



This chapter addresses the Integrated Regional Water Management (IRWM) Governance Plan Standard, which requires IRWM Plans to:

- ✓ Document a governance structure that ensures the IRWM Plan will be updated and implemented beyond existing State grant programs
- ✓ Describe the RWMG responsible for development and implementation of the Plan and explain how the RWMG meets the California Water Code definition
- ✓ Identify the RWMG and individual project proponents who adopted the Plan
- ✓ Describe how the chosen governance addresses public involvement, effective decision making, balanced access and opportunity for participation, effective communication, long-term implementation, coordination with neighboring IRWM regions and State and federal agencies, collaboration and process for updating the Plan.

The California Water Code (CWC) defines a Regional Water Management Group as: “a group in which three or more local agencies, at least two of which have statutory authority over water supply or water management, as well as other persons who may be necessary for the development and implementation of a plan that meets the requirements of CWC §10540 and §10541, participate by means of a joint powers agreement, Memorandum of Understanding (MOU), or other written agreement, as appropriate, that is approved by the governing bodies of those local agencies.”

The Merced IRWM planning process was initiated in 2008 by a RWMG consisting of MAGPI - a consortium of municipal and agricultural water purveyors and other interest groups that includes most of the agencies with water supply, water quality and water management authority in the Region. MAGPI has been meeting since 1997 to develop technical data and management strategies to improve the health of the Region’s groundwater basin. In 2008, MAGPI established a subcommittee to encourage cooperative planning among additional aspects of water resources management beyond groundwater management and to lay the groundwork for development of the MIRWMP. This subcommittee completed the IRWM program RAP application in April 2009, which resulted in the approval of the MIRWMP regional boundary. In February 2012, MAGPI secured a DWR IRWM Planning Grant to develop the first Merced IRWM Plan.

In 2012, MAGPI transferred responsibility for the Region’s IRWM planning to an interim RWMG, comprised of MID, Merced County, and the City of Merced, responsible for overseeing the development of the MIRWMP. In coordination with a 39-member interim RAC, the interim RWMG developed this MIRWMP, which includes a long-term governance structure for continued planning and implementation of the plan.

### 3.1 Long-Term Governance Structure

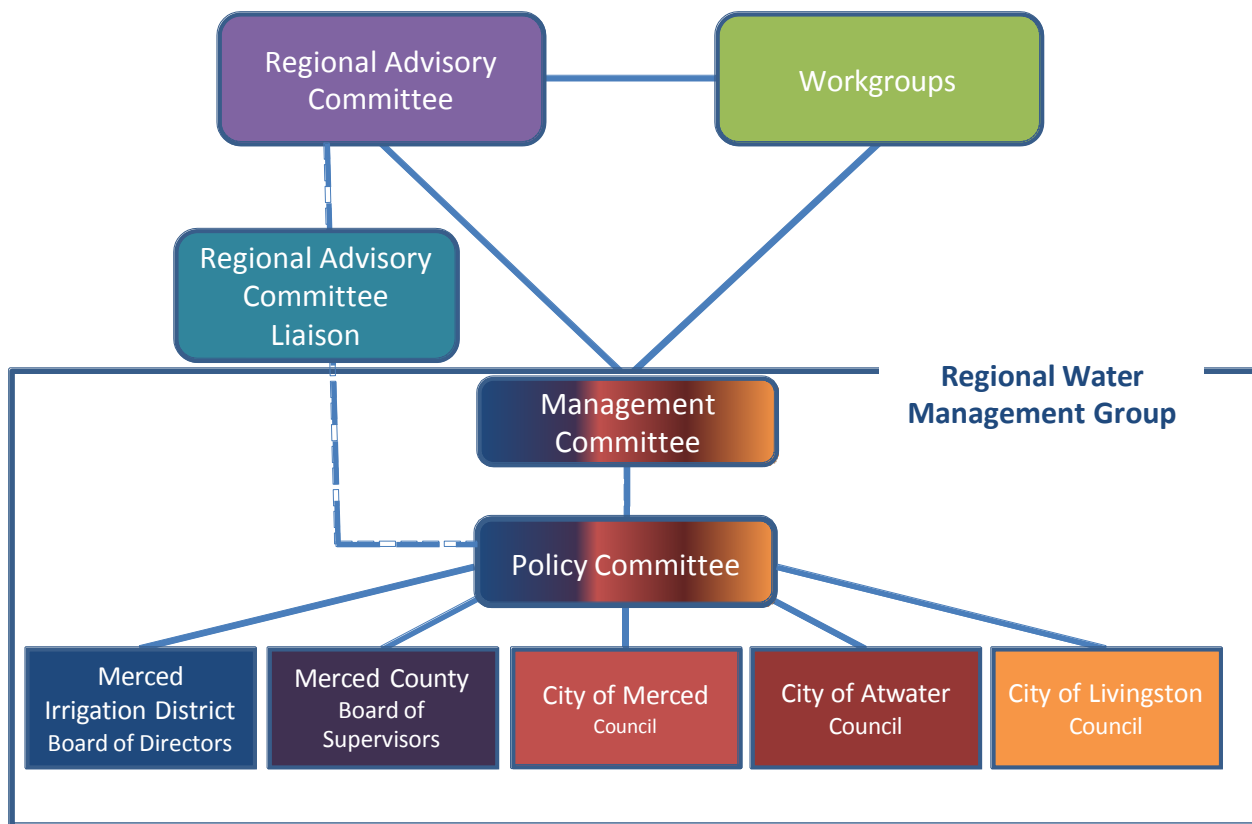
The interim RAC identified a preferred long-term governance structure for the Merced IRWM planning process, to be implemented following adoption of the MIRWMP. This recommended long-term governance structure, illustrated in Figure 3-1, consists of the following entities.



- A long-term RAC that represents the broad water-related interests of the Region and reviews regional water management issues and needs, plans, projects and work products developed through the ongoing planning process
- Workgroups formed on an as-needed basis to address specific IRWM planning needs at the request of the RAC
- A long-term RWMG, including MID, Merced County, the City of Merced, the City of Livingston, and the City of Atwater, that is responsible for overall direction, funding and approval for the IRWM planning process; the governing bodies of the RWMG member agencies collectively form the governing body of the RWMG, and elected officials and staff members from each of the RWMG member agencies coordinate through the committees of the RWMG
- A Management Committee, comprised of staff from each RWMG member agency, responsible for managing the day-to-day business of the IRWM planning program
- A Policy Committee, comprised of one official from each RWMG member agency, tasked with advising the RWMG governing bodies on IRWM-related business and policy based on recommendations of the RAC and Management Committee

Each of these entities is described further in the following sections.

**Figure 3-1: Merced IRWM Recommended Governance Structure**



### 3.1.1 Regional Water Management Group

The RWMG administers and manages the IRWM planning process with the RAC in an advisory role. The RWMG is described in this section along with an explanation of its relationship with the RAC. The RAC is described in greater detail in Section 3.2.

The recommended long-term governance structure includes a RWMG that includes MID, the City of Merced, the County of Merced, the City of Atwater, and the City of Livingston. Collectively, these agencies have jurisdiction over all of the incorporated and unincorporated areas of the Region and associated interests of both urban and agricultural communities in the Region. All five of these entities have statutory authority over water supply and management.

Water management responsibilities of each of the proposed RWMG member agencies are described below:

- Merced Irrigation District – MID manages various water facilities in eastern Merced County. The district was formed in 1919 pursuant to the Irrigation District Law contained in California Water Code §20500 et. seq and is governed by a five-member, elected Board of Directors. Each director is elected from the district in which he or she resides. MID’s water management responsibilities include water supply, storm drainage, flood management on the Merced River, environmental uses of water and recreational uses of water. MID is also negotiating a recycled water exchange proposal with the City of Merced.
- Merced County – As described in Chapter 2 Region Description, the Merced Region is comprised of the northeastern portion of Merced County. Merced County is a general-law county that operates under the provisions of California State law and is governed by a five-member, elected Board of Supervisors. Each supervisor is elected from the district in which he or she resides. The County’s water management responsibilities include storm drainage, flood management, and recreational uses of water.
- City of Merced – The City of Merced is the largest of the three incorporated cities in the Region, serving a population of approximately 79,000 people. Incorporated in 1889, Merced is a charter city that operates under the Council-Manager form of government in which the elected City Council is responsible for legislation. The Merced City Council consists of a mayor and six City Council members who are elected at large. The City of Merced’s water management responsibilities include water supply, wastewater collection and treatment, storm drainage, flood management, environmental uses of water and recycled water.
- City of Atwater – The City of Atwater is the second largest of the three incorporated cities in the Region, serving a population of approximately 28,000 people. Incorporated August 16, 1922, Atwater is a general-law city that operates under California State law and is governed by an elected City Council, which consists of a mayor and four council members. The mayor is directly elected by the voters and the council members are elected at large. The City of Atwater’s water management responsibilities include water supply, wastewater collection and treatment, storm drainage, flood management and recycled water.
- City of Livingston – The City of Livingston is the third largest of the incorporated cities in the Region, serving a population of approximately 13,000 people. Incorporated September 11, 1922, Livingston is a general-law city that is governed by an elected City Council, consisting of a mayor and four council members. The City of Livingston’s water management responsibilities include water supply, wastewater collection and treatment and storm drainage.



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The organization of the RWMG may evolve based on advisement by the long-term RAC and discussion among the proposed RWMG member agencies. However, the RWMG member agencies are envisioned to be equal partners in management of the MIRWMP and will be responsible for managing the Merced IRWM program indefinitely or until a revised governance structure is developed and adopted. The RWMG’s commitment to the implementation of this MIRWMP will be formalized through the adoption of the MIRWMP by each of the RWMG member agencies. The RWMG will organize itself either through execution of an MOU to manage the ongoing IRWM planning process, or through development of a Joint Powers Authority (JPA). The preferred organization will be identified by the RWMG member

agencies on implementation of the long-term governance structure (following Plan adoption).

The East Merced Resource Conservation District (EMRCD) has also expressed interest in becoming a member of the RWMG in order to more fully represent landowner interests and natural resources management. The interim RAC recommended that the RWMG should be initially limited to the five-member group of MID, the City of Merced, the County of Merced, the City of Atwater, and the City of Livingston, with the 30-member RAC serving as the working arm of the MIRWMP and providing the balance between the diverse interests of the Region. However, recognizing the need to have a process to allow for modifications to RWMG membership in the future, the long-term RAC will be responsible for developing a process by which additional agencies can apply and be considered for membership and a process to follow should existing members choose to leave the RWMG. It was also recommended that the long-term RAC consider recommending the addition of the EMRCD to the RWMG.

### **3.1.2 Management Committee**

During development of the MIRWMP, one staff member from each of the interim RWMG member agencies participated on a Work Plan Management Committee. As its name suggests, the WPMC was responsible for establishing and implementing a work plan for completing the MIRWMP and managing day-to-day IRWM program business. Throughout MIRWMP development, the WPMC coordinated via biweekly conference calls and occasional in-person meetings. The standing biweekly conference calls provided a forum for WPMC members to discuss IRWM business (e.g. invoicing, progress of technical studies being completed by consultants, on-going public outreach efforts, etc.) and to coordinate preparation of monthly RAC meetings and periodic public workshops, which were integral to the IRWM planning process.

Following adoption of the MIRWMP, the WPMC will be replaced by a Management Committee. Similar to the WPMC, the Management Committee will be comprised of staff from each of the RWMG member agencies, which is proposed to include MID, Merced County and the Cities of Merced, Atwater and Livingston.

The Management Committee will serve as a bridge between the management and planning sides of the IRWM program. The Management Committee will meet approximately monthly, or as needed, to discuss the status of the IRWM program, coordinate day-to-day business needs, organize meetings of the Policy Committee and address coordination needs for the quarterly RAC meetings.



Management Committee members, while responsible for attending and supporting Policy Committee and RAC meetings, will not be members of either of these committees. The role of the Management Committee members is to facilitate meetings and to provide their respective governing bodies with the information and recommendations needed to make informed program decisions. Management Committee members will support RAC meetings by providing information to support RAC decision-making and share RWMG member agency perspectives. As nonvoting participants at RAC meetings, the Management Committee members will be in a position to provide suggestions and offer feedback related to the feasibility of RAC recommendations; however, recommendations of the Management Committee remain independent from recommendations of the RAC.

### **3.1.3 Policy Committee**

During MIRWMP development, the interim RAC noted that improved coordination among the elected representatives of the RWMG was needed. Furthermore, the interim RAC indicated a need for direct connection to elected officials as opposed to relying on the Management Committee to communicate the perspective of the RAC to the RWMG governing bodies. The outcome of the interim RAC's recommendation was the formation of a Policy Committee.

The recommended structure for the Policy Committee includes one elected official from each RWMG member agency. Each RWMG member agency will have sole discretion to appoint its own representative

to the Policy Committee; however, the intent is for each Policy Committee member to be an elected member of the RWMG agency's governing board or council. The Merced County Board of Supervisors representative on the Policy Committee should be a Supervisor that represents a community within the Region (Districts 1 through 4). While the ultimate composition of the Policy Committee will be determined by the RWMG member agencies and may differ from the structure initially proposed, the RWMG shall ensure that the Policy Committee structure meets the original intents of improving coordination among elected representatives and providing a forum for coordination with the RAC.

The Policy Committee will be responsible for maintaining coordination among the RAC and RWMG agency governing bodies regarding the IRWM program, providing feedback to the Management Committee and RAC, making critical IRWM-related policy decisions based on recommendations from the RAC, and reporting to their respective Boards or Councils on the status of the IRWM program. Additionally, in the future, should changes to the governance structure be desired, the Policy Committee will be responsible for evaluating potential changes. To fulfill these duties, the Policy Committee will meet approximately twice per year or as necessary.

Meetings of the Policy Committee will be open to the public and will include participation from each Policy Committee member, Management Committee members, and a RAC member appointed by the RAC to serve as a liaison to the Policy Committee. In addition to facilitating the Policy Committee meetings, Management Committee members will participate in Policy Committee meetings to provide staff recommendations as appropriate. The RAC liaison will also participate, communicating RAC recommendations directly to the Policy Committee.



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## 3.2 Regional Advisory Committee

The interim RAC was formed in May 2012 to assist in completing the MIRWMP. Members of the RAC were recruited through an open invitation process that was publicly advertised by MID, Merced County and the City of Merced. All parties that applied for inclusion on the RAC were formally appointed by the MID Board of Directors as either full or alternate members of the RAC. The interim RAC includes 23 full members and 16 alternates representing broad interests and perspectives in the Region related to water management, land use, natural resources and community stewardship. The interests represented by the interim RAC include:

- Water Supply Interests
- Wastewater Interests
- Stormwater Interests
- Flood Control Interests
- Local Government
- Agricultural Interests
- Other Business Interests (non-agriculture)
- Environmental Interests
- Other Institutional Interests (e.g. UC Merced)
- Disadvantaged Community and Environmental Justice Interests
- Recreational Interests
- Community / Neighborhood Interests

During development of the MIRWMP, the interim RAC met on a monthly basis to review progress and

provide comments and guidance on key plan elements, including recommendations for the MIRWMP long-term governance structure. The recommended long-term governance structure includes a reformulated RAC that will meet on an approximately quarterly basis, or as needed, to provide guidance on upcoming IRWM planning and funding activities and educate participants on water resources-related topics.



*The RAC met regularly throughout MIRWMP development to provide guidance on IRWM planning and funding activities and to educate participants on water resources-related topics.*



The purpose of reformulating the RAC following adoption of the MIRWMP is to provide for continued representation of the broad interests of the Region in long-term water resources planning. Participants from the interim RAC are encouraged to participate in the long-term RAC; however, current participants are not obligated to continue participation.

A succession policy was developed by the interim RAC and endorsed by the interim RWMG to dictate how RAC replacements will be appointed, should a RAC member need to step down for any reason. This policy is described in the draft RAC charter, provided as Appendix F.

When the new RAC is formed, one of its first tasks will be developing an application and acceptance process for expanding the RWMG to include other interested members, as discussed in Section 3.1.1  
3.1.1 Regional Water Management Group,

### 3.3 Workgroups

Two types of workgroups may be established: standing workgroups and ad-hoc workgroups.

Standing workgroups may be convened to deal with ongoing RAC business. In contrast, ad-hoc workgroups will be formed, as needed, to carry out discrete tasks such as project selection for funding opportunities, review of proposed legislation, and other actions. The purpose of ad-hoc workgroups is to enable participants in the IRWM program to work through topics requiring intensive discussions and evaluation to develop recommendations for the larger group. The process for convening and managing workgroups is described in the draft RAC charter, provided as Appendix F.



### 3.4 Entities Adopting the MIRWMP

Adoption of the MIRWMP is the formal acceptance of the plan and indicates support of the Merced IRWM program. At a minimum, the governing body of each RWMG agency must adopt the MIRWMP. Other agencies that desire to formally indicate their support for the MIRWMP are also encouraged to adopt the plan.

The entities that have indicated their intent to adopt this first MIRWMP include:

- City of Merced
- East Merced Resource Conservation District
- Merced County
- Merced Irrigation District
- Planada Community Services District
- Stevinson Water District
- University of California, Merced

Adoption of the MIRWMP by additional agencies may occur at later dates. Prior to becoming members of the long-term RWMG, the Cities of Atwater and Livingston will be required to adopt the plan just as any other RWMG Member.

### 3.5 Public Involvement

Engagement of stakeholders and members of the general public, in addition to RAC members, is integral to the IRWM planning and implementation process. Stakeholder outreach began early in the development of the MIRWMP. The MIRWMP has benefitted from the legacy of MAGPI's established relationships with various stakeholders such as water purveyors; wastewater agencies; flood management agencies; municipal, county government and special districts; land use authorities; self-supplied water users; environmental stewardship organizations; community and landowner organizations; industry organizations; state, federal and regional agencies; colleges and universities; DACs; and other interests in the area. The MAGPI stakeholder list was used as a starting point for MIRWMP public outreach, and that list was expanded during the Merced IRWM RAP by circulating an invitation letter to organizations throughout the Region. During development of the MIRWMP, the RWMG continued to reach out to interested parties by personally contacting potential project proponents and hosting six public workshops. The workshops were advertised through multiple outlets including public service announcements, newspaper advertisements, web postings and e-mail distribution lists, and personal communication with potential project proponents.





Stakeholder involvement in key program decisions will remain a priority for ongoing IRWM planning and implementation. The RWMG will continue to host public workshops at critical junctures in the program (e.g. plan updates, calls for projects), and news and events related to the program will continue to be posted on the Merced IRWMP website ([www.mercedirwmp.org](http://www.mercedirwmp.org)) and the websites of RWMG member agencies.

### 3.6 Decision-Making Process

The RWMG maintains overall decision-making authority for the MIRWMP and planning process. IRWM activities requiring legislation or policy decisions will be brought before each RWMG member agency's governing body for approval. Before bringing the action before the RWMG Boards or Councils, Policy Committee representatives will be responsible for discussing relevant issues with the Management Committee members and the RAC liaison at the Policy Committee level (Policy Committee meetings discussed in Section 3.1.3 provide a forum for these discussions).

Day-to-day management will be accomplished by the Management Committee, and the RAC will be the primary forum for discussion and information exchange on regional water management topics among community representatives.

The RAC decision-making process is described in the draft RAC charter, provided as Appendix F.



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### 3.7 Communication

Key IRWM program decisions will be made following thorough discussion and vetting by all interested

parties. At RAC meetings, members and alternates assume responsibility for raising issues, concerns, and ideas from their communities and constituents who are not able to attend the meetings. RAC members are also expected to inform and educate constituents of the information and discussions from each meeting.

Information will continue to be conveyed to the general public through the Merced IRWMP website ([www.mercedirwmp.org](http://www.mercedirwmp.org)), RWMG partner agency websites and media releases, as appropriate.

### **3.8 Coordination**

The Merced Region is bordered by five other IRWM regions: Madera, Yosemite-Mariposa Region, East Stanislaus Region, Tuolumne-Stanislaus and Westside-San Joaquin Region. While cooperation with the adjacent regions has not been formalized, representatives of the Merced Region routinely attend meetings of the Yosemite-Mariposa Region to maintain ongoing communication and coordination. Additionally, staff members from Merced County and MID routinely meet with members of the Turlock Groundwater Basin Association which manages groundwater activities in the East Stanislaus Region.

### **3.9 Plan Updates**

The MIRWMP is intended to be a living document, requiring periodic updates. The current MIRWMP provides guidance for developing and refining water resources projects at the local level for a 20-year planning horizon based on current regional objectives, priorities, and water management strategies. Recognizing that regional conditions will change within the Plan's 20-year timeframe, the RWMG and RAC appreciate the need to continue to hold regular meetings. Through these meetings, MIRWMP stakeholders will continue to discuss and coordinate on critical water-related needs to determine whether shifts in regional objectives or priorities are needed to maintain currency with local conditions and needs. When changes are dictated, the RWMG in consultation with the RAC will prepare amendments or full updates to the MIRWMP, as appropriate. Changes to the State's IRWM planning framework may also necessitate updates to the MIRWMP, and continuation of the RWMG and RAC collaboration will ensure the Region is prepared to respond to future changes. The project list is a living document, and the current project list can be accessed through the project website. The project list can be updated in real-time without requiring a full Plan update or re-adoption.