



EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY

Board Members:

San Joaquin County
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Stockton East Water
District
Mel Panizza - Vice Chair

California Water Service
Company
Anthony Carrasco

Central Delta Water
Agency
George Biagi Jr.

Central San Joaquin Water
Conservation District
Grant Thompson

City of Lodi
Alan Nakanishi

City of Manteca
David Breitenbucher

City of Stockton
Dan Wright

Eastside San Joaquin GSA
Gary Tofanelli

Linden County Water
District
Myron Blanton

Lockeford Community
Services District
Mike Henry

North San Joaquin Water
Conservation District
Jason Colombini

Oakdale Irrigation District
Eric Thorburn

South Delta Water Agency
John Herrick

South San Joaquin
Irrigation District
Robert Holmes

Woodbridge Irrigation
District
Keith Bussman

Board of Directors

AGENDA

Wednesday, December 11th, 2024

10:30 a.m. – 12:00 p.m.

**San Joaquin County Council of Governments
555 E. Weber Avenue, Stockton, CA 95202**

- I. Call to Order/Pledge of Allegiance & Safety Announcement/Roll Call**
- II. Scheduled Items**
 - A. Discussion / Action Items:
 - 1. Approval of the September 11th, 2024, Meeting Minutes - [Page 3](#)
 - 2. Discussion/Possible Action to Adopt Resolution R-24-XX, Accepting the Final Draft 2024 Eastern San Joaquin Groundwater Sustainability Plan Amendment and Periodic Evaluation and Authorizing the Secretary of the Authority to Submit to the California Department of Water Resources - [Page 6](#)
 - 3. Discussion/Possible Action to Amend the 2024-2025 ESJGWA Budget by Increasing Appropriations for the Annual Report by \$10,586 and Decreasing Appropriations for Professional Services by the Same Amount
 - 4. Discussion/Possible Action to Form an Ad Hoc Executive Committee
 - 5. Discussion/Possible Action to Adopt the 2024 Eastern San Joaquin Subbasin Communications and Engagement Plan Update - [Page 9](#)
 - 6. Presentation by River Partners on Mokelumne River Integrated Conjunctive Use Program (MICUP) Opportunities
- III. Staff/DWR Reports**
 - A. Staff Reports
 - B. DWR Report
- IV. Directors' Comments and Project Status Reports**
- V. Public Comment (items not on the agenda)**
- VI. Future Agenda Items**
- VII. Adjournment**

EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY

Board of Directors Meeting

AGENDA

(Continued)

Next Regular Meeting

Wednesday, January 8th, 2025

10:30 a.m. – 12:00 p.m.

San Joaquin County Council of Governments

Action may be taken on any item

Agendas and Minutes may also be found at <http://www.ESJGroundwater.org>

Note: If you need disability-related modification or accommodation in order to participate in this meeting, please contact San Joaquin County Public Works Water Resources Staff at (209) 468-3089 at least 48 hours prior to the start of the meeting.

ZOOM LINK:

<https://sjcog.zoom.us/j/82989811836>

Phone One Tap:

[+16694449171,82989811836#](tel:+16694449171,82989811836)

DIAL: +1 669 444 9171

Meeting ID: 829 8981 1836

Passcode: 903992

EASTERN SAN JOAQUIN GROUNDWATER AUTHORITY
Board Meeting
September 11th, 2024

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE & SAFETY ANNOUNCEMENT/ROLL CALL

The Eastern San Joaquin Groundwater Authority (GWA) Board Meeting convened at the Council of Governments building at 555 E. Weber Ave. Stockton, CA 95202. At approximately 10:30 a.m., the meeting was called to order by Mel Panizza.

In attendance were Directors and Alternates: Jason Colombini, Mike Henry, Robert Holmes, Dante Nomellini, Christy McKinnon, Secretary Fritz Buchman, Keith Bussman, Mitch Maidrand, Mel Panizza, John Herrick, Myron Blanton, Eric Thorburn, Alan Nakanishi, and David Breitenbucher.

II. SCHEDULED ITEMS

A. Discussion/Action Items

1. Approval of the August 14th, 2024, Meeting Minutes

Motion: Eric Thorburn

Second: Keith Bussman

All in favor.

2. Presentation from River Partners: Mokelumne Integrated Conjunctive Use Project (MICUP)
Presentation not given, postponed to a later meeting.

3. Adoption of the Domestic Well Mitigation Program

Brandon Nakagawa shared this program will help allows funding for dry wells due to overdraft. The program is set up to include a claims period, investigation of the cause of well failure, and if it's caused by overdraft there is funding to replace the well. \$100,000 is sitting in the budget now, the other \$100,000 will come from next year's budget.

Motion: John Herrick

Second: Mike Henry

All in favor.

4. Approval of a Response to the San Joaquin Civil Grand Jury

Brandon Nakagawa shared one of the recommendations on the grand jury report was for a Community and Engagement (C&E) Plan. With assistance from Stantec, the C&E Plan is being drafted and will go to the Steering Committee first, then to the Board for recommendation for adoption.

Motion: Dante Nomellini

Second: David Breitenbucher

All in favor.

5. Approval of a Resolution Expanding the 2022 GSP Project List and Directing Staff to Include the Projects in the 2025 GSP Update

Brandon Nakagawa explained that a number of GSAs requested that the list of GSP Projects be expanded to include 5 additional projects from the South San Joaquin Irrigation District, the City of Escalon, CSJWCD, NSJWCD and SEWD. The proposed resolution would add the five projects to the list and help the GSA's to compete for grant money for their projects, There was enthusiasm among the requesting GSAs to work together rather than compete for grant support.

Motion: Jason Colombini

Second: John Herrick

All in favor.

6. Approval of an Amendment to Extend Staff Services with SSJID

Brandon Nakagawa shared the workplan coming out of the GSP update will be much more than in 2020, with the adoption being a new starting line and not the finish line. Modeling updates, reports, and possibly a demand reduction program. The GWA will need to do more. San Joaquin County Public Works has been the support for the GWA since the GWA was created. The amount of work necessary to sustain the GWA exceeds the capacity of the PW Department. SSJID has approved support services for Brandon Nakagawa through June of 2025. Mr. Nakagawa offered that that both executive leadership combined with leadership from GSA's is needed in order for the GWA to be successful. An executive committee concept might be a possible way to ensure that GSP implementation tasks that are delegated to the ESJGWA are completed. For the time being, Mr. Nakagawa suggested that the administrative and clerk functions of the GWA stay with Public Works. Director Colombini suggested that the transition be a recurring item for the Board and Steering Committee.

Motion: Alan Nakanishi

Second: John Herrick

All in favor.

7. Direct Staff to Release an RFQ for On-Call Technical Services

Brandon Nakagawa commented that ARPA funds granted by San Joaquin County need to be spent, and consultant help is needed. A request for Qualifications was drafted and will be released. The top firms will be added to an on-call consultant list. Secretary Fritz Buchman commented the Steering Committee made the recommendation to approve this item.

Motion: Robert Holmes

Second: David Breitenbucher

All in favor.

8. September 25th, GSA Open House and Presentation of 2025 GSP Update Public Review Draft

September 25th, 5:30PM, a formal open house will take place at the Robert J. Cabral Agricultural Center. Each GSA will have an area to set up to answer questions from their customers. Woodard & Curran will start their presentation at 6PM on the GSP update.

III. STAFF/DWR Report

- A. Staff Report** – Brandon Nakagawa shared that the well at Westgate Landing is installed. County Staff is appreciated for saving the funding. Alex Chetley shared also happening on September 25th, at 9AM is the Tracy Subbasin and ESJ Coordination meeting online.
- B. DWR Report** – Chelsea Spier from DWR shared the next surface water papers will be released in the next week or two with information on public meetings.

IV. DIRECTORS COMMENTS

None

V. PUBLIC COMMENTS

None

VI. FUTURE AGENDA ITEMS

None

VII. ADJOURNMENT at 11:32am



December 11, 2024

TO: ESJGWA Board of Directors

FROM: Brandon Nakagawa, Interim Staff to the ESJGWA

SUBJECT: Adoption of Resolution R-24-XX Accepting the Final Draft 2024 Eastern San Joaquin Groundwater Sustainability Plan Amendment and Periodic Evaluation and Authorizing the Secretary of the Authority to Submit to the California Department of Water Resources

Date: December 11, 2024

Recommendation

Staff recommends that the ESJGWA Board of Directors adopt Resolution R-24-XX accepting the Final Draft 2024 Eastern San Joaquin Groundwater Sustainability Plan Amendment (GSP) and Periodic Evaluation and authorizing the Secretary to submit all required documents to the California Department of Water Resources.

Reasons for Recommendation

Early in 2024, the ESJGWA Board of Directors approved development of amendments to the Eastern San Joaquin GSP based on “Recommended Corrective Actions” provided by the California Department of Water Resources (DWR) in their 2023 Approval Letter of the ESJGWA’s Revised GSP. Additional guidance and technical resources have also been provided by DWR since their approval.

The ESJGWA released a Public Review Draft GSP on October 1, 2024, and the Project Management Committee worked during the month of November to address the public comments received. The Final Draft GSP Amendment and the Periodic Evaluation are available on the ESJGWA’s website and are now ready for adoption by Member GSAs. Once accepted by the ESJGWA, GSA Members are instructed to adopt the GSP Amendment and to submit to the Secretary of the ESJGWA copies of signed adoption resolutions by Friday, January 17, 2025, to ensure enough time to submit the entire package to DWR by the January 31, 2025 SGMA deadline. Failure to adopt the GSP Amendment and Periodic Evaluation could result in probationary status and referral to the State Water Resources Control Board for enforcement.

ATTACHMENT

DRAFT Resolution R-24-XX

R-24-XX

**RESOLUTION ACCEPTING THE FINAL DRAFT 2024 EASTERN SAN JOAQUIN
GROUNDWATER SUSTAINABILITY PLAN AMENDMENT AND PERIODIC EVALUATION
AND AUTHORIZING THE SECRETARY OF THE AUTHORITY TO
SUBMIT TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES**

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 Eastern San Joaquin Groundwater Authority (“Authority”) as formed for the purpose developing a single GSP and coordinating certain activities towards sustainable groundwater management in the Eastern San Joaquin Subbasin (Wat. Code, § 10723.6(i)); 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 GSP implementation, including progress on projects and management actions (Wat. Code, § 10728.2; 23 Cal. Code Regs., § 356.4); and

WHEREAS, the Eastern San Joaquin GSP was adopted by all GSA Members of the Authority and was submitted to DWR on January 29, 2020 in accordance with SGMA; and,

WHEREAS, the California Department of Water Resources (DWR) completed its two-year review and, by letter dated January 28, 2022, determined the Eastern San Joaquin GSP to be “incomplete,” citing certain alleged deficiencies; and,

WHEREAS, the Authority revised the Eastern San Joaquin GSP to address the deficiencies identified by DWR’s “incomplete” determination letter; and,

WHEREAS, the revised Eastern San Joaquin GSP was adopted by all GSA Members and submitted to DWR on July 27, 2022; and,

WHEREAS, on July 6, 2023, DWR approved, by letter, the revised Eastern San Joaquin GSP, and included a list of eight “Recommended Corrective Actions” to be addressed in an

amendment to the Eastern San Joaquin GSP due January 31, 2025, as required by SGMA; and,

WHEREAS, the Authority prepared the 2024 Eastern San Joaquin Groundwater Sustainability Plan Amendment (“2024 ESJ GSP Amendment”) in response to DWR’s “Recommended Corrective Actions” and prepared the first Periodic Evaluation of the Eastern San Joaquin GSP.

NOW THEREFORE BE IT RESOLVED, that the Authority hereby accepts the final draft of the 2024 ESJ GSP Amendment and Periodic Evaluation; and,

BE IT FURTHER RESOLVED that the Authority Secretary is hereby authorized to submit the 2024 ESJ GSP Amendment and Periodic Evaluation to DWR no later than January 31, 2025.

PASSED AND ADOPTED this 11th day of December 2024 by the following vote:

- AYES:
- NAYS:
- ABSTAIN:
- ABSENT:
- ATTEST:

Attest: FRITZ BUCHMAN, C.E., T.E., CFM
Secretary

Robert Rickman
Chairman



STAFF REPORT
December 11, 2024

TO: ESJGWA Board of Directors
FROM: Brandon Nakagawa, Interim Staff to the ESJGWA
SUBJECT: Adoption of the 2024 Eastern San Joaquin Subbasin Communications and Engagement Plan Update
Date: December 11, 2024

Recommendation

Staff recommends that the ESJGWA Board of Directors adopt the 2024 Eastern San Joaquin Subbasin Communications and Engagement Plan Update (C&E Plan). The Final C&E Plan Update is located on the ESJGWA’s website at www.ESJGroundwater.org under the GSP tab.

Reasons for Recommendation

The Department of Water Resources (DWR) has provided the services of Stantec through their Facilitation Support Services Program to help groundwater subbasins better communicate and engage with stakeholders. Stantec has helped the ESJGWA to develop the C&E Plan Update which is a menu of options consisting of various communications and engagement activities which has also been informed by a broad spectrum of survey responses gathered in the summer of 2024.

Implementation of the C&E Plan Update will be accomplished through the selection of activities from the menu options to be compiled and vetted during the development of the ESJGWA Annual Work Plan and Budget. This process will enable the ESJGWA to match the activities with the needs of the ESJGWA constrained by the annual budget process. It is also worth mentioning that GSAs are responsible for reaching out to their own customers and stakeholders, while the C&E Plan is specific to activities that are assigned to the ESJGWA. The C&E Plan includes a section summarizing survey responses indicating that certain respondents want individual GSAs to do more engagement with their customers especially as projects and management actions are developed and implemented.

On November 13, 2024, the Steering Committee unanimously recommended adoption of the C&E Plan Update. There was a comment letter sent by the Sierra Club Delta-Sierra Group following the Steering Committee Meeting where the C&E Plan was presented. The Draft C&E Plan Update was posted to the ESJGWA website on November 20 with the public comment period closing on December 5. There was one additional comment letter from the Sierra Club Delta-Sierra Group submitted via email. Both letters are attached to this staff report.

Lastly, the ESJGWA’s response to the County of San Joaquin Civil Grand Jury indicate that the Final C&E Plan would be adopted in or around December 11th.

Fiscal Impact

The cost to develop the C&E Plan was funded through the DWR Facilitation Support Services Program at no cost to the ESJGWA.

Attachments

Sierra Club Delta-Sierra Group Letter Dated November 17, 2024

Sierra Club Delta-Sierra Group Letter Dated December 5, 2024



Eastern San Joaquin Groundwater Agencies Members:

11.17.2024

California Water Service Company	Central Delta Water Agency
Central San Joaquin Water Conservation District	City of Lodi
City of Manteca	City of Stockton
East Side San Joaquin Groundwater Sustainability Agency	Linden County Water District
Lockeford Community Services District	Oakdale Irrigation District
North San Joaquin Water Conservation District	San Joaquin County
Woodbridge Irrigation District	South Delta Water Agency
South San Joaquin Groundwater Sustainability Agency	Stockton East Water District

Members of the Eastern San Joaquin Groundwater Authority and Members of the Groundwater Sustainability Agencies (via info@esjgroundwater.org)

Re: Eastern San Joaquin Groundwater Authority (ESJGWA) Steering Committee Public Outreach and Information Availability

The Delta-Sierra Group within the Mother Lode Chapter, of the Sierra Club (DSG) has over 600 members throughout San Joaquin County most of which reside in the Eastern San Joaquin Subbasin governed by 16 Groundwater Sustainability Agencies (GSAs) representing 21 public agencies and organized as the Eastern San Joaquin Groundwater Authority (ESJGWA) under a Joint Powers Authority in 2017.¹ We are summarizing some of the DSG comments made during the 11.13.2024 ESJGWA Steering Committee meeting regarding communication handling and information availability, discussions that ensued, and resolution expectations.

Communication Handling

Information availability and good governance, environmental justice, along with environmental stewardship are projects of the DSG. I have attended many meetings of the ESJGWA and numerous letters have been submitted to the ESJGWA without any response.

During the October 2023 ESJGWA Steering Committee meeting, I learned as did others that the email address that had become the sole email address on the SGMA Portal was not being monitored when none of staff was able to produce the correspondence submitted in advance to the meeting and sent to the main ESJGWA email address info@esjgroundwater.org as well as multiple staff members. Concerns exist that all members of each GSA within the Subbasin are not receiving written communications when correspondence is addressed to the ESJGWA.

The inquiry about the DSG 9.11.2024 correspondence that was not referenced in the 9.11.2024 minutes record was made knowing the results of a recent California Public Records Act (CPRA)

¹ [Fully Executed Eastern San Joaquin Groundwater Authority JPA_02082017.pdf](#)

request to the City of Stockton. The CPRA request on 10.8.2024 was made for the 9.11.2024 letter we submitted to “Members of the Eastern San Joaquin Groundwater Authority and Members of the Groundwater Sustainability Agencies (via info@esjgroundwater.org)”. A final response was provided dated 10.30.2024 which indicated that the City of Stockton Groundwater Sustainability Agency had “no records responsive to this request.”² The request included therein stated that the “request for public records dated October 8, 2024, pursuant to the Public Records Act (“Act”) (Gov. Code § 7920.000, *et seq.*, formerly Gov. Code § 6250, *et seq.*), requesting a copy of the Delta-Sierra Group correspondence dated 9/11/2024 sent to Members of the Eastern San Joaquin Groundwater Authority and Members of the Groundwater Sustainability Agencies.” Clearly, as the City of Stockton is a GSA and has a member of the City Council appointed to the ESJGWA, the correspondence should have been forwarded but evidently was not, such that the public information officer was unable to provide a response to the request.

I made a comment prior to the adoption of the minutes from the 9.11.2024 meeting because I had submitted DSG correspondence dated 9.11.2024³ in advance of the meeting⁴ and discussed the DSG correspondence at the 9.11.2024 meeting, yet there was no indication that correspondence was received by the ESJGWA in the minutes. I neglected at that time of the 11.13.2024 meeting to request a correction of the minutes stating that the workgroup mentioned had actually not met since September 2019 in advance of the 2020 GSP submittal. I stated that there was no indication in the minutes that the DSG 9.11.2024 correspondence was received for the record. A member of the ESJGWA Steering Committee stated that they do not publish correspondence from members of the public, like the Board of Supervisors, and made inquiries to Public Works staff what their process was as Public Works staff prepares the minutes and their process was subsequently disclosed. Subsequently, the minutes were posted on the website without mention that correspondence was received.

The fact that a CPRA request came back with no response is not surprising when we found out during the 11.13.2024 meeting the actual process for handling communication included no permanent record of the correspondence received nor any acknowledgement to the sender that the communication was received. There was an indication that this practice would be modified, and a record of correspondence would be kept by SJC Public Works staff and that a response would be issued to the submitter indicating that the communication was received. This type of practice is also recommended in the draft stakeholder communication and engagement plan that will be released for a comment period beginning 11.18.2024 to 12.5.2024 (2 weeks) with the final plan adopted by the ESJGA Board of Directors on 12.11.2024. Stantec staff further indicated that the requirements of SB272 and SB929 were not being met by any GSA or the ESJGWA. Stantec staff stated that there was trust lacking between water managers and water users, evidenced during the surveys which were conducted by Stantec. A workgroup or committee was recommended to help guide outreach efforts and even a part-time coordinator hire was recommended. We support good governance and maintenance of the

² [COS_PRA_10.30.2024_serve4.stockton.6722ca45f12f3.8534094.pdf](#)

³ [DSG correspondence to the ESJGWA 9.11.2024](#)

⁴ [Email receipt of DSG correspondence to the ESJGWA 9.11.2024 transmission](#)

public record such that stakeholders unable to attend the daytime meetings can monitor progress in the implementation and development of the GSP including stakeholder outreach and engagement.

Meeting Presentations Available to Stakeholders

Any discussion about the release of public information made available during a public meeting as required by the Brown Act ⁵ should not be necessary especially after the San Joaquin County Grand Jury had already provided notice that such things such as posting of the minutes should be a standard practice. However, such a discussion occurred following my comment that materials are not made available in advance of meetings for stakeholders not in attendance to meaningfully engage in the development and implementation of the GSP, prior to ESJGWA voting actions. I stated that not posting presentations reports in advance and after the fact may be a Brown Act violation. The San Joaquin County Counsel has already been informed of this issue on 6.2.2023 with regards to the Advisory Water Commission meeting presentations ⁶ and we are surprised that San Joaquin County does not have a standard communication practice. The ESJGWA Steering Committee discussed the issue of making presentations available. The Stantec representatives working to provide facilitation support specifically requested that their presentation from 11.13.2024 and the draft communication and engagement plan be posted prior to the next meeting. The South San Joaquin Irrigation District member of the Steering Committee stated that their practice is to post with the agenda all presentations 72 hours in advance. San Joaquin County staff stated sometimes they do have the presentations complete and sometimes the presentations come from outside consultants. The ending stance for presentations in general was that the presentations would be posted when the minutes are finalized and posted. As was already outlined in the 10.31.2024 DSG comments submitted to the ESJGWA regarding the 2024 Draft Groundwater Sustainability Plan Amendment finalized and approved minutes are not regularly posted.⁷ Below is a screenshot from 11.13.2024 of the ESJGWA website.

2024

GROUNDWATER AUTHORITY BOARD	STEERING COMMITTEE	GWA MINUTES	STEERING MINUTES
2024 ESJ GWA BOARD APPROVED SCHEDULE 🔗			
	November 13th, 2024 Steering Agenda 🔗		
September 11th, 2024 Board Agenda 🔗	September 11th, 2024 Steering Agenda 🔗		
August 14th, 2024 Board Agenda 🔗 Determination Letter 🔗 Presentation 🔗	August 14th, 2024 Steering Agenda 🔗 Woodard & Curran Presentation		

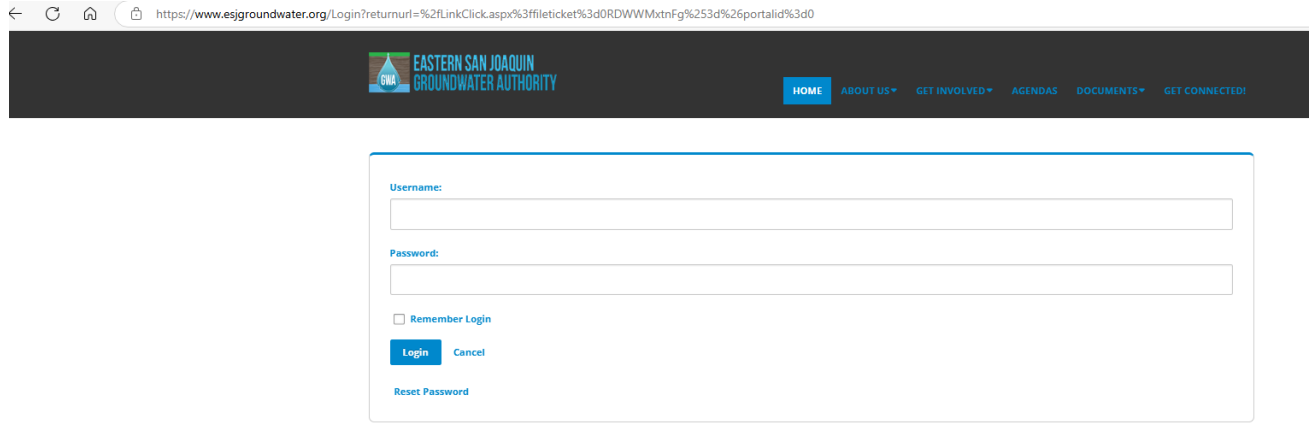
Waiting for presentations prepared for quarterly meetings for 3 months is excessive. Meeting presentations 1) should be posted with the agenda 72 hours in advance and 2) if not posted with the agenda, posted within 24 hours of the meeting. The goal should be that all presentations be posted with the agenda 72 hours prior to the meeting.

⁵ [California Code, GOV 54957.5.](#)

⁶ [ME 6.2.2023 Government Code Public Information correspondence to SJ County Counsel](#)

⁷

The presentation from the 9.25.2024 Stakeholder Outreach is still not posted on the ESJGWA website as of 11.16.2024.⁸ There have been several updates to the website since the 11.13.2024 meeting which have not been reviewed and the 11.13.2024 presentation by Woodward and Curran was uploaded and accessible however, the Stantec presentation and/or draft stakeholder communication and engagement plan was not accessible as shown below, as of 11.17.2024.



Additionally, an around the bench memo of the budget update for the ESJGWA and a presentation of the budget document was made but this memo has not been added to the website for the 11.13.2024 meeting, as of 11.17.2024.

When a response was made in regard to a comment about the small budget for the groundwater well mitigation program, the use of the specific budget item was clarified to be for implementation and outreach to various non-governmental organizations rather than the \$100,000 which was set aside annually for two years to fund the \$200,000 pledged for starting the well mitigation program. I requested in the 11.13.2024 ESJGWA Steering Committee meeting that the DSG be included as a non-governmental organization for this outreach. The DSG submitted comments on the draft well mitigation program in April 2024, which were not acknowledged, and no response was ever received.

Information Availability

The ESJGWA staff included in the 11.13.2024 agenda a recommendation that the Steering Committee consider a request that the Chair of ESJGWA form an ad hoc executive committee with a stated limited scope relating to;

1. To develop the process for and conduct the search for an Executive Director, and,
 2. To work with staff and consultants to implement the Eastern San Joaquin Groundwater Authority (ESJGWA) staffing transition plan prior to the hiring of an Executive Director, and,
 3. To set the monthly agendas for the Steering Committee and Board of Directors and to bring forth recommendations on the annual work plan and budget and other items of importance.
- The Ad Hoc Executive Committee is also recommended to be formed on a trial basis for a period of one year. Prior to, the ESJGWA will have the option to extend or terminate the term of the Ad Hoc Executive Committee or elect to form a standing committee.

⁸ [Meetings and Outreach webpage](#) on www.esjgroundwater.org as of 11.16.2024

With this limited scope for the proposed ad hoc executive committee, I noted no objection but noted that the scope of the existing ad hoc project management committee is extensive, creates a technical information barrier, and should not have been allowed to exist without public availability to meetings and the information shared. Even during the 11.13.2024 meeting when GSA allocations were discussed there were comments made to suggest that the ad hoc project management committee met and discussed next steps with regard to the future development of the 2024 Draft GSP Amendment required demand management plan. A comment was made by an ESJGWA Steering Committee member that technical discussions should be considered during Steering Committee meetings, which we hope are recorded.

The last public comment that I made was under the public comment portion of the agenda which was a request that meetings, such as the 11.13.2024 meeting, with a videoconference component be recorded and recordings posted on the website for stakeholders that were not available during the day to attend the ESJGWA meeting, as that was likely to be the only comment included in the minutes. Please feel free to reach out to discuss these issues further.

Sincerely,

Mary Elizabeth M.S., R.E.H.S.
Delta-Sierra Group, Conservation Chair, Sierra Club
Melizabeth.sierra@gmail.com



12.5.2024

Eastern San Joaquin Groundwater Agencies Members:

California Water Service Company GSA (SJC#2)	Central Delta Water Agency GSA
Central San Joaquin Water Conservation District GSA	City of Lodi GSA
City of Manteca GSA	City of Stockton GSA
East Side San Joaquin GSA	Linden County Water District GSA
Lockeford Community Services District GSA	Oakdale Irrigation District GSA
North San Joaquin Water Conservation District GSA	San Joaquin County GSA #1
Woodbridge Irrigation District	South Delta Water Agency GSA
South San Joaquin GSA	Stockton East Water District GSA

Members of the Eastern San Joaquin Groundwater Authority and All Members of the Groundwater Sustainability Agencies (via info@esjgroundwater.org and khandriale.clark@stantec.com)

Re: Draft 2024 Eastern San Joaquin Subbasin Communication and Engagement Plan Update

The Mother Lode Chapter, of the Sierra Club includes the Delta-Sierra Group and represents members residing in the Eastern San Joaquin Subbasin governed by 16 Groundwater Sustainability Agencies (GSAs) with coordinating authority organized as the Eastern San Joaquin Groundwater Authority (ESJGWA) under a 2017 Joint Exercise of Powers Agreement.¹ The ESJGWA is said to be representing 21 public agencies.

Two GSAs are comprised of several agencies: the South San Joaquin GSA and the Eastside San Joaquin GSA.² The South San Joaquin GSA includes three agencies: the South San Joaquin Irrigation District, the City of Ripon, and the City of Escalon. The Eastside San Joaquin GSA is made of four agencies: Calaveras County, Calaveras County Water District, Rock Creek Water District and Stanislaus County. Note according to the Department of Water Resources the South San Joaquin GSA is the name of the GSA but is frequently referred to as the South San Joaquin Irrigation District GSA as was done in the Draft 2024 Eastern San Joaquin Subbasin Communication and Engagement Plan Update (Draft 2024 C & E Plan Update). Additionally, a review of the Department of Water Resources Sustainable Groundwater Management Act (SGMA) Portal indicates that some of these GSAs need to update their point of contact which would facilitate the ability of stakeholders to communicate with the 16 GSAs of the coordinating authority for the Eastern San Joaquin Subbasin.

¹ [Fully Executed Eastern San Joaquin Groundwater Authority JPA 02082017.pdf](#)

² DWR Sigma Portal, GSA Formation, Eastern San Joaquin

On behalf of the Delta-Sierra Group of the Sierra Club, the Draft 2024 C & E Plan Update³ has been reviewed and these comments are submitted for consideration by those finalizing the plan prior to 12.11.2024 when the ESJGWA will consider the Plan Update for adoption. The Draft 2024 C & E Plan Update was prepared for the ESJGWA and GSAs of the Eastern San Joaquin Groundwater Subbasin, and prepared by Stantec Consulting Services Inc., under the California Department of Water Resources' (DWR) Facilitation Support Services grant. The Draft 2024 C & E Plan Update was initially developed using the DWR Facilitation Support Services grant ISP-27, and in April 2024 was under grant ISP-54 with a scheduled closeout date of June 30, 2025.⁴ Stantec Consulting Services Inc is currently under the DWR Facilitation Support Services grant ISP-61 which has a scheduled closeout date of June 30, 2025.

The Draft 2024 C & E Plan Update clarified the challenges regarding coordination, communication and facilitation while stating that compliance with the SGMA requirements is up to individual GSAs to either implement Draft 2024 C & E Plan Update to comply with all requirements of the SGMA or provide consent, guidance, and/or funding to the ESJGWA to do so on their behalf. Two choices seem to be put forth here either fully comply with the Draft 2024 C & E within the GSA boundary or pay the ESJGWA to implement the Draft 2024 C & E Plan Update for the beneficial users and users of groundwater and other interested parties within the GSA boundary. The language though could also be interpreted as the GSA can either consent, guide, and/or fund in which case a GSA could consent and guide but not fund. This language must be clarified in the final 2024 C & E Plan Update to avoid ambiguity. The Draft 2024 C & E clearly stated that "This C&E plan does not supersede or alleviate any individual laws, regulations, or GSA requirements that are the responsibility of a Member GSA."

The Draft 2024 C & E Plan Update states that the document does not replace any existing information or commitments outlined in the 2018 PO Plan (**June 2018 Stakeholder Engagement and Public Outreach Plan**⁵) which was never implemented after the draft 2020 Groundwater Sustainability Plan (GSP) was released for public review. The three purposes of the Draft 2024 C & E Plan Update are:

1. Provide a roadmap for **potential activities** that supports the ESJGWA as it fulfills its coordination and collaboration objectives under SGMA
2. Assist various ESJGWA committees fulfil their decision-making support functions for ESJGWA and subbasin GSAs
3. Assists each individual GSA as they work to achieve their operational, jurisdictional, and statutory obligations under SGMA

³ https://www.esjgroundwater.org/Portals/0/202411_ESJ_CE-Update_DRAFT_Public%20Review.pdf?ver=mPehg7gGCCQM-NkLKuN0ng%3d%3d

⁴ [20240410_CommitteeMeeting_pptx_Revised.pptx](#)

⁵ [Stakeholder Engagement Plan submitted in the 2022 Revised GSP following the DWR Incomplete Determination APPENDIX 1-H. STAKEHOLDER ENGAGEMENT AND PUBLIC OUTREACH PLAN](#) and Draft 2024 GSP Amendment Chapter 1 Appendix as of 10.31.2024 [Appendix 1-H Placeholder](#)

The outreach, communications and engagement during the implementation phase of the GSP is to build off the roadmap established within the Draft 2024 C & S Update and is to take into consideration feedback received from various interested parties, though the mechanism for that “feedback” to be considered was not explicitly stated.

As the Draft 2024 C & E Plan Update is supplemental to the June 2018 Stakeholder Engagement and Public Outreach Plan, the June 2018 Stakeholder Engagement and Public Outreach Plan should be linked separately on the Meetings and Outreach webpage rather than buried in the 2022 Revised GSP or completely missing from the 2024 GSP Amendment (placeholder only).

Communication and Engagement Plan Development Process

The first digital surveys and interviews were conducted between March 2023 and July 2023. Despite reaching out to 17 individuals for interviews only 7 participated in the one on one and small group interviews reportedly representing groundwater dependent ecosystems, disadvantaged communities, municipal and industrial, agricultural, domestic well, and environmental water users. Those participating in the one on one or small group interviews included Barbara Barrigan-Parrilla Restore the Delta, Jeff Wagner Small Farm, Richard Rodriguez Small Farm, Mary Elizabeth Sierra Club Delta-Sierra Group, David Breitenbacher City of Manteca GSA, Mike Henry Lockeford Community Service District GSA, and Myron Blanton, Douglas Smith and Barbara Kascht Linden County Water District GSA. In 2023 the Interested Parties Digital Survey consisted of 18 questions and was completed by 120 participants, predominately agricultural water users. In 2024 the second Stakeholder Engagement Digital Survey was conducted, consisting of 12 questions, was completed by 56 participants and again over half of the surveys were completed by individuals self-identifying as having the agricultural sector as their main involvement with groundwater in the Subbasin.

Collective fears that respondents noted and reported in the Draft 2024 C & E Plan Update included:

- possible demand reduction strategies that might be overly limiting and disruptive to their lives and livelihoods;
- a lack of clear answers and progress regarding long-term sustainability approaches;
- a lack of consistent and/or effective engagement with vulnerable and/or underrepresented communities;
- high water management costs and raised water rates as a result (i.e., a lack of public understanding around the GSAs’ approach funding);
- overly bureaucratic processes that might limit the effectiveness of the GSAs and the ESJGWA if things escalate beyond the local level;
- and a significant lack of transparency in a number of capacities but particularly in how, where, and when GSAs share information as well as engage with each other and the public.

Additionally, 9 of the 16 GSA Water Managers completed a survey indicating that there were concerns about how to effectively garner and maintain public interest in water management issues, how to manage expectations versus GSA capabilities and how to connect with interested parties in meaningful ways and engage underrepresented groundwater users.

The Draft 2024 C & E Plan Update stated that overall, water managers along with non-water managers surveyed and those interviewed interviews had concerns and hopes that aligned with one another, including:

- better GSA and ESJGWA coordination.
- increased clarity surrounding GSA and ESJGWA governance structures and responsibilities.
- better management, availability of, and transparency for SGMA-related documentation.
- making technical information more easily digestible.
- solution-based communication rather than philosophy or process-based communication.
- providing clear and regular updates regarding Subbasin conditions as well as projects and management actions.
- providing greater opportunities for engagement in formats, time, and/or locations more convenient for interested parties.
- and increased direct outreach to underrepresented groundwater users.

Note that Appendix A did not state that these relevant documents were reviewed that specifically refer to stakeholder outreach and engagement efforts included the following:

- Stanislaus County Superior Court: California Sportfishing Protection Alliance vs. All Persons Interested in the Matter of the Validity of the Eastern San Joaquin Groundwater Subbasin Groundwater Sustainability Plan Second Amended and Supplemental Complaint for Reverse Validation and Petition for Writ of Mandate electronically filed 3.7.2024 by the Clerk of the Superior Court of California County of Stanislaus.⁶
- San Joaquin County Civil Grand Jury 2023-2024 Final Report.⁷
- California Department of Water Resources Transmittal of the Approved Determination of the Revised Groundwater Sustainability Plan Submitted for the San Joaquin Valley – Eastern San Joaquin Subbasin dated July 6, 2023 and addressed to the Plan Manager Fritz Buchman (San Joaquin County Public Works Department).⁸

Communication and Engagement Activities for Groundwater Sustainability Plan Implementation

There are several levels of recommendations for activities and tactics put forth to build upon the commitments made in the 2018 PO Plan and in Appendix A. Appendix A includes Table A-1 CWC and DWR Emergency Regulations which outlined the applicable communication and engagement actions – as defined through SGMA (chaptered through the California Water

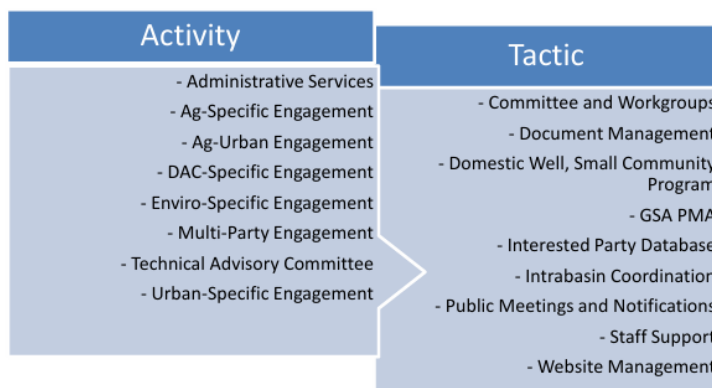
⁶ [Stamped Second Amendment 3.7.2024 Superior Court of California, County of Stanislaus](#)

⁷ [San Joaquin County Grand Jury 2023-2024 Final Report](#)

⁸ [Eastern San Joaquin 2023 GSP Determination DWR Letter and Findings dated 7.6.2023](#)

Code (CWC) or DWR Emergency Regulations – applicable to connecting interested parties to the work of GSAs and DWR.

The Draft 2024 C & E Plan Update used the terms “activity” to refer to a specific audience or agency function and “tactic” as the approach or deliverable that is assigned to support the activity which may be supported by more than one tactic.



An overview of the recommendations are shown in the graphic above that was included in the Draft 2024 C & E Plan Update. Please note that we were not able to discern the meaning of GSA PMA and the term should be included in the Acronyms and Abbreviations list.

Appendix A included 10 recommended approaches which were outlined in the 11.13.2024 Presentation to the ESJGWA Steering Committee which as of this writing is now available on the website, as amended.⁹ Whether or not this approach was already listed in the 2018 PO Plan has been included with the recommendation and italicized.

1. Communication and Engagement Tracker: Establish a comprehensive Communication and Engagement Tracker that would catalog the type and timing of outreach activities to be posted on the ESJGWA and member agency websites. *Included in 2018 PO Plan.*

2. Comment Portal: Establish, maintain and respond to public comments through general and project specific email contact portal. *Included in 2018 PO in regard to GSP related summary of responses. At the 11.13.2024 ESJGWA Steering Committee meeting, staff was directed to send an acknowledgement when comments were submitted but no acknowledgement was received for the 11.18.2024 Delta-Sierra Group comment letter submitted.*¹⁰

3. Document Management: Prepare a common template and style guide for notices and announcements by member agencies; establish a shared comprehensive interested parties database that allows member agencies to distribute information; establish an outreach coordinator to assist GSAs in distribution as necessary. *Not included in 2018 PO Plan.*

4. GSP Conformance: Section 6.2.8 commits the GSA to post information about planned projects on the agency's website. GSA to establish a "Projects" link on their agency website to provide a link, and status, of this activity. *Not included in the 2018 PO Plan.*

⁹ [11.13.2024 Stantec Presentation to the ESJGWA Steering Committee](#)

¹⁰ [Delta-Sierra Group of the Sierra Club, 11.17.2024 Correspondence submitted 11.18.2024](#)

5. Interested Party Database: Establish a comprehensive interested parties database accessible for subbasin, GSA, and target audience engagement. *Included in 2018 PO Plan.*

6. Native American Heritage Commission: Submit and receive Tribal and Sacred Land tribal contact list to the Native American Heritage Commission. *Identified as an Interested Party in 2018 PO Plan.*

7. Staff Resources: Evaluate in coordination with ESJGWA member agencies funding, grant or in-kind support resources for facilitation, media relations, and outreach coordination services. *Not included in the 2018 PO Plan.*

8. Website Management: Establish web pages on the ESJGWA and GSA websites, as applicable, to contain clear and accessible audience-specific mapping, information resources, notification processes, administrative and financial records, governance structures, up to date meeting information and materials, decision-making structures, etc. *Included in 2018 PO Plan.*

9. Workgroup: Consider establishment of a Small Community/Under-represented Community Committee to engage on well protection and other related PMAs. -Committee and Workgroups-Document Management-Domestic Well, Small Community Program-GSA PMA-Interested Party Database-Intrabasin Coordination-Public Meetings and Notifications-Staff Support-Website Management Tactic-Administrative Services-Ag-Specific Engagement-Ag-Urban Engagement-DAC-Specific Engagement-Enviro-Specific Engagement-Multi-Party Engagement-Technical Advisory Committee-Urban-Specific Engagement Activity. *Included in the 2018 PO Plan.*

10. Targeted Outreach: Outline and implement specific efforts, possibly through the previously suggested workgroup, to identify, contact, educate, and engage with underrepresented groundwater users and non-English speakers on groundwater resource management in the Subbasin. *This was identified in the 2018 PO as part of the Interested Party Database.*

These 10 recommendations are later referenced as “**options**” that will be selected annually according to the following statements included in the Draft 2024 C & E Update.

The ESJGWA envisions that annually, in preparation of the ESJGWA’s Annual Work Plan and Budget (July 1 – June 30), the options presented in this C&E Plan would be evaluated, selected, and incorporated for adoption by the ESJGWA Board. The ESJGWA ‘s Annual Work Plan and Budget processes are based on the collaborative and consensus building themes enumerated in its JPA. Once adopted by the Board, ESJGWA staff will have clear direction and funding to implement the approved C&E options for that Fiscal Year.

Given that these are all considered optional activities, the Draft 2024 C & E Plan Update provides little assurance that the concerns frequently expressed by the Delta-Sierra Group and the San Joaquin Grand Jury, about needed standard outreach practices, will be addressed or implemented.

Language changes that commit to specific elements of these recommendations would present a more acceptable product. There was no mention of periodically holding meetings in the evenings, recording meetings for later viewing by stakeholders unable to attend meetings, committing to having all presentations posted with the agenda so that stakeholders can submit comments that are more meaningful prior to GSA or GWA actions, and responding to comments submitted. Feedback meant to improve operations is ignored and/or not implemented.

Posting budget updates such as the FY 2024-2025 Budget Report ESJ GWA Steering Committee dated 11.13.2024¹¹ that was distributed during the meeting should be standard practice pursuant to the Brown Act within 24 hours. This document was still is not posted on the website with the agenda for the meeting as of this writing.¹² In fact the last budget posted on the website was for 2023-2024 thus the basic outreach of letting stakeholders know how projects are to be funded and to account for the use of property owner zone 2 groundwater investigation funds is not occurring on a regular basis.

These are some examples of standard outreach practices.

Website Audit

The Website Audit included in Appendix D of the Draft 2024 C & E Plan Update websites provided many recommendations for the improvement of the ESJGWA website and individual GSA websites. The Appendix D referenced several governance documents in addition to the EJSJGWA JPA and Bylaws there are memorandum of understandings (MOU) and joint power authorities (JPA). Only one of the two MOUs, the one between San Joaquin County and California Water Services was located on the ESJGWA website. The MOU between the County of Calaveras, the County of Stanislaus, Rock Creek Water District and Calaveras County Water District (CCWD) was not found for the Eastside San Joaquin GSA. Additionally, the South San Joaquin GSA JPA between South San Joaquin Irrigation District, City of Escalon and the City of Ripon, which are also responsible for compliance with the SGMA requirements, was not located on the ESJGWA website.

The Website Audit furthermore noted that the lack of a cohesive web strategy across the region can result in inconsistent understanding of the specific roles and responsibilities of local GSAs and the ESJGWA and thereby undermine the ability of GSA constituents to understand the decision-making process of their governing body in relation to the ESJGWA. A number of EJSJGWA coordination actions that could help improve stakeholder understanding were included:

- Provide clear and uniform descriptions of the governance structure, roles and responsibilities of each subbasin GSA, inclusive of their relationship to related overlying governance agreement(s).
- Develop and implement a consistent method to publish and distribute documents appropriate to the objectives of the ESJGWA and the responsibilities of subbasin GSAs.

¹¹ [11.13.2024 Budget Handout at the ESJGWA Steering Committee Meeting](#)

¹² [Esjgroundwater.org webpage Reports](#) accessed 11.29.2024

- Consistently provide access to be added to a list of interested parties consistent with CWC §10723.4.

The “suggested” amendments for the ESJGWA website are all supported by the Delta-Sierra Group and additionally, there must be some response provided to an interested party that is tracked and periodically reported for public viewing.¹³ Being on a list should include more than periodically receiving notices of documents available for review, although that is an important coordinating activity for the ESJGWA that does not routinely occur. For example, five days after the release of the Draft 2024 C & E Plan Update, the ESJGWA was contacted on 11.26.2024 at 10:55 AM¹⁴, inquiring about whether an email notification would be made to the interested parties list which yielded the response that the plan was posted on the website. Five days after the Draft 2024 C & E Plan Update was supposedly posted on the website, a notifying email was sent on 11.26.2024 at 11:31 AM to the interested party list.¹⁵

Table D-1 High-level Website Audit included audit notes for the following GSA which exemplified the need for a coordinated approach to how GSAs are conveying information which should be corrected immediately.¹⁶

1. Stockton East Water District GSA
2. Central San Joaquin Water Conservation District GSA
3. Linden County Water District GSA
4. South San Joaquin GSA
5. South Delta Water Agency GSA
6. Lockeford Community Services District GSA
7. East Side San Joaquin GSA
 - a. Calaveras County Water District
 - b. Stanislaus County
 - c. Rock Creek Water District
8. Oakdale Irrigation District GSA
9. Central Delta Water Agency GSA
10. City of Lodi GSA
11. City of Manteca GSA
12. North San Joaquin Water Conservation District GSA
13. Woodbridge Irrigation District
14. San Joaquin Count GSA #1
15. California Water Service Company GSA (SJC#2)

Unfortunately, the GSA, which is a major funder of the ESJGWA and the most populated GSA, the City of Stockton GSA, did not have any notes regarding a Website Audit which should be conducted and included in the final 2024 C & E Plan Update. According to the Draft 2024 GSP Amendment, the ad hoc project management that met privately was tasked with reviewing all drafts and apparently the Draft 2024 C & E Plan Update could have benefited by

¹³ [Outreach Tracker 2018](#)

¹⁴ [Email response to inquiry if an email notification was going to be sent out 11.26.2024](#)

¹⁵ [Email notification of the availability of the Draft 2024 C & E Plan Update 11.26.2024](#)

¹⁶ [The Draft 2024 C & E Plan Updated as of 11.28.2024](#) accessed from:

https://www.esjgroundwater.org/Portals/0/202411_ESJ_CE-Update_DRAFT_Public%20Review.pdf?ver=mPehg7gGCCQM-NkLKuN0ng%3d%3d

having an earlier than 11.21.2023 draft available for public review, leaving a very short time to make necessary additions to the Website Audit. The Delta-Sierra Group has worked with the Port of Stockton to improve access to information and communication processes, and we recommend that the Port of Stockton website is viewed as public outreach friendly and considered as a model for the next steps.

The ESJGWA has repeatedly stated that the domestic well and small water system planning pursuant to SB552 is not the responsibility of the ESJGWA, even though DWR guidance suggests otherwise. We concur with the recommendation that workgroups and committees pursuant to CWC §10727.8(a) and DWR Emergency Regulations §354.10 (d)(3) along with GSAs consider establishment of a small community/under-represented community committee or workgroup to engage on well protection and other related projects and management actions that affect underrepresented groundwater users and that meet regularly at times convenient to stakeholders. With the development and funding of the domestic well mitigation program, having a committee/workgroup that can provide input as the program is developed will be helpful to give domestic well and small water system owners a forum by which they can stay informed and provide meaningful feedback.

Finally, having a designated outreach coordinator that can provide communication support and help facilitate decision making processes. A first decision that is needed is whether the GSAs will maintain their own webpages, with the elements listed in the Draft 2024 C & E Plan Update or the ESJGWA maintains all of the GSAs' webpages on its website with the required elements for each GSA. Consideration should be given to include language from the 2017 JPA about GSA compliance with the GSP which is being amended and will include the 2018 PO Plan and the final 2024 C & E Plan Update.

What the ESJGWA does with regard to the recommendations and comments contained herein and in the final 2024 C & E Plan Update is unknown, but what is clear is that some significant improvements in outreach and communication are needed in order for the GSAs in the ESJ Subbasin to comply with the requirements outlined in the California Water Code and DWR Emergency Regulations.

Please feel free to contact me at mebeth@outlook.com if there are any questions.

Sincerely,

Mary Elizabeth M.S., R.E.H.S.
Delta-Sierra Group, Conservation Chair, Sierra Club