

South San Joaquin Groundwater Sustainability Agency
Special Meeting
Manteca, California
December 18, 2024

The Governing Board of the South San Joaquin Groundwater Sustainability Agency (SSJGSA) met in special session in person at the South San Joaquin Irrigation District (SSJID) Board Room at 8:00 a.m., with public access provided via the online Zoom meeting platform. Chairman de Graaf called the meeting to order at 8:00 a.m., and led the flag salute.

Upon roll-call the following members were noted present:

PRESENT: Daniel de Graaf, City of Ripon
Jaylen French, City of Escalon
Robert Holmes, South San Joaquin Irrigation District
Mike Weststeyn, South San Joaquin Irrigation District

ABSENT: David Roos, South San Joaquin Irrigation District

Also present were SSJID General Manager Peter Rietkerk, SSJID Water Resources Coordinator and SSJGSA Secretary Brandon Nakagawa, SSJID Public and Government Relations Manager Katie Patterson, and SSJID Clerk of the Board Danielle Barney.

Public Comment – None

ACTION CALENDAR

Item #1 – Question and Answer Open Forum Regarding the Eastern San Joaquin Groundwater Authority Groundwater Sustainability Plan

Chairman de Graaf welcomed the public to the open forum to discuss the Eastern San Joaquin Groundwater Authority (ESJGWA) Groundwater Sustainability Plan (GSP). He turned the meeting over to Mr. Brandon Nakagawa, SSJID Water Resources Coordinator and SSJGSA Secretary.

Mr. Nakagawa thanked the public participants for attending, and noted the “special” meeting as an opportunity to speak informally and ask questions regarding the GSP Amendment, which is slated for adoption at the SSJGSA “regular” meeting at 9:00 a.m. He stated that the adoption process will include a Public Hearing followed by the Board’s consideration and proposed approval of the ESJGWA GSP Amendment.

Public attendee, Woodbridge Irrigation District (WID) General Manager Keith Bussman, stated that WID is a Groundwater Sustainability Agency (GSA) on the ESJGWA, and that the member GSAs are very thankful for the work Mr. Nakagawa does on behalf of the ESJGWA.

Additional public attendees, who introduced themselves, included local growers/landowners Jim Santini, Tom Adrian, and Darryl Quaresma. SSJGSA Board Directors Jaylen French (City of Escalon), Bob Holmes (SSJID), and Mike Weststeyn (SSJID) introduced themselves to the public attendees.

The Question & Answer “Open Forum” included discussion regarding the benefits of surface water usage versus groundwater usage; the geographical boundaries of the ESJGWA; SGMA’s required groundwater sustainability deadline by 2040 versus the State’s immediate sustainability; the California Water Boards’ Water Quality Control

Plan; groundwater sustainability projects; the publics' appreciation of SSJGSA's efforts in SGMA; current legislative water rights issues; cost increases anticipated for future GSP Updates and SGMA related issues; and banking/lending restrictions contingent on secure water rights.

Chairman de Graaf thanked all for attending.

ADJOURNMENT

Item #7 – Adjournment

There being no further business to discuss, the meeting was adjourned at 8:55 a.m.

ATTEST:

Danielle Barney, Clerk of the Board

**South San Joaquin Groundwater Sustainability Agency
Regular Meeting
Manteca, California
December 18, 2024**

The Governing Board of the South San Joaquin Groundwater Sustainability Agency (SSJGSA) met in regular session in person at the South San Joaquin Irrigation District (SSJID) Board Room at 9:00 a.m., with public access provided via the online Zoom meeting platform. Chairman de Graaf called the meeting to order at 9:10 a.m., and led the flag salute.

Upon roll-call the following members were noted present:

PRESENT: Daniel de Graaf, City of Ripon
Jaylen French, City of Escalon
Robert Holmes, South San Joaquin Irrigation District
David Roos, South San Joaquin Irrigation District
Mike Weststeyn, South San Joaquin Irrigation District

ABSENT: NONE

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

Public Comment – None

ACTION CALENDAR

Item #1 – Approval of the Meeting Minutes of August 21, 2024

MOTION: A motion was made by Director Weststeyn and seconded by Director Holmes to approve the minutes as submitted.

The motion passed 5 to 0 by the following vote:

AYES: de GRAAF FRENCH HOLMES ROOS WESTSTEYN
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

Item #2 – Quarterly Presentation of Financial Statements Through September 2024

Ms. Denise Freiwald, SSJID Accountant, addressed the Board and gave a quarterly oral presentation of the South San Joaquin Groundwater Sustainability Agency Financial Statements through September 30, 2024. She provided detailed descriptions of the balance sheets, cash balances, accounts payable, bank reconciliation, statement of changes in net position, statements of members’ capital, and expense reimbursements to the South San Joaquin Irrigation District. Ms. Freiwald noted a \$358.00 difference due to a payroll related charge which was processed after the quarterly billing, and would be settled in the next Quarterly Presentation of Financial Statements through December 2024.

Mr. Brandon Nakagawa, SSJID Water Resources Coordinator and SSJGSA Secretary, addressed the Board regarding projections for the SSJGSA 2025 budget. He stated that staff will be proposing an increased budget, with a possible mid-year budget amendment.

Item #3 – PUBLIC HEARING – Presentation and Public Hearing on Adoption of the 2024 Eastern San Joaquin Groundwater Sustainability Plan Amendment

Chairman de Graaf opened the Public Hearing at 9:16 a.m.

a. Presentation by Staff

Mr. Nakagawa provided a brief history of the Sustainable Groundwater Management Act (SGMA), passed into law in 2014, to establish a statewide framework to achieve groundwater sustainability by 2040. SGMA required local agencies to form Groundwater Sustainability Agencies (GSAs) for the high- and medium-priority basins, hence the formation of the South San Joaquin Groundwater Sustainability Agency (SSJGSA) which includes SSJID, and the Cities of Escalon and Ripon. The SSJGSA is one member agency among a total of sixteen (16) GSAs in the Eastern San Joaquin Groundwater Authority (ESJGWA).

Mr. Nakagawa explained that the California Department of Water Resources' (DWR) had required all GSAs to develop and submit a Groundwater Sustainability Plan (GSP) by 2020, and GSP Updates every five (5) years thereafter. The ESJGWA submitted their GSP to DWR by the 2020 deadline, and the next GSP 5-Year Update is due to DWR in January 2025. He further explained the timeline of actions regarding the ESJGWA GSP including initial submittal in 2020, a 2-year DWR review, DWR's inadequate determination in 2022, and DWR's final approval of the Revised GSP in 2023. DWR's 2023 Approval came with additional recommended changes for the 5-Year Update.

DWR's recommended changes to the GSP 5-Year Update include the development and implementation of a groundwater curtailment methodology should GSAs fail to bring the Basin into sustainability with projects, and development of a Well Mitigation Policy as an immediate measure to avoid undesirable results from continued over-pumping. Mr. Nakagawa noted that groundwater curtailment will bring into question the delicate issue of member GSAs' accountability of, and responsibility for, groundwater levels and pumping within their jurisdictions.

Mr. Nakagawa noted that the proposed SSJGSA Resolution 24-01-W Adoption of the 2024 Eastern San Joaquin Groundwater Sustainability Plan Amendment and Approving Submittal of the First Periodic Evaluation was included in the agenda packet and recommended for adoption by the SSJGSA, following the public hearing. Once adopted by the SSJGSA, staff will send the executed document to the ESJGWA, to be forwarded to DWR by the January 29, 2025 deadline.

Mr. Nakagawa also noted that a link to the ESJGWA GSP Amendment is available on the ESJGWA website at <https://www.esjgroundwater.org/Documents/GSP>.

Chairman de Graaf closed the Public Hearing at 9:30 a.m. There were no members of the public wishing to speak during the Public Hearing.

Item #4 – Discussion and Consider Adoption of Resolution No. 24-01-W Adoption of the 2024 Eastern San Joaquin Groundwater Sustainability Plan Amendment and Approving Submittal of the First Periodic Evaluation

MOTION: A motion was made by Director Holmes and seconded by Director Weststeyn to adopt Resolution No. 24-01-W Adoption of the 2024 Eastern San Joaquin Groundwater Sustainability Plan Amendment and Approving Submittal of the First Periodic Evaluation.

**SOUTH SAN JOAQUIN GROUNDWATER SUSTAINABILITY AGENCY
RESOLUTION NO. 24-01-W**

**ADOPTION OF THE 2024 EASTERN SAN JOAQUIN GROUNDWATER SUSTAINABILITY
PLAN AMENDMENT AND APPROVING SUBMITTAL OF THE FIRST PERIODIC
EVALUATION**

WHEREAS, in August 2014, the California Legislature passed, and in September 2014 the Governor signed, the Sustainable Groundwater Management Act of 2015 (“SGMA”) “to provide local groundwater sustainability agencies with the Authority and technical and financial assistance necessary to sustainably manage groundwater” (Wat. Code, § 10720, (d)); and

WHEREAS, SGMA requires sustainable management of high priority groundwater basins through the development of groundwater sustainability plans (“GSPs”), which can be a single plan developed by one or more groundwater sustainability agencies (“GSAs”) or multiple coordinated plans within a basin or subbasin (Wat. Code, § 10727); and

WHEREAS, the City of Escalon, City of Ripon, and the South San Joaquin Irrigation District (SSJID) have jointly and collectively formed South San Joaquin County Groundwater Sustainability Agency (SSJGSA) as a Joint Powers Authority pursuant to Government Code § 6500 *et seq.*, which is a public entity separate and apart from its members; and

WHEREAS, the SSJGSA is a member of the Eastern San Joaquin Groundwater Authority (“Authority”) formed for the purpose developing a GSP and coordinating sustainable groundwater management in the Eastern San Joaquin Subbasin (Wat. Code, § 10723.6(i)); and

WHEREAS, the SSJGSA coordinated with the Authority and all other GSAs overlying the Eastern San Joaquin Subbasin to draft a single GSP for its members (the “ESJ GSP”); and

WHEREAS, the ESJ GSP, having been adopted by all GSA members of the Authority including the SSJGSA, was submitted to the California Department of Water Resources (DWR) on January 29, 2020 in compliance with SGMA; and

WHEREAS, DWR completed its two-year review and by letter dated January 28, 2022, determined the ESJ GSP to be “incomplete,” as that term is used in SGMA, and identified certain alleged deficiencies that if addressed within 180 days of the determination and submitted to DWR by July 27, 2022, could allow DWR to approve the ESJ GSP; and

WHEREAS, the ESJ GSP and its Appendices were revised in 2022 in response to DWR’s “incomplete” determination and adopted by all GSA members of the Authority including the SSJGSA and submitted to DWR on July 27, 2022; and

WHEREAS, by letter dated July 6, 2023, DWR approved the ESJ GSP, as revised in 2022, and included a list of eight “Recommended Corrective Actions” for the GSAs to consider for the first Periodic Evaluation of the ESG GSP as required by SGMA due January 2025; and

WHEREAS, the SSJGSA acknowledges that during the 20-year GSP implementation period it will be necessary to implement projects and management actions to achieve and maintain sustainable groundwater conditions in the Subbasins by or before 2042; and

WHEREAS, the SSJGSA acknowledges that successful implementation of planned GSP projects to achieve their intended recharge benefits during the 20-year GSP implementation period (prior to 2042) is dependent in part on uncertainties related to hydrologic conditions, including precipitation, snowpack, and available water supply during that time period, and

WHEREAS, the SSJGSA acknowledges that implementation of management actions will be necessary to offset these uncertainties related to project implementation and project benefits to ensure that sustainable groundwater conditions are achieved in the subbasin by or before 2042; and

WHEREAS, the SSJGSA acknowledges that wet hydrologic conditions and faster implementation of projects may result in diminished need for management actions, and

WHEREAS, the SSJGSA acknowledges that dry hydrological conditions, prolonged drought, and delayed implementation of projects may result in an accelerated need for management actions, and

WHEREAS, the SSJGSA coordinated with the Authority and all other GSAs overlying the Eastern San Joaquin Subbasin to prepare the 2024 Eastern San Joaquin Groundwater Sustainability Plan Amendment (“2024 ESJ GSP Amendment”) to respond to DWR’s Recommended Corrective Actions and to prepare the first Periodic Evaluation of the ESJ GSP to be submitted to DWR by January 29, 2025; and

WHEREAS, the SSJGSA acknowledges a Program for Dry Domestic Well Mitigation was adopted by the Eastern San Joaquin Groundwater Authority on September 11, 2024, with said resolution being included in Appendix 3-J of the amendments to the ESJ GSP; and

WHEREAS, the SSJGSA commits to development and adoption of a Demand Management Program by December 31, 2027, as described in Chapter 6 of the amendments to the ESJ GSP.

WHEREAS, on July 24, 2024 , on behalf of all of its member GSAs including the SSJGSA, the Authority noticed the intent to adopt the 2024 ESJ GSP Amendment pursuant to California Water Code Section 10728.4, noting that each of the GSAs intend to hold separate noticed public hearings to consider adoption of the 2024 ESJ GSP Amendment no earlier than ninety (90) days from the date of the Notice of Intent; and

WHEREAS, from October 1 through October 31, 2024 a public review period was held to solicit comments on the 2024 ESJ GSP Amendment; and

WHEREAS, SGMA and its implementing regulations require and authorize a GSA to periodically evaluate its GSP at least every five years, and whenever the GSP is amended, and to provide a written assessment to DWR that describes whether the GSP’s implementation, including implementation of projects and management actions (Wat. Code, § 10728.2; 23 Cal. Code Regs., § 356.4); and

WHEREAS, the SSJGSA coordinated with the Authority and all other GSAs overlying the Eastern San Joaquin Subbasin to prepare the Subbasin’s first “Periodic Evaluation” to be submitted to DWR by January 29, 2025.

NOW THEREFORE BE IT RESOLVED, that the SSJGSA hereby adopts the 2024 ESJ GSP Amendment; and

BE IT FURTHER RESOLVED, that the SSJGSA hereby approves the submittal of the first Periodic Evaluation; and

BE IT FURTHER RESOLVED that the SSJGSA authorizes the Authority, its staff, and its consultants to take such other actions as may be reasonably necessary to submit the 2024 ESJ GSP Amendment and the Periodic Evaluation to DWR by January 29, 2025.

PASSED AND ADOPTED this 18th day of December 2024 by the following vote:

AYES: de GRAAF FRENCH HOLMES ROOS WESTSTEYN
NAYS: NONE
ABSTAIN: NONE
ABSENT: NONE

Item #5 – Discussion on Recent Eastern San Joaquin Groundwater Authority Meetings

a. Executive Director Search

Mr. Nakagawa explained the Temporary Staff Service Agreement between SSJID and San Joaquin County, executed September 23, 2023, allowing Mr. Nakagawa’s support services to the ESJGWA during the recruitment and transition of a new SJC Water Resources Coordinator. The initial Agreement was followed by Amendments #1, #2, and #3. It had become evident that the County was not set up to provide services to the ESJGWA, whereby a plan was developed to continue County level service to the ESJGWA and allow Mr. Nakagawa to be removed from the interim support role.

The ESJGWA will move forward in search of an Executive Director to coordinate and work with the GSAs and Committees; to prepare, finalize and distribute agenda packets; and oversee ESJGWA projects.

b. Ad Hoc Executive Committee Formation Update

The ESJGWA will form an Ad Hoc Executive Committee, consisting of 3-4 member volunteers from the GSAs. The Ad Hoc Committee’s first task will be to finalize the Executive Director job description and compensation.

Board discussion and consensus appointed Director Holmes as the SSJGSA Primary Representative to the ESJGWA Ad Hoc Executive Committee, and Mr. Nakagawa as the Secondary Representative.

The Board concurred to have Director Holmes continue as the SSJGSA Representative to the ESJGWA.

Director Holmes thanked the SSJID Board of Directors and General Manager Peter Rietkerk for allowing Mr. Nakagawa to step in as the interim ESJGWA Executive Director. He emphasized Mr. Nakagawa’s knowledge, background, experience, and rapport, as well as the trust and respect from the GSAs.

Board discussion included that the Ad Hoc Committee was not a public meeting, therefore not under the compliance of the Ralph M. Brown Act. The Ad Hoc Committee format would be for a trial period not to exceed one year, after which time a standing committee could be formed or a new direction could be taken.

c. Next Steps Following GSP Adoption

Mr. Nakagawa stated that a priority 2025 task will be a Groundwater Model Update to quantify crop usage of groundwater, groundwater pumping, and groundwater recharge.

Board discussion included satellite imaging for consistency and accuracy of groundwater data.

Item #6 – Discussion Regarding the Proposed 2025 Annual Budget

Mr. Nakagawa addressed the Board regarding the proposed 2025 annual budget and highlighted projected expenses including legal, staff time, banking fees, technical consultants, and conference costs; and increase of the SSJGSA member contribution to the ESJGWA.

Mr. Nakagawa requested that the Members take the preliminary 2025 Budget to their respective agencies for review, with the expectation that the final budget will be presented and adopted by the SSJGSA Board of Directors at the January 2025 meeting.

COMMUNICATIONS

Item #7 – Various Reports to the Governing Board:

- a) **Staff and Consultant Updates**
None
- b) **Technical Advisory Committee**
None
- c) **Member Reports**
None
- d) **Correspondence**
None

The Board convened to Closed Session at 9:55 a.m.

CLOSED SESSION

Item #8 – Closed Session

The Board returned to Open Session at 10:43 a.m.

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

Disclosure of reportable actions taken in Closed Session, pursuant to Government Code Section 54957.1: There were no reportable actions taken in Closed Session.

ADJOURNMENT

Item #9 – Adjournment

There being no further business to discuss, the meeting was adjourned at 10:44 a.m.

ATTEST:

Danielle Barney, Clerk of the Board