

PROVOST & PRITCHARD CONSULTING GROUP

4701 Sisk Rd, Ste 102, Modesto, CA 95356 • (209) 809-2290
www.provostandpritchard.com

September 25, 2025

VIA ELECTRONIC MAIL AND U.S. MAIL

Stanislaus and Tuolumne Rivers Groundwater Basin Association GSA Member Agencies
1231 11th Street
Modesto, CA 95354
E-mail: strgba@mid.org

Stanislaus and Tuolumne Rivers Groundwater Basin Association GSA Member Agencies
c/o Eric Thorburn
E-mail: ethorburn@oakdaleirrigation.com

Todd Groundwater
c/o Liz Elliott
E-mail: LElliott@toddengineers.com

Woodard and Curran
c/o Dominick Amador
E-mail: damador@woodardcurran.com

RE: Consolidated Summary of Letters Commenting on the Proposed Allocation Framework and Request for Feedback on Concerns

Dear GSA Member Agencies and Consultants:

We appreciate the opportunity to provide additional comments on the Modesto Subbasin's (Subbasin) proposed Groundwater Management Program Allocation Framework (Framework), presented at the July 16, 2025 STRGBA GSA (GSA) Management Actions Workshop, and the subsequent GSA Meetings and Workshops. We are writing this letter to provide a consolidated summary of six (6) comment letters submitted to the GSA since the workshop, including two (2) submitted by Provost & Pritchard Consulting Group (Provost & Pritchard), in preparation for the next workshop scheduled for some time in October of this year.

Our intent of this summary is to ensure that the content of those letters remain visible and are being considered by the GSA, Stewards, their consultants, and interested parties, as the Framework is refined and ultimately finalized. This summary focuses on the recommendations, questions, and concerns raised in those letters that have not yet been addressed by the GSA to the best of our knowledge. We request the GSA Member Agencies and consultants address these questions and concerns prior to the October Management Actions Workshop. The following letters are included in this summary, and copies of which are attached as Exhibits A - F for your ease of reference:

- A. July 25, Modesto Chamber of Commerce – Request for Clarification and Financial Equity in GSP Well Mitigation Plan
- B. July 31, Provost & Pritchard – Modesto Subbasin Groundwater Management Program – Allocation Framework

- C. August 4, Friends of Modesto Irrigation District (MID) – STRGBA GSA’s Management Actions and Well Mitigation Plan
- D. August 12, California Cattlemen’s Association – STRGBA Allocation Framework and Fees
- E. August 15, Non-District West Management Area –Groundwater Management Program Allocation Framework
- F. August 20, Provost & Pritchard– Management Area Accountability for Groundwater Level Exceedances and Groundwater Overdraft

Although these letters discuss different components of the Framework, they share common themes, overlapping recommendations, and recurring concerns about the incredibly important decisions the GSA, Stewards, and their consultants must imminently make to finalize the Framework by January 2026. The key themes and concerns raised across the letters are summarized below, with outstanding questions highlighted in **bold**:

1. Equity of Allocations

- Concerns about a “one size fits all” approach, given the numerous proactive actions already undertaken in the Non-District West (NDW), Oakdale Irrigation District (OID) and Modesto Irrigation District (MID) Management Areas, at significant expense, to develop and administer multiple proactive programs and conjunctive use systems in a manner that ensures sustainable and responsible use of groundwater.
 - **The NDW, OID and MID Management Areas’ sustainable use of groundwater responsibly provides water to approximately 5,500 growers and 275,000 residents, whereas the NDE’s overdraft is benefitting a comparatively smaller number of growers. How can a one size fits all approach be justified?**
- Several letters suggest that cost responsibilities and charges imposed by the GSA should accurately reflect the level of investment made by the NDW, OID and MID Management Areas to the “bank account”, with reimbursement provided to these 3 Management Areas, which have already developed recharge infrastructure and surface water delivery systems, and which continue to implement new programs to improve their systems (Expressed in Letters A, B, C, E, and F).
 - **What investments have NDE or Stanislaus County made in securing or expanding surface water access?**
 - **What actions will be taken to respond to continued water level declines below MTs in the NDE?**
 - **Will the allocation framework include additional recharge “deposits” or “credits” for the relevant Management Area “Bank Accounts” (i.e., deep percolation of applied groundwater for flood irrigation water, surface water, stormwater retention basins, on-farm retention/recharge basins and rockwells, and at urban wastewater treatment areas, etc.)?**
- Concerns about how allocation of the sustainable yield will be determined for different water users, and Management Areas as a whole, especially with respect to those water users who do not use or have limited use of groundwater, such as non-irrigated grazing rangeland (Expressed in Letters B and D).
- Ensure any allocation framework protects unexercised overlying groundwater rights and provides for livestock drinking water, which needs to be protected and not arbitrarily transferred (Expressed in Letter D).
 - **How are overlying groundwater rights going to be protected?**
 - **How are non-exercised overlying groundwater rights going to be protected in the future?**
- Clarification on allocation trading and “optimization” (Expressed in Letters B and E).

- Why should the NDW, OID and MID Management Areas have their unused sustainable yield of groundwater made available by use in the NDE Management Area (rather than conserving the unused groundwater for drought years), instead of encouraging the NDE Management Area to reduce pumping and implement programs and/or other management actions to reduce the overdraft in the NDE? Allocating the NDW, OID and/or MID Management Area's unused sustainable yield to the NDE may allow pumping in the NDE to continue at current levels, rather than incentivizing the NDE to implement solutions to address the overdraft and create a system of sustainable use by the NDE.
- Will allocations trading within Management Areas or "optimization" between Management Areas effectively assist with the recovery of groundwater levels in the overdrafted NDE Management Area?
- Isn't the "optimization" conflicting with the idea that trading can only be done within Management Areas?
- If unused allocations to the NDW, MID and/or OID Management Areas are able to be transferred to the NDE, how will the transferring Management Area be compensated?

2. Recommended Direction for the NDE Management Area

- The GSA's monitoring to date shows the NDE Management Area's overdraft contributions is noticeably different from the other 3 Management Areas, with a deficit of approximately 70,000 AF in 2023 and approximately 58,500 in 2024. Specifically, the OID and NDW Management Areas are already sustainable, and with minimal modifications, which MID has already begun making, the MID Management Area will be sustainable. Maps showing where overdraft is occurring within the Subbasin in 2023 and 2024 are attached as Exhibit G. (Expressed in Letters B, C, and F).
 - Why is the GSA not strongly encouraging and/or incentivizing the NDE to install meters and provide access by the GSA's consultants to inspect and monitor groundwater use, conduct depth to groundwater monitoring, water quality testing, etc. for SGMA Annual Reporting?
 - Any costs incurred by the GSA for the consultant's monitoring work should be allocated to the Management Area where the consultants are required to work.
- MID and OID have both implemented programs that will make surface water available to the NDE. While we recognize that the NDE is making progress in utilizing OID's program, the NDE should also take full advantage of MID's programs. However, to date, there have been limited applications submitted by NDE landowners (Expressed in Letters A, B, and C).
 - Why isn't the County ensuring that the NDE purchases surface water from OID or MID when it is made available through the programs, in lieu of pumping groundwater?
 - The Management Actions need to be strong enough to incentive the NDE to participate in Projects.

3. MID and OID Management Area Recommendations

- Reduce unnecessary deep groundwater pumping in OID, MID and the City of Modesto during normal and wet years and properly increase the use of readily available surface water supply (Expressed in Letter B and C).
- Explore opportunities to serve Waterford, and possibly Salida, Riverbank and the Community of Del Rio, with treated surface water from MID's under-utilized City of Modesto treatment plant and pipelines (Expressed in Letter B).

- Incentivize flood irrigation during normal and wet years, the capture of flood flows and recharge by growers.

4. Monitoring & Enforcement

- The County Stewards should be ensuring that all NDW and NDE landowners, both agricultural and urban, Del Rio Community, City of Riverbank, etc., of the impending Management Actions (Expressed in Letters B, D, and E).
 - How will the details of any proposed (and/or implemented) management actions be communicated by the Stewards to the public that will be impacted by the management actions, as well as all GSA Member Agency representatives to ensure they are all advised of the Stewards' decisions? (Expressed in Letter C)
 - What level of public outreach will be required to the Subbasin in general? It is important that all landowners and water users who are directly impacted by the GSA's decisions are intentionally included in the public outreach process.
- Stanislaus County and the City of Riverbank will be the Stewards for the NDW (Expressed in Letters B, D, and E).
 - Who will be charged with actual decision-making authority about the allocation, penalties for violating directives, etc.? How will those decisions be made? (Expressed in Letter E)
 - Will STRGBA provide any oversight of the stewards?

In conclusion, given the disparity in groundwater use within the NDE, we recommend the GSA ensures that the management actions and allocation of costs associated with achieving sustainability are applied in an appropriate and equitable manner. Addressing the outstanding concerns set forth above is essential to ensuring the GSA's decisions are reasonable. Responses to the foregoing concerns are also necessary to build confidence in, and encourage participation with, the Framework. We appreciate your consideration of these unresolved issues and look forward to continuing discussions with the GSA.

Respectfully,



Michael (Mike) Day, PE
Principal Engineer
Provost & Pritchard Consulting Group
MJD



Ethan Andrews, GIT
Associate Water Resources Specialist
Provost & Pritchard Consulting Group
EHA

cc: Modesto Chamber of Commerce c/o Michael Moradian - michaeljmoradianjr@gmail.com
Stanislaus County WAC and Stanislaus Farm Bureau c/o Tom Orvis - tomo@stanfarmbureau.org
Friends of MID c/o Stacy Henderson – stacy@hendersonhatfield.com
MID Board of Directors c/o Angela Cartisano - Angela.Cartisano@mid.org
OID Board of Directors c/o Cassie White – cwhite@oakdaleirrigation.com
Modesto City Council c/o City Clerk Diane Nayares-Perez - dnayaresperez@modestogov.com
Oakdale City Council c/o City Clerk Patrick Mondragon – cityclerk@oakdaleca.gov
Riverbank City council c/o City Clerk Gabriela Hernandez – ghernandez@riverbank.org and cityclerk@riverbank.org
Waterford City Council c/o City Clerk Patricia Krause – pkrause@cityofwaterford.org

Stanislaus County Board of Supervisors c/o Clerk of the Board Elizabeth A. King –
cobsupport@stancounty.com
California Cattlemen's Association c/o Billy Gatlin – billy@calcattlemen.org
California Cattlemen's Association c/o Kirk Wilbur – kirk@calcattlemen.org
NDW Representative Alexis Stevens – astevens@somachlaw.com

**EXHIBIT A – JULY 25, MODESTO CHAMBER OF COMMERCE
– REQUEST FOR CLARIFICATION AND FINANCIAL EQUITY IN GSP
WELL MITIGATION PLAN**



Modesto Means Business

Friday, July 25, 2025

Chairperson

Patricia Gillum

Chairperson Elect

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Immediate Past Chairman

Kirstie Boyett Zacharias

Vice Chairman, Internal Operations, Treasurer

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Kari Santos

Christine Schweininger

Kelly Tallant-Martin

Laura Ward

President & CEO

Trish Christensen

1114 J Street
Modesto, CA 95354
(209) 577-5757
FAX (209) 577-2673

Subject: Request for Clarification and Financial Equity in GSP Well Mitigation Plan

Dear GSA Representatives,

As a Modesto resident, a business owner of two locally based companies, and Chair of the Modesto Chamber of Commerce Water Committee, I am writing to affirm my support for groundwater sustainability while expressing serious concerns about the cost-sharing and implementation strategy currently under consideration for the well mitigation plan.

Commitment to Groundwater Sustainability

We are all legally obligated to address over-pumping in our subbasin. I fully support initiatives that reduce groundwater dependence in the Non-District East (NDE) and Stanislaus areas, including expanding access to surface water. The NDE area alone carries a water pumping deficit of approximately **65,000 acre-feet per year**, while no other regions within the GSA are in a serious deficit.

In contrast, both the **City of Modesto** and **MID** have independently invested **hundreds of millions of dollars** into groundwater recharge infrastructure and expanding surface water delivery systems. However, the current mitigation strategy appears to place a disproportionate **financial burden on the ratepayers of Modesto and MID**, both urban and agricultural, without offering adequate long-term reimbursement mechanisms for the entities funding these improvements.

Proposal for Equitable Cost Recovery

To ensure fairness, I recommend that GSA partners assist NDE and Stanislaus with infrastructure development **on a reimbursable basis**. These areas should commit to repaying the investment over a 10–20 year period through increased water fees or special assessments. This model reflects a shared commitment to groundwater sustainability while promoting fiscal responsibility across all stakeholders.

Critical Economic Context

Land Value Appreciation: NDE landowners originally acquired grazing lands—without surface water access at relatively low costs (currently estimated at \$2,500 to \$3,500 per acre). These lands have since been converted into irrigated farms and are now currently valued at \$8,000 to \$14,000 per acre. With surface water access, their value could rise to current values \$28,000–\$32,000 per acre, representing a **total increase of \$150M–\$199M** across approximately 11,000 acres.





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Cost Disparity Among Stakeholders: In contrast, landowners within MID and OID paid market premiums for farmland with access to surface water, current costs at \$28,000 to \$32,000 per acre. These farmers have also consistently paid higher rates for surface water delivery. Shifting the cost burden to them now so NDE can reap long-term land value gains is inequitable and undermines decades of responsible water planning and investment.

Lack of Comparable Investment by NDE: What tangible investments have Stanislaus County or NDE made in securing or expanding surface water access over the past decade? To my knowledge, there have been no significant infrastructure, recycling, or recharge projects initiated in those areas.

Questions Requiring Immediate Clarification

To ensure transparency and informed decision-making, I respectfully request responses to the following:

1. What is the total estimated cost of this mitigation plan to Modesto residents and MID ratepayers?
2. Why was the "Overlying Area" cost-sharing approach selected instead of the more logical "Developed Area" method?
3. Why are unused allocations redistributed at a 2:1 ratio between Modesto and NDE, when the original allocation ratio is closer to 3.5:1?
4. What repayment mechanisms are being proposed if NDE and Stanislaus County reimburse other GSA partners who cover infrastructure costs?
5. Can MID reduce deep well groundwater pumping in normal or wet years to assist with mitigation?
6. Why isn't the County requiring NDE to purchase surface water immediately from OID or MID at \$200/acre-foot as a mitigation step?

Call for Collaborative Dialogue

At the last MID meeting, John Duarte expressed concerns that this plan could put him and other farmers out of business. As a fellow business owner, I empathize with the economic pressures we all face. However, we must adopt **solutions that are equitable, data-driven, and fair to all GSA participants.**



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Accordingly, I respectfully request an urgent meeting at the **Modesto Chamber of Commerce** with our **executive team**, myself, and key GSA stakeholders prior to any vote on this matter. At a minimum, I request the participation of:

·MID Director Janice Keating, representing my district

·Supervisor Mani Grewal, representing my district

·Councilman Nick Bavaro, representing my district

·Mayor Sue Zwahlen, City of Modesto

·Eric Thorburn, Chair of the GSA

·CEO Jody Hayes, Stanislaus County

I believe that with transparency and good faith, we can reach a balanced path forward that secures Modesto's water future while honoring the investments of all stakeholders.

Sincerely,



Trish Christensen, ACE
President & CEO
Modesto Chamber of Commerce



Michael Moradian
1015 Edgebrook Drive
Chair, Modesto Chamber of Commerce Water Committee

cc: Modesto Chamber of Commerce Executive Team
MID Board of Directors c/o Angela Cartisano- Angela.Cartisano@mid.org
Modesto City Council council@modestogov.com
Stanislaus County Board of Supervisors cobsupport@stancounty.com
MID Board Member Janice Keating janice.keating@mid.org
Supervisor Mani Grewal grewalm@stancounty.com
Councilman Nick Bavaro nbavaro@modestogov.com
Mayor Sue Zwahlen mayor@modestogov.com
Chair of the GSA Eric Thorburn ethorburn@oakdaleirrigation.com
Stanislaus County CEO Jody Hayes hayesj@stancounty.com



**EXHIBIT B – JULY 31, PROVOST & PRITCHARD – MODESTO
SUBBASIN GROUNDWATER MANAGEMENT PROGRAM –
ALLOCATION FRAMEWORK**

PROVOST & PRITCHARD CONSULTING GROUP

4701 Sisk Rd, Ste 102, Modesto, CA 95356 • (209) 809-2290
www.provostandpritchard.com

July 31, 2025

VIA ELECTRONIC MAIL AND U.S. MAIL

Stanislaus and Tuolumne Rivers Groundwater Basin Association GSA Member Agencies
1231 11th Street
Modesto, CA 95354
E-mail: strgba@mid.org

Todd Groundwater
c/o Liz Elliott
E-mail: LElliott@toddengineers.com

Woodard and Curran
c/o Dominick Amador
E-mail: damador@woodardcurran.com

RE: Modesto Subbasin Groundwater Management Program - Allocation Framework

Dear GSA Member Agencies and Consultants:

We prepared this letter in response to the materials presented at the STRGBA GSA's Management Actions Workshop for the Modesto Subbasin (Subbasin) on July 16, 2025. While the workshop displayed noticeable progress in laying the foundation for the Subbasin's Groundwater Management Program's groundwater allocation framework, it appears the process remains behind schedule, considering the tentative items yet to be discussed, such as:

- More proactive allocation strategies that account for additional "Bank Account deposits" or groundwater sustainability contributions made by each Management Area into their respective Bank Accounts (i.e., deep percolation of applied irrigation water, surface water, stormwater retention basins, on-farm retention/recharge basins and rockwells, and at urban wastewater treatment areas);
- Implementation costs or allocation fees, which, if the GSA determines they are necessary, should be allocated in different amounts to each Management Area, with the greatest allocation to the Non-District East (NDE) Management Area;
- Determination of triggers, impacts, and/or conditions to mitigate or intensify Projects/Management Actions (PMAs);
- The extent of any limitations that will be imposed on water trading; and
- The authority granted to the Stewards and required oversight by each Management Area's governing body(ies) to ensure the Stewards exercise their authority in accordance with the law and in an equitable and appropriate manner.

Our understanding of the "Bank Account Theory" based on the information presented by the GSA's consultants during the July 16, 2025 Workshop, is that the Subbasin's "Bank" is based on the inflows/outflows of a water budget, where groundwater recharge from "natural sources", including deep percolation from rain, gain/discharge from river and stream, and net subsurface inflows that cross basin

boundaries, provides a baseline “deposit” to balance groundwater pumping and support what is considered “Sustainable Yield”. In contrast, recharge from managed human made systems, including direct and indirect (in-lieu) recharge, canal and reservoir seepage, deep percolation of applied groundwater for irrigation, recharge from stormwater retention basins, on-farm retention/recharge basins and rockwells, and recharge from urban wastewater treatment areas are considered Management Area-induced “deposits”. Groundwater pumping represents “withdrawals” from the Subbasin Bank. Under this framework, accounting is done by the “Stewards” and the Stewards’ consultants on a property-by-property and agency basis. Balances are tracked by Management Area with no beginning balance prior to tentative implementation of an allocation program.

Sustainable Yield is only one of the inflows and outflows in the Subbasin’s water budget, and is determined on a basin-scale (Section 354.18 (b)(7)). It is not GSA-specific or what each person gets to extract. Sustainable Yield is defined as how much groundwater the basin as a whole can pump sustainably, or “the maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus, that can be withdrawn annually from a groundwater supply without causing an undesirable result.” While SGMA only requires sustainable yield to be estimated at the basin scale, the current allocation framework only considers canal and reservoir seepage contributed by OID and MID, ignoring those areas that have already taken action to minimize groundwater “withdrawals”. A more equitable approach would consider the additional contributions noted above when distributing allocations for each Management Area. Further, this approach would appropriately acknowledge those areas that have actually contributed to the Subbasin Bank Account since SGMA implementation by prioritizing surface water use and sustainable pumping. While some may view this concept as a penalty for the Management Areas (the NDE in particular) that have not yet taken sufficient steps to reduce groundwater withdrawals, to engage in mitigation efforts, and/or purchase of surface water, we view this as a critical opportunity for the NDE to be required to take proactive measures over the next year (prior to the allocation program’s implementation in January 2027) by reducing groundwater pumping, increasing surface water use, and contributing to groundwater recharge.

A few additional thoughts relating to the current framework of the Bank Account Theory:

- The consultant’s presentation of the draft Management Actions Plan did not provide numbers for some of the recharge components we believe are likely in their groundwater model. Their presentation only showed the following components: Sustainable Yield, canal and reservoir recharge, and pumping, excluding recharge from the following sources that should be accounted as “deposits” in the respective Management Area Bank Accounts:
 - Deep percolation of applied groundwater for irrigation water.
 - Recharge at stormwater retention basins, rockwells, urban wastewater treatment ponds and on-farm retention/recharge basins.
 - Note that discharge to rivers or streams from groundwater is factored as a “withdrawal” that cancels out some of the seepage “deposits.”
 - Migration of groundwater across Management Area boundaries and seepage from rivers and streams that has historically been induced by groundwater pumping in the NDE is being “grandfathered in” without compensation (unlike in the Turlock Subbasin where compensation from the East Turlock Subbasin is occurring through a transitional fee paid to the West Turlock Subbasin).
- 23,600 AFY of seepage from Modesto Reservoir is credited to the Modesto Management Area even though a portion of it is physically immediately pumped from the groundwater system by the NDE and City of Waterford.
- Use of groundwater by non-agricultural plants outside of farms and urban areas was not discussed during the workshop but should be accounted for in the Bank Account Theory.

- The NDE property owners should be required to provide access to their property and be required to report groundwater use to the GSA's consultants so the GSA can have a more accurate accounting of the use of groundwater in the NDE.

In addition, we believe that we need to encourage the following simple solutions to increase "deposits" to the Subbasin Bank:

- 1) Reduce unnecessary well pumping.
 - a. To do this, MID will need to further modernize its distribution system (i.e., smart flow meters, automated gates and weirs, SCADA, etc.) to better regulate the canals and reduce use of deep groundwater wells to balance the operation of its distribution systems.
 - b. MID must commit to reduce pumping of MID's deep groundwater wells by 50% during normal to wet years (similar to what has occurred in OID) and to improve management of MID's distribution system, ditch tender operations, and the accuracy of irrigation water delivery so MID does not simply use deep groundwater wells as a convenience. By doing so, the growers' failure to properly notify the District about turnout flow changes, as well as ditch tender mistakes, are not initially addressed by turning on the deep groundwater wells, but rather ditch tenders will be required to better balance supplies and demands within the distribution system and an appropriate amount of spill is allowed. Since MID's system is a gravity flow system, allowing the system to function with spill water is actually beneficial, spills are mostly recaptured for use within the Subbasin and contribute to environmental water uses, and can be accounted as such, which is a far better use of MID's resources than unnecessary and excessive pumping of deep groundwater wells.
- 2) Increase surface water use.
 - a. Allow growers who need to add booster pumps and filter stations in order to take their surface water allocations to make deals with others within their Management Area or other Management Areas to finance those improvements and their operation and maintenance in exchange for groundwater recharge credits.
 - b. Incentivize and/or provide credits for flood irrigation and winter flooding with surface water.
 - c. MID along with the City of Modesto should explore serving Waterford, and possibly Salida and Riverbank, with treated surface water from MID's under-utilized City of Modesto treatment plant and pipelines.
 - d. Since it is clearly necessary for the NDE to reduce groundwater pumping, the NDE growers need to be strongly encouraged to take advantage of the programs that MID and OID have already implemented which allow the NDE to purchase surface water to be used instead of groundwater.

To conclude, we recommend the Groundwater Management Program require a more complete accounting of all recharge components and take a proactive approach that recognizes and addresses the NDE's significantly disproportionate cause of the Undesirable Effects in the Modesto Subbasin (deficit of approximately 70,000 AF in 2023 and approximately 58,500 in 2024) and that the Program follow the principal of allocating Management Action costs and imposition of management actions within the Management Areas in proportion to their responsibility for causing Undesirable Effects. Finally, we kindly request that future workshop materials be shared with enough lead time, so the public and GSA representatives have adequate time to review with their constituents and boards, and there can be more constructive workshop discussions.

Respectfully,



Michael (Mike) Day, PE
Principal Engineer
Provost & Pritchard Consulting Group
MJD



Ethan Andrews, GIT
Associated Water Resources Specialist
Provost & Pritchard Consulting Group
EHA

cc: Modesto Chamber of Commerce c/o Michael Moradian - michaeljmoradianjr@gmail.com
Stanislaus County WAC and Stanislaus Farm Bureau c/o Tom Orvis - tomo@stanfarmbureau.org
Friends of MID c/o Stacy Henderson - stacy@hendersonhatfield.com
MID Board of Directors c/o Angela Cartisano - Angela.Cartisano@mid.org
OID Board of Directors c/o Cassie White - cwhite@oakdaleirrigation.com
Modesto City Council c/o City Clerk Diane Nayares-Perez - dnayaresperez@modestogov.com
Oakdale City Council c/o City Clerk Patrick Mondragon - cityclerk@oakdaleca.gov
Riverbank City council c/o City Clerk Gabriela Hernandez - ghernandez@riverbank.org and
cityclerk@riverbank.org
Waterford City Council c/o City Clerk Patricia Krause - pkrause@cityofwaterford.org
Stanislaus County Board of Supervisors c/o Clerk of the Board Elizabeth A. King -
cobsupport@stancounty.com

**EXHIBIT C – AUGUST 4, FRIENDS OF MODESTO IRRIGATION
DISTRICT (MID) – STRGBA GSA'S MANAGEMENT ACTIONS AND
WELL MITIGATION PLAN**



Stacy L. Henderson
stacy@hendersonhatfield.com

August 4, 2025

VIA ELECTRONIC MAIL ONLY

STRGBA GSA Member Agencies (strgba@mid.org)
Todd Groundwater c/o Liz Elliott (LElliott@toddengineers.com)
Woodard and Curran c/o Dominick Amador (damador@woodardcurran.com)

*Re: STRGBA GSA's Management Actions and Well Mitigation Plan
HH Matter ID: 2977-001*

Dear STRGBA GSA Member Agencies and Consultants:

On behalf of the Friends of MID, I want to thank the STRGBA GSA Member Agencies and Consultants for the information provided during the recent workshops to discuss the proposed Management Actions and Well Mitigation Plan. As you are working to further refine the details for both of these incredibly important matters, we respectfully request that the following considerations form the basis of the terms:

1. Differences in Management Area and Division of Burden – It remains important to continue to recognize that 4 Management Areas were established by the STRGBA GSA's GSP in recognition of the fact that there are drastically different groundwater conditions throughout the subbasin, the scope of which has repeatedly been supported by the ongoing monitoring by the GSA, and the Oakdale and Modesto Management Areas have already spent millions of dollars creating a sustainable conjunctive use system. For these reasons, it is necessary to disregard the fallacy that it is acceptable to have 1 set of rules for the entire Subbasin. It is also important that the costs of the Well Mitigation Plan and any costs or charges associated with the Management Actions not be divided evenly among all Member Agencies. Instead, it is indisputable that the conditions in the NDE Management Area support allocation of the greatest responsibility for costs and charges to the NDE.
2. Modesto Management Area – It is our understanding that MID has already been actively working to reduce groundwater pumping to address the miniscule reduction proposed by the Consultant during the July 16, 2025 workshop. MID and the City of Modesto both need to continue reduce unnecessary pumping of the deep groundwater wells and properly increase the use of the readily available surface water supply. Reduced pumping of deep groundwater wells, coupled with the correct reporting of deep groundwater well pumping vs. shallow groundwater pumping (which is necessary for the crops and has no negative impact on the Subbasin), should quickly resolve any potential extremely minor issue currently impacting the Modesto Management Area.
3. Increased Use of Surface Water – The NDE Management Area landowners should be required to take advantage of the surface water made available through MID and OID's groundwater replenishment programs. It is simply nonsensical to assert that the rate charged by MID and/or OID to purchase surface water is too high, as the only alternative for the NDE is to fallow land.

4. Stewards – For each Management Area, the Stewards must apply sound judgment and respect the legal rights of the landowners in making decisions regarding groundwater allocation, credits, trading programs, etc. While the decisions that are made may be delegated to each individual Management Area, the ultimate decisions and the structure, terms and conditions of any programs implemented by the Stewards should be reported to the public and all GSA Member Agency representatives to ensure transparency.

We look forward to continuing to work with the GSA to ensure the decisions that are made regarding the proposed Management Actions and Well Mitigation Plan are logical, reasonable and equitable when considering the drastically different conditions within the Modesto Subbasin.

Sincerely,

Stacy L. Henderson

Stacy L. Henderson
Attorney at Law

Cc: Friends of MID

Modesto Irrigation District

Board of Directors c/o Angela Cartisano
(angela.cartisano@mid.org)
Jimi Netniss (jimi.netniss@mid.org)
Jesse Franco (jesse.franco@mid.org)

Modesto Chamber of Commerce

Trish Christensen
(tchristensen@modchamber.org)
Michael Moradian
(michaeljmoradianjr@gmail.com)

OID Board of Directors c/o Casse White
(cwhite@oakdaleirrigation.com)

Oakdale City Council c/o Patrick Mondragon
(cityclerk@oakdaleca.gov)

Waterford City Council c/o Patricia Krause
(pkrause@cityofwaterford.org)

City of Modesto

Joseph Lopez (joelopez@modestogov.com)
Mayor Sue Zwahlen (mayor@modestogov.com)
(szwahlen@modestogov.com)
Vice Mayor Nick Bavaro
(nbavaro@modestogov.com)
Chris Ricci (cricci@modestogov.com)
Rosa Escutia-Braaton
(rescutiabraaton@modestogov.com)
Eric Alvarez (ealvarez@modestogov.com)
Jeremiah Williams
(jwilliams@modestogov.com)
David Wright (dawright@modestogov.com)
Tim Barahona (tbarahona@modestogov.com)

Riverbank City Council c/o Gabriela Hernandez
(ghernandez@riverbank.org) and
(cityclerk@riverbank.org)

Stanislaus County Farm Bureau and Water
Advisory Committee c/o Caitie Diemel
(caitiec@stanfarmbureau.org)

Stanislaus County Board of Supervisors c/o
Elizabeth A. King
(cobsupport@stancounty.com)

**EXHIBIT D – AUGUST 12, CALIFORNIA CATTLEMEN'S
ASSOCIATION – STRGBA ALLOCATION FRAMEWORK AND FEES**



August 12, 2025

Via Electronic Mail Only

Stanislaus and Tuolumne Rivers Groundwater Basin Association
1231 Eleventh Street
P.O. Box 4060
Modesto, CA 95354
strgba@mid.org

Re: STRGBA Allocation Framework and Fees

Dear STRGBA Member Agencies:

The California Cattlemen's Foundation (CCF), California Cattlemen's Association (CCA), San Joaquin/Stanislaus Cattlemen's Association, and Tuolumne County Cattlemen's Association recently became aware that the Stanislaus and Tuolumne Rivers Groundwater Basin Association's (STRGBA) is considering various management actions in the Modesto Subbasin that may affect non-irrigated rangeland. Because ranchers operating on non-irrigated rangeland generally do not use groundwater, they often do not engage on Sustainable Groundwater Management Act-related issues. As the STRGBA implements SGMA, we would like to provide information specific to rangeland that is important for the STRGBA to consider.

CCF is a 501(c)(3) California Nonprofit Public Benefit Corporation representing all cattle ranchers and beef producers throughout California. CCF's purpose is to support and engage in educational, legal, charitable, and research activities related to cattle ranching in California. CCA is a statewide trade association representing more than 1,700 cattle ranchers and beef producers throughout California with the purpose of nourishing people, caring for livestock, and sustaining the environment for all Californians. The San Joaquin/Stanislaus and Tuolumne County cattlemen's associations are affiliate organizations of CCA representing cattle producers – including those residing within the Modesto Subbasin and the Non-District East area of the Subbasin – on matters of local importance. The ranchers represented by our organizations pride themselves upon the responsible stewardship of the state's land, water, and wildlife resources.

1. Conduct direct outreach to owners/operators of non-irrigated rangeland.

Many owners and operators of non-irrigated rangeland do not follow SGMA implementation because they do not use significant amounts of groundwater. Because there are so many other issues cattle producers grapple with every day, most ignore SGMA because they do not irrigate. This means that when Groundwater Sustainability Agencies begin discussing issues that may affect all land within a basin, such as allocations and fees, ranchers are often unaware of these issues.

To ensure that impacted stakeholders are aware of issues that may affect them, we encourage the STRGBA to conduct direct outreach to cattle producers and other owners/operators of non-irrigated rangeland. This outreach may include: a) meeting with local cattlemen's associations to discuss management actions that STRGBA is considering which may impact rangeland, b) including local livestock associations on the list of interested persons, c) directly contacting by mail all landowners within the basin, and d) clearly stating in outreach materials that issues may affect the recipient even if they do not pump groundwater. Our organizations stand ready and willing to assist STRGBA in facilitating this outreach.

2. Ensure any allocation framework protects unexercised overlying groundwater rights and provides for livestock drinking water.

At its July 16, 2025 meeting the STRGBA discussed an Allocation Framework that outlined how the basin's sustainable yield would be allocated among the management areas and presumably groundwater users within those management areas. As this framework is further developed, our organizations request the STRGBA ensure that unexercised overlying groundwater rights are protected and that the minimal amount of water required for livestock drinking water is unaffected.

First, the allocation system must protect overlying groundwater rights by ensuring that landowners with unexercised overlying groundwater rights can access their share of the sustainable yield in the future.

Second, the allocation system should not impact groundwater used for livestock drinking water. The amount of water used for livestock drinking water on a per-acre basis is so minimal that there is no measurable effect on the groundwater budget. In a typical seasonal grazing operation, cow-calf pairs would consume an estimated 0.004 acre-feet/acre (~1.2 mm/acre) of water. While this amount is far less than the margin of error for the groundwater model and any available measurement system, this drinking water is critical to animal health and important to supporting rangeland remaining as undeveloped open space.

3. Carefully consider non-irrigated rangeland's specific burdens and benefits regarding SGMA implementation when developing fees.

While the early phases of SGMA implementation were generally funded through state grants, many GSAs will eventually be required to impose fees to support ongoing SGMA implementation. In some areas, GSAs have taken the approach that all land within the subbasin benefits from the local agency serving as the GSA and consequently it is proper to charge all land a SGMA fee. We strongly encourage the STRGBA to avoid this overly simplistic approach.

Should the STRGBA or any of its member agencies be in a position of considering fees to fund SGMA implementation, we encourage the agency to consider the relative burdens and benefits of different land uses on SGMA implementation. As explained above, even if livestock were entirely reliant on drinking groundwater for the grazing season – our understanding is that most rely on stockponds and other surface water sources – the amount of water consumed on a per-acre basis is too small to measure. Put another way, an orchard using 42 inches of groundwater would use nearly 1,000 times more water per acre than cattle grazing non-irrigated rangeland.

We encourage the STRGBA and its member agencies to ensure that any fee developed fairly apportions the relative benefits and burdens of non-irrigated rangeland compared to other land uses in the subbasin. Non-irrigated rangelands provide natural recharge areas with minimal groundwater demand that are essential to long term sustainable groundwater management. A defensible and equitable fee will recognize these benefits to the basin as well as the fact such land uses impose no burden on the GSA.

Conclusion

The California Cattlemen's Foundation, California Cattlemen's Association, San Joaquin/Stanslaus Cattlemen's Association, and Tuolumne County Cattlemen's Association appreciate the opportunity to provide these comments for the STRGBA's consideration. If we can help STRGBA or its member agencies on any of the issues raised in this letter, please reach out to billy@calcattlemen.org or kirk@calcattlemen.org.

Sincerely,

Billy Gatlin
Executive Director
California Cattlemen's Foundation

Kirk Wilbur
Vice President of Government Affairs
California Cattlemen's Association

Mike Gonsalves
President
San Joaquin/Stanislaus Cattlemen's Association

Bob Brennan
President
Tuolumne County Cattlemen's Association

CC:

Elizabeth A. King, Clerk of the Board, Stanislaus County Board of Supervisors,
cobsupport@stancounty.com
Buck Condit, District 1 Supervisor, Stanislaus County Board of Supervisors,
conditb@stancounty.com
Vito Chiesa, District 2 Supervisor, Stanislaus County Board of Supervisors,
chiesav@stancounty.com
Terry Withrow, District 3 Supervisor, Stanislaus County Board of Supervisors,
withrowt@stancounty.com
Mani Grewal, District 4 Supervisor, Stanislaus County Board of Supervisors,
grewalm@stancounty.com
Chance Condit, District 5 Supervisor, Stanislaus County Board of Supervisors,
conditc@stancounty.com
Nicole Miller, Clerk of the Board, Tuolumne County Board of Supervisors,
boardclerk@co.tuolumne.ca.us
Stephen A. Grier, District 4 Supervisor, Tuolumne County Board of Supervisors,
sgrier@co.tuolumne.ca.us
Jaron E. Brandon, District 5 Supervisor, Tuolumne County Board of Supervisors,
jbrandon@co.tuolumne.ca.us
Diane Nayares-Perez, City Clerk, Modesto City Council,
dnayaresperez@modestogov.com
Patrick Mondragon, City Clerk, Oakdale City Council, cityclerk@oakdaleca.gov
Gabriela Hernandez, City Clerk, Riverbank City Council, ghernandez@riverbank.org
Patricia Krause, City Clerk, Waterford City Council, pkrause@cityofwaterford.org
Angela Cartisano, Board Secretary, Modesto Irrigation District,
angela.cartisano@mid.org
Cassie White, Executive Assistant and Clerk of the Board, Oakdale Irrigation District,
cwhite@oakdaleirrigation.com

**EXHIBIT E – AUGUST 15, NON-DISTRICT WEST
MANAGEMENT AREA –GROUNDWATER MANAGEMENT
PROGRAM ALLOCATION FRAMEWORK**

August 15, 2025

Via Electronic Mail Only

STRGBA
1231 Eleventh Street
P.O. Box 4060
Modesto, CA 95354
strgba@mid.org

Re: Groundwater Management Program Allocation Framework

Dear STRGBA Member Agencies:

I write on behalf of clients located within the Non-District West Management Area (NDW) regarding STRBGA's Groundwater Management Program Allocation Framework (Framework). The NDW is appreciative of STRGBA's efforts to pull together this much needed program in such a limited amount of time. Unfortunately, given the moderate success of Oakdale (OID) and Modesto (MID) Irrigation District's In-Lieu Recharge Projects, and the lack of progress with regard to the other projects identified in the STRGBA Groundwater Sustainability Plan (GSP), STRGBA has no choice but to make the shift to management actions as the primary tool to guarantee sustainability.

We commend STRGBA's efforts to recognize the varied conditions in the subbasin and that such conditions do not lend themselves to a "one subbasin" approach. We are also appreciative of STRGBA's acknowledgement that the responsibility for addressing overdraft should be borne by those causing it and not those, like the NDW, who are already doing their part to ensure the Modesto subbasin is sustainable.

As an initial matter, we support the use of overlying area as opposed to developed area for allocating groundwater resources. This recognizes the fact that there are those in the subbasin who may not currently be exercising their groundwater right and preserves their ability to do so in the future.

The Framework proposes that each management area will be provided with an overall allocation of the sustainable yield that the management area is then responsible for administering. It was explained that "stewards" of the various management areas will be responsible for determining how that allocation is then utilized and/or distributed. We

STRGBA

RE: Groundwater Management Program Allocation Framework

August 15, 2025

Page 2

understand that Stanislaus County and the City of Riverbank will be the stewards for the NDW.

This approach has promise, but the devil will be in the details. Who at the County and Riverbank will be charged with making decisions about the allocation? How will those decisions be made? Will efforts be made to include NDW landowners and other members of the public in those decisions? What, if any, oversight of the stewards will STRBGA provide?

Public participation in decisions regarding an NDW allocation is crucial, especially given the Framework's proposal regarding "optimization." While we understand that this approach seeks to "mitigate" the reductions required in overdrafted areas, it does not appear to recognize the efforts of those making deposits into the groundwater basin bank account, and rewards those that continue to overdraft the account. Moreover, it is unclear whether allocation trading or "optimization" between management areas would actually assist with the recovery of groundwater levels in overdrafted areas. The Framework is conflicting on this point stating that trading "will only be allowed within management areas" but later using optimization to reallocate the NDW and OID excess allocations to the Non-District East and MID. More information on this is needed.

Thank you for the opportunity to provide these comments and for your continued work on behalf of the Modesto subbasin.

Sincerely,



Alexis K. Stevens
Attorney

cc: TODD Groundwater, c/o Liz Elliott (LElliott@toddengineers.com)
Oakdale Irrigation District Board of Directors, c/o Casse White
(cwhite@oakdaleirrigation.com)
Modesto Irrigation District, c/o Paul Peschel (paul.peschel@mid.org)
and Jesse Franco (jesse.franco@mid.org)
City of Oakdale, c/o Jeff Roberts (jroberts@oakdaleca.gov)
City of Modesto, c/o Tim Barahona (tbarahona@modestogov.com)
City of Waterford, c/o Michael Pitcock (mpitcock@cityofwaterford.org)
City of Riverbank, c/o Darren Smallen (dsmallen@riverbank.org)
Stanislaus County, c/o Christy McKinnon (cmckinnon@envres.org)
and Rob Kostlivy (rkostlivy@envres.org)
Modesto Chamber of Commerce (info@modchamber.org)
Modesto City Council (council@modestogov.com)
Stanislaus County Farm Bureau, c/o Caitie Diemel (caitiec@stanfarmbureau.org)

AKS:cr

**EXHIBIT F — AUGUST 20, PROVOST & PRITCHARD—
MANAGEMENT AREA ACCOUNTABILITY FOR GROUNDWATER
LEVEL EXCEEDANCES AND GROUNDWATER OVERDRAFT**

PROVOST&PRITCHARD CONSULTING GROUP

4701 Sisk Rd, Ste 102, Modesto, CA 95356 • (209) 809-2290
www.provostandpritchard.com

August 20, 2025

VIA ELECTRONIC MAIL AND U.S. MAIL

Stanislaus and Tuolumne Rivers Groundwater Basin Association GSA Member Agencies
1231 11th Street
Modesto, CA 95354
E-mail: strgba@mid.org

Todd Groundwater
c/o Liz Elliott
E-mail: LElliott@toddengineers.com

Woodard and Curran
c/o Dominick Amador
E-mail: damador@woodardcurran.com

RE: Management Area Accountability for Groundwater Level Exceedances and Groundwater Overdraft

Dear GSA Member Agencies and Consultants:

We're encouraged by the engagement of the Management Areas within the Modesto Subbasin (Subbasin) since the Groundwater Management Program Allocation Framework was proposed at the July 16, 2025 STRGBA GSA (GSA) Management Actions Workshop. We appreciate the opportunity to provide additional comments on the proposed Allocation Framework, as well as comment on the Subbasin's current status of Undesirable Results (URs) presented at the August 14, 2025 GSA meeting.

As the GSA continues to refine, and ultimately finalize, the Management Actions, and the Groundwater Management Program Allocation Framework, in particular, is important to keep the following important issues in mind:

1. The 4 Management Areas were created within the Subbasin as a result of the drastically different conditions within the Subbasin.
2. The monitoring to date continues to confirm the Non-District East (NDE) Management Area's significantly disproportionate contribution to Undesirable Effects in the Modesto Subbasin (deficit of approximately 70,000 AF in 2023 and approximately 58,500 in 2024), which is drastically different from the other 3 Management Areas. Specifically, the Oakdale and NDW Management Areas are already sustainable and with extremely minimal modifications, the MID Management Area will again be sustainable.
3. The GSA needs to follow the principle of imposing Management Actions and allocating Management Action costs to each of the Management Areas in proportion to their responsibility for causing Undesirable Effects, which will appropriately place the primary burden on the NDE, as opposed to the ratepayers in the NDW, Oakdale and MID Management Areas.

We also propose the following points for further consideration before the Allocation Framework is finalized:

1. **Accountability of MT Exceedances** – Current reporting of MT exceedances are summarized by Principal Aquifers/Rivers, not by Management Area. By not presenting the results at the Management Area level, accountability for exceedances is unclear. Please provide the results for each Management Area.
2. **Monitoring Consistency** – Some Representative Monitoring Wells (RMWs) are missing recent measurements (e.g., Quesenberry-223 with only three measurements over the past 10 years), but these gaps are not being explained or attributed to a responsible Management Area (NDE). It is important to require the NDE Management Area to monitor groundwater usage and levels and to properly report monitoring results.
3. **More Equitable Allocations by Management Area** – The Groundwater Management Program Allocation Framework would be more equitable if it were to recognize the efforts certain Management Areas (OID and MID) have already taken to maintain stable groundwater levels and contribute to the Subbasin's groundwater "bank account" by reducing groundwater withdrawals through projects or prioritizing surface water use when available.

Accountability of MT Exceedances

While the recent GSA meeting highlighted the Subbasin's progress in avoiding URs during Water Year 2025 for the Chronic Lowering of Groundwater Levels and Interconnected Surface Waters Sustainability Indicators, the summary of GSP monitoring results downplayed where the Minimum Threshold (MT) exceedances are occurring in the Subbasin (the NDE) – a critical step in addressing water level decline.

The Subbasin's GSP states that monitoring networks are designed to "evaluate sustainability indicators in each management area" and "monitor for minimum thresholds in each management area to avoid undesirable results." However, the GSA meeting summarized the percentage of measured RMWs below their assigned MTs by Principal Aquifer (for water levels) and Principal Rivers (for Interconnected Surface Waters), rather than by Management Area. While this aligns with how URs are defined in the GSP, it obscures accountability as to which Management Area is contributing to the exceedances (the NDE). Future GSA presentations should not only address how the Subbasin is performing relative to URs but also identify where those exceedances are occurring and who is responsible for addressing those exceedances so the Management Actions and related costs can be allocated appropriately. For example, **Table 1**, as presented at the meeting, showed 0% of RMWs were below water level MTs in the Western Upper and Western Lower Aquifers in either Fall 2024 or Spring 2025, indicating that the NDW and MID Management Areas are not responsible for potential water level URs in WY 2025. In contrast, 27% of RMWs in the Eastern Principal Aquifer were below water level MTs in Fall 2024 and Spring 2025, yet these results have not been summarized by Management Area. Since we're establishing a groundwater allocation per Management Area and not by Principal Aquifer, it only makes sense to start highlighting which Management Areas are contributing to URs so that those areas can be held accountable and responsible for the Subbasin's Sustainability Goal, and the Management Areas that are not contributing to the URs will not be unnecessarily burdened by Management Actions and costs. .

Table 1 Summary of GSP Monitoring Events (STRGBA GSA Meeting 8/13/2025)

Undesirable Results Definition	Principal Aquifer/River	Percent of Measured RMWs Below MT						
		WY 2022	WY 2023		WY 2024		WY 2025	
		Spring 2022	Fall 2022	Spring 2023	Fall 2023	Spring 2024	Fall 2024	Spring 2025
Chronic Lowering of Groundwater Levels								
At least 33% of RMWs exceed the MT for that Principal Aquifer in three (3) consecutive Fall monitoring events.	Western Upper	0%	6%	0%	0%	0%	0%	0%
	Western Lower	20%	20%	0%	20%	0%	0%	0%
	Eastern	28%	57%	32%	30%	19%	27%	27%
Interconnected Surface Waters								
At least 33% (Stanislaus and Tuolumne) or 50% (San Joaquin) of RMWs for a river exceed the MT in three (3) consecutive Fall monitoring events	San Joaquin River	0%	50%	0%	0%	0%	0%	0%
	Stanislaus River	25%	75%	25%	25%	13%	25%	0%
	Tuolumne River	11%	56%	22%	11%	0%	11%	22%

Monitoring Event MT Comparison maps for the Eastern Principal Aquifer presented in previous Annual Reports and GSA meetings were reviewed to assess water level MT exceedances by Management Area. **Table 2** summarizes these exceedances by Principal Aquifer and Management Area for the past two water years.

Table 2 Summary of WY24-25 GSP Water Level Monitoring Events per Principal Aquifer and Management Area

Undesirable Results Definition	Principal Aquifer	Management Area	Percent of Measured RMWs Below MT			
			WY 2024		WY 2025	
			Fall 2023	Spring 2024	Fall 2024	Spring 2025
Chronic Lowering of Groundwater Levels						
At least 33% of RMWs exceed the MT for that Principal Aquifer in three (3) consecutive Fall monitoring events.	Western Upper	MID	0%	0%	0%	0%
		NDW	0%	0%	0%	0%
	Western Lower	MID	20%	0%	0%	0%
		NDW	0%	0%	0%	0%
	Eastern	MID	14%	5%	9%	18%
		NDW	0%	0%	0%	0%
		OID	43%	14%	43%	14%
		NDE	83%	83%	83%	83%

Note: The percentages in the 8/13/2025 GSA presentation were determined using 39 total RMWs in the Eastern Principal Aquifer; however, it appears only 38 RMWs exist.

As shown in **Table 2**, if the Chronic Lowering of Groundwater Levels UR was defined by Management Area rather than by Principal Aquifer, OID and NDE percent of exceedances are one fall monitoring event away from potentially triggering URs. The major difference is that OID experienced seasonal groundwater level fluctuations between spring and fall monitoring events, while 83% of measured RMWs in the NDE (5 of 6) were consistently below the MTs during WY 2023 (Wet) and WY 2024 (Above Normal), highlighting a lack of accountability for persistent MT exceedances. The MT exceedances observed in the OID RMWs can be attributed to the long-term groundwater level declines in the NDE that have expanded into the OID Management Area, as shown in previous STRGBA GSA presentations.


Monitoring Consistency

It should also be noted that NDE RMW Quesenberry-223 has not been measured since Spring 2021 due to a “Tape hung up” issue. This no measurement (NM) was only briefly mentioned during the meeting without explanation, historical context (NM for 4 years), or acknowledgment of the fact that the NDE Management Area is responsible. The last known measurement in Spring 2021 recorded groundwater elevation for Quesenberry-223 at 78.5 feet above mean sea-level (msl), over 10 feet below the MT of 89 feet msl. It is necessary that the GSA properly monitor and accurately report the results to ensure that the Management Actions and related costs are appropriately imposed and allocated.

More Equitable Allocations by Management Area

The focus during future GSA meetings should shift from asking whether water levels in the eastern wells are stabilizing to addressing the more pressing question, especially while the Groundwater Management Program Allocation Framework is being finalized: what actions will be taken to respond to continued water level declines below MTs in the NDE? We recommend the Allocation Framework take a proactive approach that recognizes Management Areas (OID, MID and NDW) that 1) have already implemented efforts to maintain stable groundwater levels, and 2) contribute to the Subbasin’s groundwater “bank account” by reducing groundwater withdrawals through projects or by prioritizing surface water use when available. Therefore, the responsibility should be focused on the NDE and not shared proportionately amongst the entire Subbasin. It has been stated in the GSA meetings, as well as in the GSP, that highest rates of water level decline and reduction of groundwater storage are in the NDE. Those who created the problem should be covering the cost to resolve the problem, and not those who are already doing their part.

Respectfully,



Michael (Mike) Day, PE
Principal Engineer
Provost & Pritchard Consulting Group
MJD



Ethan Andrews, GIT
Associated Water Resources Specialist
Provost & Pritchard Consulting Group
EHA

cc: Modesto Chamber of Commerce c/o Michael Moradian - michaeljmoradianjr@gmail.com
Stanislaus County WAC and Stanislaus Farm Bureau c/o Tom Orvis - tomo@stanfarmbureau.org
Friends of MID c/o Stacy Henderson – stacy@hendersonhatfield.com
MID Board of Directors c/o Angela Cartisano - Angela.Cartisano@mid.org
OID Board of Directors c/o Cassie White – cwhite@oakdaleirrigation.com
Modesto City Council c/o City Clerk Diane Nayares-Perez - dnayaresperez@modestogov.com
Oakdale City Council c/o City Clerk Patrick Mondragon – cityclerk@oakdaleca.gov
Riverbank City council c/o City Clerk Gabriela Hernandez – ghernandez@riverbank.org and
cityclerk@riverbank.org
Waterford City Council c/o City Clerk Patricia Krause – pkrause@cityofwaterford.org
Stanislaus County Board of Supervisors c/o Clerk of the Board Elizabeth A. King –
cobsupport@stancounty.com

EXHIBIT G – WY 2023 AND WY 2024 MODESTO SUBBASIN CHANGE IN GROUNDWATER STORAGE

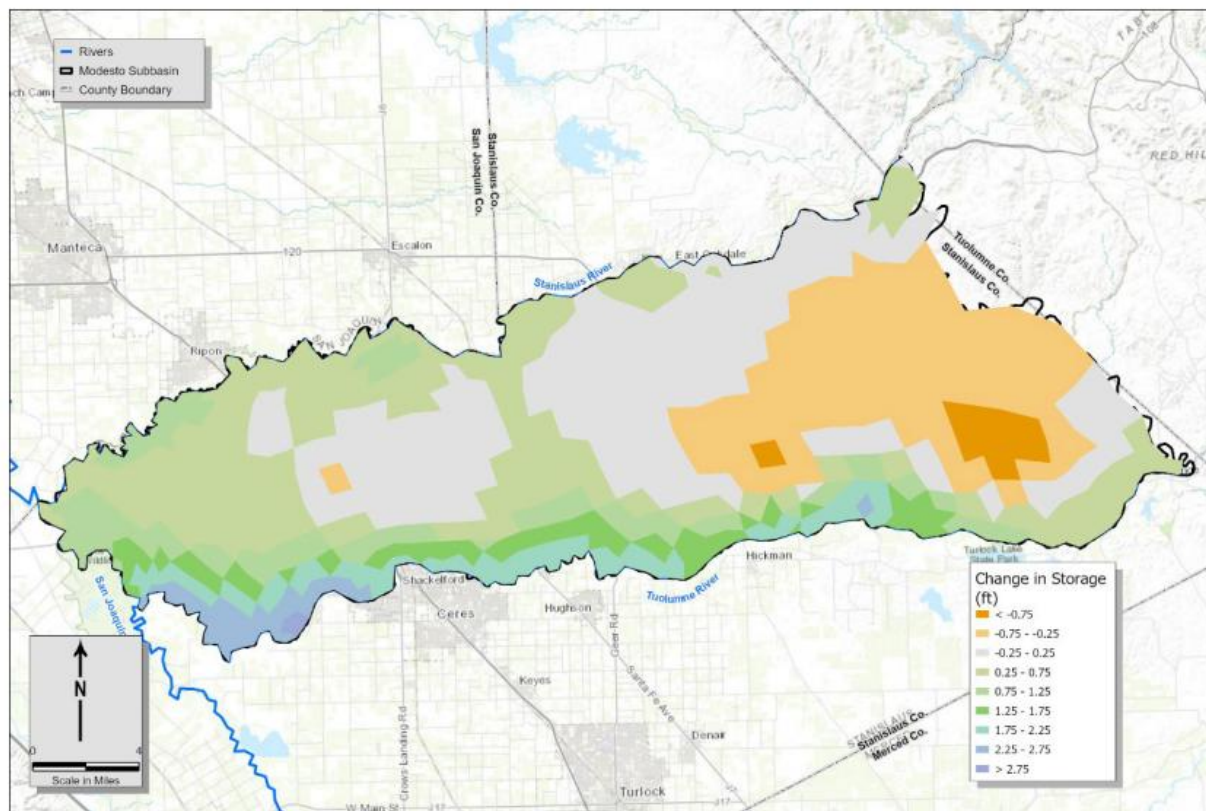


Figure ES-4 Change in Groundwater in Storage, Modesto Subbasin WY 2023

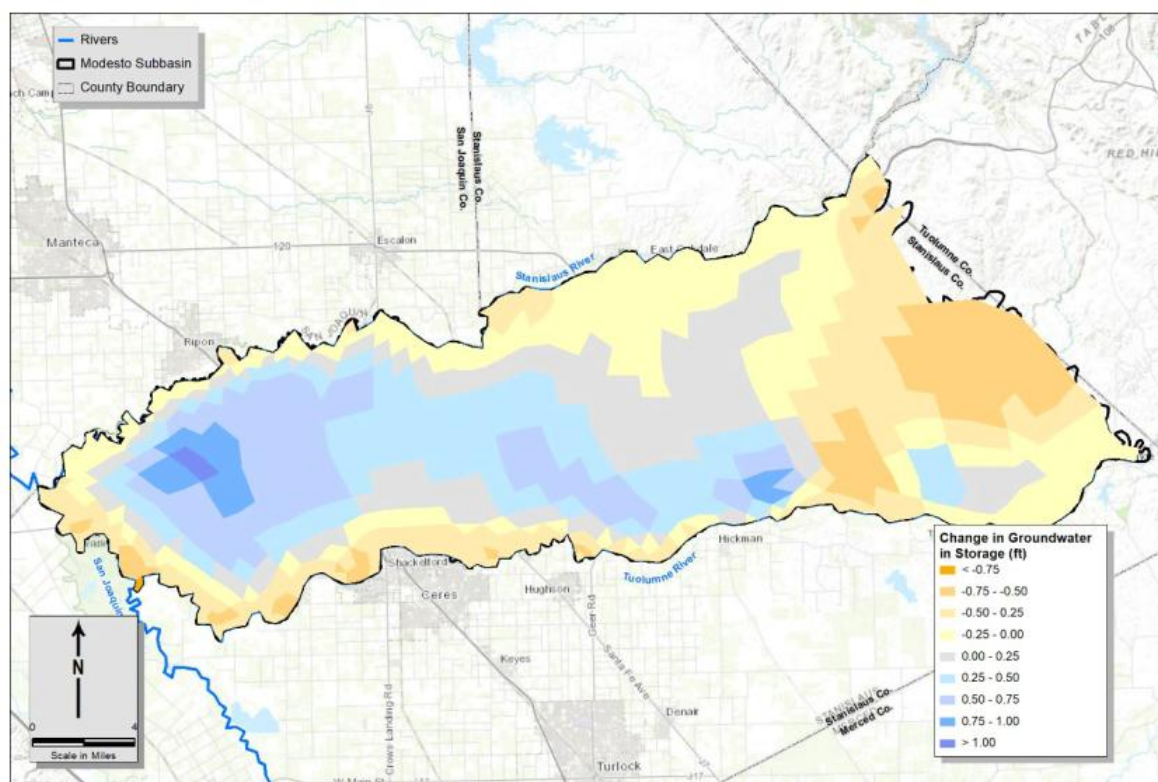


Figure ES-4 Change in Groundwater in Storage, Modesto Subbasin WY 2024