REPORT

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<b>Alternatives, Pros and Cons of Each Alternative:</b>	<p>Pros: Allow GSA meetings to continue to meet while taking all available preventative measures to combat the spread of COVID-19.</p> <p>Cons: Requiring GSA meetings to be held in-person would violate the proclaimed State of Emergency and potentially expose meeting attendees to COVID-19.</p>
<b>Concurrence:</b>	<p>The actions proposed by this resolution have already been adopted by several of the GSA member agencies.</p>
<b>Fiscal Impact:</b>	<p>Since the GSA is currently holding all meetings by remote conferencing, the resolution will create no new or additional fiscal impact.</p>
<b>Recommendation:</b>	<p>Resolution making the following determination:</p> <p>Section 1. Recitals. The Recitals set forth in the attached resolution are true and correct and are incorporated into this Resolution by this reference.</p> <p>Section 2. Proclamation of Local Emergency. The Governing Body hereby proclaims that a local emergency exists throughout the GSA, and that the governing body meeting in person could present imminent risks to the health and safety of attendees due to the prevalence of the COVID-19 Pandemic in Stanislaus County and the State of California, such that the GSA reserves the right to continue virtual meetings and/or conduct in-person meetings consistent with local health guidance or duly issued orders.</p> <p>Section 3. Remote Teleconference Meetings. The Governing Body and its Chairman and designees of the GSA are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.</p> <p>Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) December 14, 2022, or (ii) such time the Governing Body adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Governing Body of the GSA may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.</p>

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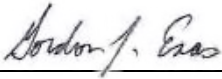
**AGENDA REPORT**


**Attachments:**

Supporting documents attached:

Resolution  Presentation  Other supporting docs  None attached

*Note: Original contracts and agreements are housed in the GSA Secretary's Office, phone (209) 526-7360.*

Presenter

Gordon Enas, P.E. 11/4/2022
Date Signed

GSA Chairman

Eric Thorburn, P.E. 11/4/2022
Date Signed

**D R A F T**

**RESOLUTION NO. 2022-09**

**RESOLUTION CONFIRMING A CONTINUING STATE OF EMERGENCY ARISING FROM THE STATE OF CALIFORNIA AND STANISLAUS COUNTY ORDERS DUE TO THE COVID-19 PANDEMIC AND FURTHER AUTHORIZING REMOTE CONFERENCE MEETINGS OF THE STRGBA GSA'S GOVERNING BODY PURSUANT TO THE PROVISIONS OF THE BROWN ACT AND DULY ISSUED LAWS AND ORDERS FROM THE STATE RELATED TO THE PANDEMIC AND OPERATIONS FOR GOVERNING BODY MEETINGS.**

WHEREAS, the STRGBA GSA is committed to preserving and nurturing public access and participation in meetings of its governing body; and

WHEREAS, all meetings of the STRGBA GSA are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963) and related state laws and orders, so that any member of the public may attend either virtually or in-person as the case may be to participate and watch the GSA's governing body conduct GSA business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the GSA's boundaries, caused by natural, technological, or human-caused disasters; and

## AGENDA REPORT

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the GSA, specifically, a State of Emergency has been proclaimed pursuant to Government Code Section 8625 that the COVID-19 Pandemic has strained the State's healthcare system and workforce and that state and local health departments must use all available preventative measures to combat the spread of COVID-19; and

WHEREAS, as a consequence of the declared emergency, the STRGBA GSA does hereby find that the governing body of the GSA shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the GSA reserves the option to attend in-person meetings consistent with local health officer directives or to continue a practice of remote meetings that still allow multiple options for public participation.

NOW, THEREFORE, THE GOVERNING BODY OF THE STANISLAUS AND TUOLUMNE RIVERS GROUNDWATER BASIN ASSOCIATION GROUNDWATER SUSTAINABILITY AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Governing Body hereby proclaims that a local emergency exists throughout the GSA, and that the governing body meeting in person could present imminent risks to the health and safety of attendees due to the prevalence of the COVID-19 Pandemic in Stanislaus County and the state, such that the GSA reserves the right to continue virtual meetings and/or conduct in-person meetings consistent with local health guidance or duly issued orders.



## AGENDA REPORT

Section 3. Remote Teleconference Meetings. The governing body and its Chairman and designees of the GSA are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) December 14, 2022, or (ii) such time the Governing Body adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the GSA may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.



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## MEETING MINUTES

**October 12, 2022 (1:30 p.m. – 3:00 p.m.)**

The meeting was called to order at 1:30 p.m.

### 1. Welcome and Introductions

The following members of the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency (STRGBA GSA) attended via Zoom:

Modesto Irrigation District (MID): Gordon Enas  
City of Waterford: Mike Pitcock  
Stanislaus County: Christy McKinnon  
Oakdale Irrigation District: Eric Thorburn  
City of Oakdale: Michael Renfrow  
City of Riverbank: Michael Riddell  
City of Modesto: Miguel Alvarez

#### Other Attendees:

Phyllis Stanin, Todd Groundwater	Samantha Wookey, MID
Liz Elliott, Todd Groundwater	Jesse Franco
Lucas Hayes	Mike Day
Julia Stornetta	Stacy Henderson
Jeffrey Kenney	Peter Drekmeier
Doug Maner	Emily Sheldon
Allison & Dave Boucher	

### 2. Business from the Public

N/A

### 3. Remote Teleconferencing Participation [\[Action item\]](#)

Riddell moved, 2<sup>nd</sup> by Enas, to approve Remote Teleconferencing Participation. Motion carried.



**4. Approve 8/10/2022 [Action item]**

Renfrow moved, 2<sup>nd</sup> by Pitcock, to approve 8/10/22 meeting minutes. Motion carried.

**5. 2022 Annual Report [Action item]**

Enas moved, 2<sup>nd</sup> by Riddell to approve the 2022 Annual Report. Motion carried.

- Day asked if riparian water diverters are included in the water budget? Thorburn stated we don't usually tabulate those in the annual report as a separate item. Elliott stated would follow up with Woodard and Curran to see how those diversions are captured in the groundwater model.

**6. Fall 2022 Monitoring Event**

Elliott advised that the member agencies will begin measuring water levels at the end of October. The data collected will be used for the 2023 Annual Report.

- Day asked if monitoring sites were added to the Non-District East Subbasin to fill data gaps? Elliott informed that as part of the grant obtained from DWR, 4-5 monitoring wells were installed in the east. Some initial water level data has been collected from those wells.

**7. Dry Well Update**

Stanin stated there are 2 online tools to allow GSA's to understand where dry wells are occurring. The data is reviewed by the GSA and tabulated and reported at the GSA meetings. For the first nine months of 2022, there have been 8 dry well reports, 3 being resolved.

- Day asked if DWR provides additional information about the resolution of the dry wells? Stanin stated if they have the information from the well owner, they will post online. The website is a self-reporting website. The dry well reporting system tool is also located on the STRGBA GSA website under the "Resources" tab.

**8. Oakdale Irrigation District Grant Application**

Thorburn stated that the SGMA Implementation Round 2 grant funding application period is open through the end of November. OID will seek approval from the GSA to apply for a grant to help fund OID's Paulsell Lateral Expansion - In-Lieu and Direct Recharge Project.



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- Day asked where the CEQA document can be found. Thorburn stated the document would be drafted upon receipt of the grant award.

## **9. Next Meeting**

November 9, 2022 at 1:30 via Zoom

## **10. Items too late for the agenda**

Thorburn mentioned that AB 2429 which amends the Brown Act will be effective on January 1, 2023. The amendment will allow for continued teleconferencing of public meetings, however a quorum must be present in-person.

DRAFT



## AGENDA REPORT

**GSA Meeting Date:** November 9, 2022

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**Subject:** Oakdale Irrigation District Round 2 Sustainable Groundwater Management Grant application.

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**Recommended Action:** Resolution authorizing submittal of Oakdale Irrigation District's grant application for the Oakdale Irrigation District In-Lieu and Direct Recharge Project - Paulsell Lateral Expansion under Round 2 of the Sustainable Groundwater Management Grant Program.

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**Background and Discussion:** The solicitation period for Round 2 of the Sustainable Groundwater Management (SGM) Grant Program funding opened October 4, 2022 and will close on November 30, 2022. The Round 2 SGM Grant Program offers more than \$200 million for groundwater sustainability planning and projects within medium and high priority groundwater basins.

The proposed Oakdale Irrigation District In-Lieu and Direct Recharge Project - Paulsell Lateral Expansion (Project), is listed as Project 6 in the Modesto Subbasin GSP and would increase the capacity of the OID Paulsell Lateral. The Paulsell Lateral is one of OID's eastern-most canals and traverses through and within close proximity to several thousand acres of irrigated lands within the Non-District East (NDE) management area that current rely solely on groundwater. OID currently encounters capacity constraints on the Paulsell Lateral during peak demand periods in the irrigation season. OID wishes to enlarge the existing Paulsell Lateral in order to better serve the needs of OID's Tier 1 in-District customers, as well as to provide sufficient water to Tier 2 OID lands and some NDE lands north and east of the Paulsell Valley. Those NDE lands will be participants of OID's proposed 10-Year Out-of-District Water Sales Program. OID intends to keep the Paulsell Lateral within its existing alignment and right-of-way as much as possible, with the capacity increasing from approximately 30 cfs to as much as 180 cfs at the headgate. OID wishes to enlarge and automate the Paulsell Lateral from its headgate at Cashman Dam on the South Main Canal downstream (generally south/southwest) to its terminus at Dry Creek. The Project will benefit the Modesto Subbasin by allowing surface water to be provided when available (typically all, but critically dry years) for in-lieu and direct groundwater recharge in the area experiencing the steepest rate of groundwater overdraft and level decline.

Oakdale Irrigation District (OID) is preparing a grant application to receive funding for the Project under Round 2 of the SGM Grant Program. A Resolution supporting and authorizing OID's grant application is being requested from the STRGBA GSA.

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# AGENDA REPORT

**Alternatives, Pros and Cons of Each Alternative:**

1. Do Nothing – Cons: No progression toward addressing the overdraft in the non-district east groundwater management area if no other grant application/project is submitted/constructed; Pros: Potential for other projects to be done instead.
2. Authorize submittal of OID’s grant application – Cons: Prevents other potential projects from proceeding in its place; Pros: Provides adequate conveyance infrastructure to provide surface water from OID to up to 6,200 in-district acres in all year types and 6,000 out-of-district acres in years when it is available (typically all, but critically dry years).

**Concurrence:**

The Project has been presented and discussed at multiple STRGBA GSA meetings. Some verbal support and concurrence to proceed was provided. No opposition has been expressed to date.

**Fiscal Impact:**

None. The Project grant application is being drafted at OID’s expense. If awarded, all Project grant administration expenses would also be paid for by OID.

**Recommendation:**

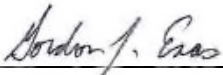
Resolution authorizing submittal of Oakdale Irrigation District’s grant application for the Oakdale Irrigation District In-Lieu and Direct Recharge Project - Paulsell Lateral Expansion under Round 2 of the Sustainable Groundwater Management Grant Program.


**Attachments:**

Supporting documents attached:

Resolution  Presentation  Other supporting docs  None attached

*Note: Original contracts and agreements are housed in the GSA Secretary’s Office, phone (209) 526-7360.*

<b>Presenter</b>

Gordon Enas, P.E.
<b>11/4/2022</b>
Date Signed

<b>GSA Chairman</b>

Eric Thorburn, P.E.
<b>11/4/2022</b>
Date Signed

**D R A F T**

**RESOLUTION NO. 2022-02**

**RESOLUTION AUTHORIZING OAKDALE IRRIGATION  
DISTRICT'S APPLICATION FOR FUNDING UNDER  
ROUND 2 OF THE SUSTAINABLE GROUNDWATER  
MANAGEMENT GRANT PROGRAM**

WHEREAS, the Sustainable Groundwater Management Act of 2014, Water Code sections 10720-10737.8 ("SGMA") was signed into law on September 16, 2014; and

WHEREAS, SGMA requires that each California groundwater subbasin be managed by a Groundwater Sustainability Agency ("GSA"), or multiple GSAs, and that such management be implemented pursuant to an approved Groundwater Sustainability Plan ("GSP"), or multiple GSPs; and

WHEREAS, the Stanislaus and Tuolumne Rivers Groundwater Basin Association (STRGBA) GSA is a GSA under SGMA for areas within the STRGBA GSA in the Modesto Subbasin; and

WHEREAS, the STRGBA GSA is coordinating implementation of the approved GSP with the County of Tuolumne GSA in the Modesto Subbasin; and

WHEREAS, the Oakdale Irrigation District ("OID") is a member agency of the STRGBA GSA and is interested in applying for a grant under the 2022 Sustainable Groundwater Management ("SGM") Grant Program.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE STANISLAUS AND TUOLUMNE RIVERS GROUNDWATER BASIN ASSOCIATION GROUNDWATER SUSTAINABILITY AGENCY, THAT AN APPLICATION BE MADE BY OID TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES TO OBTAIN A GRANT UNDER THE 2022 SUSTAINABLE GROUNDWATER MANAGEMENT (SGM) GRANT PROGRAM PURSUANT TO THE CALIFORNIA DROUGHT, WATER, PARKS, CLIMATE, COASTAL PROTECTION, AND OUTDOOR ACCESS FOR ALL ACT OF 2018 (PUB. RESOURCES CODE, § 80000 ET SEQ.) AND THE CALIFORNIA BUDGET ACTS OF 2021 AND 2022.

BE IT FURTHER RESOLVED, THE OAKDALE IRRIGATION DISTRICT IS AUTHORIZED AND HAS THE SUPPORT OF THE STRGBA GSA TO SUBMIT AN APPLICATION AND ENTER INTO A FUNDING AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES TO RECEIVE A GRANT FOR THE OAKDALE IRRIGATION DISTRICT IN-LIEU AND DIRECT RECHARGE PROJECT - PAULSELL LATERAL EXPANSION.