

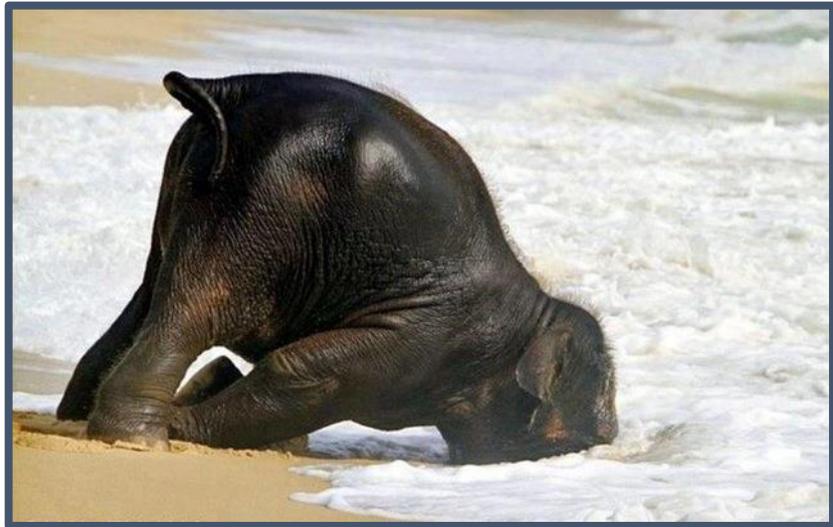
Water Wrights

Madera County GSAs Board of Directors Meeting, November 17, 2020

By Joel Hastings

As established previously setting the meeting for the third Tuesday of the month, the Madera County Board of Supervisors met as the Madera GSAs Board of Directors on November 17, 2020. Chairman **Robert Poythress** was at the county offices in Madera, as were the staff, but the other four supervisors were remote on Zoom. The first item was a roll call which reflected some of the challenges of online meetings... being able to see and hear each member.

After conducting several other regular business items, the supervisors convened as the GSA Board at 11:10 a.m. The first item was consideration of the allocation report given by **Stephanie Anagnoson**, director of the Department of Water and Natural Resources for the county, along with Madera County Counsel **Michael Linden** and water consultant **Greg Young**.



For those who have followed the Advisory Committee meetings, the presentation of this information is what was been considered there, documenting the upward trend of water use... “the impetus for action,” she explained

Linden presented the legal framework SGMA provides to establish water extraction allocations. The program must be consistent with the GSP, with the necessity of avoiding undesirable outcomes that include lowering groundwater levels, land subsidence and water quality degradation. Next, Anagnoson reviewed the key principles for allocation that are listed in the resolution adopted by the Advisory Committee on November 17 and shown here: <https://www.maderacountywater.com/wp-content/uploads/2020/11/MCGSAAC-Resolution-2020-November-12.pdf>

She described two types of water, sustainable yield and transitional water. The process allows people to opt in and there is a payment tied to the use of sustainable yield and transitional water. A rate study is underway to determine the total costs of operating the program. The rates water users will need to pay for extracting water.

Satellite Monitoring

She discussed the Advisory Committee’s broad definition of farm units which could include land not only owned and leased but operated under management contract as well. A third-party vendor, currently identified as Irriwatch, will provide monitoring of water use via satellite technology.

Anagnoson reminded the group that this process has been worked on by the Committee since mid-summer and she reported the 9 – 1 vote that approved the resolution.

She said two questions remain outstanding. A total of six management zones have been identified within which growers can group their land for water use. There are three in the Madera Subbasin, two in Chowchilla and one in Delta-Mendota. She said that an engineering and hydrology report had shown that if pumping is concentrated in one zone, then groundwater levels would be affected in neighboring subbasins.

Young explained further saying, that, for example, taking land out of the eastern area of Chowchilla and pumping more in the western Madera zone, it would cause groundwater levels to continue dropping. He said reduction in water use needs to occur throughout GSA areas so that groundwater levels would stabilize and even rebound. There is a question of individual farm operations split by a zone line. Young emphasized that the mission here is to have the GSA take care of problems identified by SGMA.

Transitional Water

Another issue needing determination Young said was a decision on what amount of transition water would be used at the start of the process. Would it be the 190,000 A/F of transitional water identified as being used in 2015? Or would it be the larger amount being used in 2019 / 2020 – about 208,000 A/F. The GSA Board will have to determine the amount of available water, even though the GSP has defined the down ramp... two percent per year for the first five years and then six percent through 2040. In either case, the result in 2040 must be that only sustainable yield water is being used. He said over time the GSA Board will monitor total water usage and will be able to adjust for rainfall and run off or lack thereof included in the calculation of ETWA (enviro transpiration water amount) as measured by the satellite program.

The supervisors then opened discussion talking about the opt-in process that will be used to request water out of the transition “bucket.” Some growers may want more than they are using now and some less. The question was asked what if they don’t opt in and what happens if they exceed their allocation. Anagnoson said there is the ability to do enforcement and levy fines. Young added, the first year will be exploratory to see how all this works. In year one, the program will need to be adaptive, but water usage will need to be enforced regardless of the starting point.

In considering the starting point, the question was asked how to deal with growers who expanded after SGMA was passed. What should be considered the deadline for planting new crops? The comment was made that one year after the GSA was established should be plenty of time; everybody should have known. Concern was expressed for dairies which can’t reduce water use easily while maintaining herd size. The hope was noted that ways might be found to allow them to stay at current sizes.

Should Have Known

At this point, Chairman Poythress weighed in offering his perspectives on some of these issues. He said he supports using the smaller 2015 amount instead of 2020 as the water base year. He said anyone in these GSAs, the “white areas,” would have known or should have. No one can act like they had no clue, he added.

He continued, as growers we were fully aware in 2014 about what was going on. “That excuse doesn’t hold water with me,” he said, using an apt metaphor. Going to the 2020 usage “makes a mockery of the entire system.”

He stated, “We need to become sustainable in the water basin.”

He continued, saying he very much approved of the general principles spelled out by the Advisory Committee. He said we will have more issues with domestic wells if we take the higher value

(2020 usage). Fairness and equity among ag operations applies, as well, not just between ag and residential use. He likes the idea of flexibility and he appreciates wording about “preserving the economic stability of Madera County and its citizens.”

Poythress said the groundwater situation is getting worse, not better. If we lighten the load, we will be doing a disservice to all residents, farmers and all other residents. He said he almost would like to see the numbers flip... that is, reducing transitional water use six percent in the first five years and then go to two percent in the later years.

Supervisor **Brett Frazier** said he agreed with using the 2015 baseline. Supervisor **David Rogers** said he agrees with everything Poythress said. He added, “It was a disgrace to have the water use increase between 2015 and 2020.” Supervisor **Tom Wheeler** said he agreed with Poythress as well. And finally, Supervisor **Max Rodriguez** offered the thought that there almost needs to be a moratorium, implying agreement with the others.

The Farm Bureau

The floor was then opened to public comment. **Christina Beckstead**, the executive director of the Madera County Farm Bureau said that her organization has not yet taken a position but that there have been lots of phone calls. She said she and her board advocate that all tools be in the toolbox for growers, which could include a water market. She said the details of allocation need to start simple and then add more detail. She agrees with Poythress but wants to remind everyone that not all growers know what’s going. They are faced with lots of red tape and sometimes they just tune out some issues. Despite everyone’s best efforts, including hers, there are still some people who don’t know what SGMA is.

She pointed out that land development on the east side of the county is not just agricultural expansion, no doubt referring to significant new housing projects going up. She said we need to be sure there is a fair playing field. She concluded saying as far as a moratorium goes, we’ve had that discussion and it wasn’t pretty.

Madalyn Harris from Leadership Council thanked all for their comments. Demand reduction has an impact on drinking water which is a primary concern of hers. She says she appreciates that a formal document will be developed for action next month.

“We are supportive of something fair, preventing localized hot spots of over pumping. She thanked Anagnoson for working with small farmer organizations. Harris reminded the group that she works with people who rely on small water systems and who are farm workers in the ag industry.

Poythress asked if Anagnoson needed more direction to develop a proposal for action at the December meeting. She said Linden will be overseeing the drafting of a board resolution for action next month. (The meeting date is December 15th.)

Recharge & Flood Control

To round out the GSA portion of the meeting, Anagnoson quickly reviewed ten other items she’s been working on which included the development of a data management system to be shared with Chowchilla to produce the GSP annual reports. She said she’d just met with the Bureau of Reclamation to consider the contract for the “place of use” expansion. She said there would be another update on the water market on December 1 at 3 p.m. There was good response to the request for interest in recharge with 100 parcels signed up for the study. Work is being done on land easements which had started in January 2020. Prop 68 domestic well inventories are proceeding for both the Chowchilla and Madera Subbasins and finally, she reminded the group that it acts as a flood control agency as well.

Poythress observed that recharge and flood control all tie together in this effort before adjourning the GSA board portion of the meeting at 12:08 p.m.

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Madera County is comprised of three subbasins, designated by the CA Department of Water Resources as critically overdrafted, and “high priority”: (1) the [Chowchilla Subbasin](#); (2) the [Madera Subbasin](#); and (3) a portion of the [Delta-Mendota Subbasin](#). Each of these subbasins submitted a Groundwater Sustainability Plan (GSP) by January 31, 2020. These subbasins are required to achieve “sustainability” by the year 2040. The method by which sustainability will be achieved will be illustrated in the GSPs, which were drafted in partnership by the irrigation district, water districts, cities and Madera County.

The Madera County Groundwater Sustainability Agency (GSA) is administered by the Madera County Department of Water and Natural Resources: Stephanie Anagnoson, Director, 200 W. Fourth Street, Madera, CA 93637, (559) 675-7703 x. 2265 or (559) 675-6573

The GSA Board of Directors consists of the Madera County Board of Supervisors as follows: Brett Frazier, Dist. #1; David Rogers, Dist. #2; Robert L. Poythress, chairman, Dist. #3; Max Rodriguez, Dist. #4; and Tom Wheeler, Dist. #5.