Merced Subbasin Groundwater Sustainability Agency
Governing Board
County of Merced Board Chambers, Third Floor
2222 M Street, Merced, California
January 10, 2019
Closed Session
12:00 PM
Regular Meeting
2:00 PM

AGENDA

Bob Kelley, Stevinson Water District
Chair
Nic Marchini, Plainsburg Irrigation District
Vice Chair

George Park, Lone Tree Mutual Water Company  Jeff Bergeron, Eastern White Area Representative
Rodrigo Espinoza, County of Merced  David Farmer, Western White Area Representative

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1. CALL TO ORDER/ROLL CALL

2. CLOSED SESSION
   CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION (Subdivision (b) of Government Code Section 54956.9) 1 potential case

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT PERIOD
   Public opportunity to speak on any matter of public interest within the Board's jurisdiction including items on the Board's agenda. Testimony limited to three minutes per person.

5. APPROVAL OF MINUTES
   Action to approve the meeting minutes from November 1, 2018.

6. WEBSITE UPDATE
   Informational presentation by Matthew Jackson on updates to the Merced Subbasin GSA website.
7. **SUBSIDENCE IN MERCED AND CHOWCHILLA SUBBASINS**
   Informational presentation by Chase Hurley on projects in the Red Top area to address subsidence.

8. **MEMORANDUM OF INTENT WITH TURLOCK SUBBASIN GSAS**
   Approve and authorize the Chairman to sign the Memorandum of Intent to Coordinate (MOI) between the Merced Subbasin GSAs and the Turlock Subbasin GSAs.

9. **AMENDMENT TO WOODARD AND CURRAN CONTRACT**
   Approve and authorize the Chairman to sign the amendment/revival to Contract 2018-01 with Woodard and Curran, Inc. to continue to provide engineering, technical and professional services related to the Prop. 218 process through December 31, 2019.

10. **COORDINATION COMMITTEE UPDATE**

11. **TECHNICAL AND ADVISORY COMMITTEES UPDATE**

12. **STAFF UPDATE**

13. **COMMENTS FROM THE BOARD**

14. **NEXT REGULAR MEETING: APRIL 11, 2019**

15. **ADJOURNMENT**
The agenda, original minutes, and all supporting documentation (for reference purposes only) of the Merced Subbasin Groundwater Sustainability Agency Governing Board meeting of November 1, 2018, are available online at www.countyofmerced.com/MercedSubbasinGSA.

I. CALL MEETING TO ORDER

The meeting of the Merced Subbasin Groundwater Sustainability Agency Joint Powers Authority Governing Board was called to order at 2:00 p.m., on November 1, 2018, in the Board Chambers located at 2222 "M" Street, Third Floor, Merced, California.

II. SWEARING IN OF BOARD MEMBER

Merced County Supervisor Rodrigo Espinoza swore in Mr. Jeff Bergeron, Representative for the Eastern White Area.

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL OF BOARD MEMBERS

Board Members
Present: Bob Kelley- Chairman (Stevinson Water District)
Nic Marchini- Vice Chair (Plainsburg Irrigation District)
David Farmer- (Western White Area)
George Park- (Lone Tree Mutual Water Company)
Jeff Bergeron- (Eastern White Area)
Supervisor Rodrigo Espinoza- (Merced County)

Board Members
Absent: None

Staff Present: Mark Hendrickson, Secretary
Ana Muniz-Laguna, Recording Secretary
Lacey Kiriakou, Merced County Water Resources Coordinator

V. PUBLIC COMMENT PERIOD

None
VI. APPROVAL OF MINUTES

MOTION: M/S MARCHINI– ESPINOZA, AND CARRIED BY A VOTE OF 6 – 0, THE BOARD APPROVES THE MINUTES FROM THE JULY 12, 2018 MEETING.

VII. MERCED GROUNDWATER SUSTAINABILITY PLAN AND BASIN WATER BUDGET UPDATE

No action required, Informational item only.

Ms. Alyson Watson from Woodard and Curran presented this informational item and updated the Board on the status of the Groundwater Sustainability Plan (GSP) and its development as it pertains to the water budget and the progress of the GSP. She informed that Woodard and Curran have been working together with the Merced Subbasin GSA on the development of the GSP and have been holding monthly Stakeholder Committee meetings as well as monthly Coordination Committee meetings to inform the public and stakeholders on GSP topics such as water budgets, minimum thresholds, projects and management actions. Ms. Watson stated that the presentation slides are available on the website. Mr. Ali Taghavi from Woodard and Curran clarified that the data has been updated on the presentation to reflect current flows.

Mr. Geoff Vanden Heuvel from the Milk Producer’s Council had a question on the presentation chart about surface flow and whether the image was depicting an inflow or an outflow. Mr. Taghavi responded that the flow was neither in nor out, the flow should be interpreted just as a flow. Mr. Vanden Heuvel additionally commented that the Board will need to eventually interpret and make policy decisions in the near future regarding impacts on stream seepage and water recharge and determine which entities this might impact. He also stated that knowing this information and its ramifications earlier, rather than later, would be beneficial for some constituents.

Mr. Eric Swenson, from Shannon Pump Company, stated that he has some concerns regarding shortfalls with water resource in some areas and suggested that the basin be divided into three management areas and recommended this be done in the next 30-60 days to prepare budgets for those areas. Mr. Swenson also advised that the east side of the basin should have at least 6 monitoring CASGEM wells studying for fall and spring compliance and stated he would be willing to work with anyone that needs any of that data. Ms. Watson responded that the item being presented is the sustainability plan for the entire basin, however the GSP will be able to identify specific management areas and will be discussing this early next year as to the application of the GSP and impacts to each basin in being able to meet thresholds and assess any undesirable results.

Mr. Dave Nervino, Stevinson, CA, addressed the Board and urged that they consider setting aside money in the budget to lobby for a surface water project.
VIII. **2019 REGULAR MEETING SCHEDULE**

Action to approve the schedule of quarterly regular meetings for 2019.

Ms. Lacey Kiriakou informed that Article 12.2 of the Merced Subbasin GSA JPA Agreement requires the Governing Board to set the time and place for each quarterly meeting and she asked the Board if they would like to keep their regular meetings on the second Thursday of each quarter at 2PM in the Board Room of the Merced County Admin Building as they had done in 2018. The schedule proposed is:

- January 10, 2019
- April 11, 2019
- July 11, 2019
- October 10, 2019

No one from the public spoke in favor of or opposition to this item.

**MOTION:** M/S PARK– MARCHINI, AND CARRIED BY A VOTE OF 6 – 0, THE BOARD APPROVES ACTION TO APPROVE THE SCHEDULE OF QUARTERLY MEETINGS FOR 2019.

IX. **COORDINATION COMMITTEE UPDATE**

Chairman Kelley briefed that the Coordination Committee have been meeting regularly and topics of discussion include project suggestions for management and mitigation actions on overdraft issues and sustainability. The Committee encourages project ideas and well information including data to be considered in the GSP development model.

X. **TECHNICAL AND ADVISORY COMMITTEE UPDATE**

Ms. Lacey Kiriakou informed that the Technical and Advisory Committee along with GSA consultants and staff, have been meeting jointly as of August 2018 and the Committee has been learning about the GSP development and undesirable results in order to provide feedback to the Coordination Committee and the Board.

XI. **STAFF UPDATE**
Ms. Lacey Kiriakou updated the Board on the 218 Process and informed that consultants Provost and Pritchard along with Woodard and Curran have been working on a parcel analysis and draft budget to present to the Board towards around December or January.

Ms. Kirakou also reported that an invoice was received from Merced Irrigation District (MID) for GSP development phase 1 costs dating from November through December of 2017 and this invoice is not covered by the DWR grant. This invoice includes costs for grant preparation and the Merced Subbasin GSA’s portion of the shared cost is $82,148.79. Ms. Kiriakou also stated that a final grant agreement was received from the Department of Water Resources (DWR) for $1.5 million for GSP development within the Merced Subbasin and the agreement is pending signatures from MID who will be administering that grant. Once the agreement is fully executed, the GSA will be able to requests reimbursement for expenses relating to GSP development from January-September 2018. Ms. Kiriakou concluded the staff updates informing that future meetings may be recorded so that anyone interested can view them at a later time via the website.

XII. **COMMENTS FROM THE BOARD**

Chairman Kelley acknowledged new Board member Jeff Bergeron, Representative for the Eastern White Area, and welcomed him to the GSA Board.

XV. **NEXT REGULAR MEETING**

Next regular meeting: January 10, 2018

XVI. **ADJOURNMENT**

There being no further business, the meeting adjourned at 3:05 p.m.
BOARD ACTION ITEM

TO: MEMBERS OF MERCED SUBBASIN GSA GOVERNING BOARD  
FROM: MARK HENDRICKSON, SECRETARY  
DATE: JANUARY 10, 2019

SUBJECT: WEBSITE UPDATE

SUMMARY:
This is an informational update by Mr. Matthew Jackson, Civic Spark Fellow working with Merced County on SGMA education and outreach to the unincorporated areas outside of water districts, also providing assistance to the Merced Subbasin GSA on outreach and education.

Matthew Jackson has updated and is managing the GSA’s website and will present the updates to the Board.

REQUEST/RECOMMENDATION/ACTION NEEDED:
No action required
Merced Subbasin GSA Website Updates

January 10, 2019

Matthew Jackson
CivicSpark Water Fellow
**Public Outreach**

**Groundwater Sustainability Planning Public Workshops**

**Upcoming Workshops**

Next workshop will potentially take place in February of 2019.

**Past workshops**

DECEMBER 4, 2018 and DECEMBER 13, 2018 PUBLIC WORKSHOPS (4 de Diciembre de 2018 y 13 de Diciembre de 2018 salas público)

The three groundwater sustainability agencies (GSAs) in the Merced Subbasin (Merced Subbasin Groundwater Sustainability Agency, Merced Irrigation-Urban Groundwater Sustainability Agency, and Turner Island Groundwater Sustainability Agency) hosted two public workshops to discuss the Groundwater Sustainability Plan that the agencies are developing for the Merced Subbasin.

AUGUST 2, 2018 PUBLIC WORKSHOP (Taller público el 2 de Agosto de 2018)

**Public Outreach & Engagement**

As part of developing the Groundwater Sustainability Plan, the three Groundwater Sustainability Agencies in the Merced Subbasin will inform and involve interested and affected individuals and organizations (stakeholders) and the general public.

The Groundwater Sustainability Agencies for the Merced Groundwater Subbasin have formed a Stakeholder Committee to advise the GSAs and governing bodies on the topics of groundwater conditions, management issues and needs, and projects and management actions to improve sustainability of the groundwater basin.

**Stakeholder Committee Meetings and Agendas**

Stakeholder Committee Overview & Application

Further information about the Merced Basin Groundwater Sustainability Plan can be found at: mercedsgma.org.

**Sign up for the Merced County SGMA Mailing List**

- Stakeholders
Technical and Advisory Committees

The Technical and Advisory Committees were created to provide input and feedback to the GSA Board Members on elements of GSP development and GSA specific projects.

- November 14, 2018 Technical and Advisory Committee Meeting Presentation
- October 17, 2018 Technical and Advisory Committee Meeting Presentation
- Merced Water Resource Project Overview Presentation
- September 13, 2018 Technical and Advisory Committee Meeting Presentation
- August 16, 2018 Technical and Advisory Committee Meeting Presentation
- Plan Area and Authority Chapter DRAFT
- Basin Setting Chapter DRAFT

Sign up for the Merced County SGMA Mailing List
Questions?
BOARD ACTION ITEM

TO: MEMBERS OF MERCED SUBBASIN GSA GOVERNING BOARD
FROM: MARK HENDRICKSON, SECRETARY
DATE: JANUARY 10, 2019

SUBJECT: SUBSIDENCE IN MERCED AND CHOWCHILLA SUBBASINS

SUMMARY:
Mr. Chase Hurley of Triangle T Water District will provide an informational presentation on projects in the Red Top area to address subsidence in the Chowchilla Subbasin. The subsidence area in the Chowchilla Subbasin extends into the Merced Subbasin around the El Nido region.

REQUEST/RECOMMENDATION/ACTION NEEDED:
No action required
Triangle “T” Water District GSA

Conditions and Initial Solutions

January 10, 2019
Triangle T WD GSA
Total = ~14,700 ac
Irrigated = ~13,700 ac
Brief History

• In 2012, the Central California Irrigation District and San Luis Canal Company reached out to growers in the Redtop area to inform and educate them on the local subsidence issues.

• Exchange Contractor canals, conveyance facilities and structures were losing capacity.

• Roads, Highways, Flood control levees, HSR was all being effected

• Groundwater wells not functioning to capacity; it at all

• The Red Top Area Growers voluntarily assessed themselves to study the problem with assistance from the Exchange Contractors and the counties.
What have we been up to since 2012?

• Formation of the REDTOP landowner workgroup
• Formed the Triangle T Water District in late 2017
• Building Groundwater Recharge Ponds
• Built surface water conveyance from Exchange Contractors (Poso Canal)
• Negotiated surface water purchases and made first deliveries in 2018
• Developing Infrastructure to Receive Flood Water
• Developing Data (Flow meters, gw elevations, staff)
• Concentrated Effort to Curtail Sub-Corcoran pumping
• Applied for an OES grant with CCID for access to East Side Bypass flood water, surface water conveyance, shallow wells, and recharge
OES Grant Proposal

If successful, the grant would provide 75% of the necessary funds to develop:

- 300 acres of recharge ponds,
- 13 new shallow water wells,
- 5½ miles of surface water distribution pipeline
- Twelve (12) new turnouts (slant pumps) into the project area
- Three (3) measurement structures along the Fresno River and Berenda Slough.
What might this look like in the future?

- Import surface water from additional sources
- Increase recharge capacity
- Utilize upper aquifer as the pumping “reservoir”
- Establish upper and lower aquifer groundwater allocations
- Deep well extraction limit
- Create market for allocation trading
- Charge groundwater extraction fees?
- Annexation policy for additional acres into Triangle T WD
- Fallowing guidelines
- Dairy feed supplement program
BOARD ACTION ITEM

TO: MEMBERS OF MERCED SUBBASIN GSA GOVERNING BOARD
FROM: MARK HENDRICKSON, SECRETARY
DATE: JANUARY 10, 2019

SUBJECT: MEMORANDUM OF INTENT WITH TURLOCK SUBBASIN GSAS

SUMMARY:
The Sustainable Groundwater Management Act (SGMA) requires that adjacent basins coordinate their Groundwater Sustainability Plans (GSP) sufficiently to ensure that the respective GSPs do not adversely affect an adjacent basin’s ability to implement its GSP or impede the ability to achieve its sustainability goal. In determining the adequacy of a GSP, the Department of Water Resources (DWR) is required to evaluate whether a GSP adversely impacts an adjacent GSP.

To the north, the Merced subbasin is adjacent to the Turlock subbasin. In the Turlock subbasin, two GSAs are working together on a single GSP. The Turlock subbasin is not in critical condition of overdraft and is required to have a completed GSP by January 31, 2022. Over the past months, the GSAs in the Merced and Turlock subbasins have begun developing GSPs and coordinating efforts to ensure the development of the GSPs is consistent and complies with SGMA requirements.

This Memorandum of Intent (MOI) memorializes the parties’ intent to continue to collaborate between adjacent basins by sharing data and coordinating on the development of the GSPs. The MOI demonstrates that the basins have developed a system to communicate, share data, ensure consistent data, and avoid adverse impacts between adjacent basins. The purpose of the MOI is to provide support to DWR to find the basins’ GSPs are adequate and have complied with SGMA’s adjacent basin provision without committing any party to endorsing a GSP that is not fully developed or will continue to be developed and updated.

REQUEST/RECOMMENDATION/ACTION NEEDED:
Approve and authorize the Chairman to sign the Memorandum of Intent to Coordinated between the Merced Subbasin GSAs and the Turlock Subbasin GSAs.
MEMORANDUM OF INTENT TO COORDINATE BETWEEN THE MERCED SUBBASIN AND TURLOCK SUBBASIN

WHEREAS, the Turlock Groundwater Subbasin (Subbasin No. 5-22.03) and the Merced Groundwater Subbasin (Subbasin No. 5-22.04) are adjacent subbasins that share a common boundary along the Merced River; and

WHEREAS, the Turlock Subbasin is a high-priority subbasin that is required to submit a Groundwater Sustainability Plan (GSP) to the Department of Water Resources (DWR) by January 31, 2022 and the Merced Subbasin is a high-priority, critically overdraft subbasin that must submit a GSP to DWR by January 31, 2020; and

WHEREAS, the West Turlock Subbasin Groundwater Sustainability Agency (WTSGSA) and the East Turlock Subbasin Groundwater Sustainability Agency (ETSGSA) are working to develop a single GSP in the Turlock Subbasin; and

WHEREAS, the Merced Subbasin Groundwater Sustainability Agency, the Merced Irrigation Urban Groundwater Sustainability Agency, and the Turner Island Water District Groundwater Sustainability Agency-1 are working to develop a single GSP in the Merced Subbasin; and

WHEREAS, the Sustainable Groundwater Management Act (SGMA) prohibits a GSP from adversely affecting an adjacent basin’s ability to implement its GSP or impede the ability to achieve its sustainability goal (Water Code, § 10733(c)); and

WHEREAS, the parties to this Memorandum of Intent (MOI) (collectively “Party” or “Parties”) desire to establish compatible sustainability goals and understanding regarding fundamental elements of the GSPs of each GSA as they relate to sustainable groundwater management.

NOW, THEREFORE BE IT RESOLVED that the Parties agree to coordinate in the following matter:

1. Each Party desires to comply with SGMA by assuring that its GSP actions do not negatively impact the adjacent GSA in complying with SGMA.

2. To assure this compliance, each Party commits to meeting as necessary to compare GSP development concepts and approaches to identify potential areas of concern that may negatively impact the other.

3. Each Party will commit to sharing data, analysis, methods, results, and any other information that is pertinent to the Parties’ compliance with SGMA.

4. The Parties recognize that the development of the respective GSPs have different deadlines and may be developed using different timelines. Coordination is expected to continue, as needed, throughout GSP development and implementation.
5. The Parties recognize there may be data gaps that will need to be filled. Datasets will improve as the Parties develop and implement GSPs over time. The Parties agree to continue to work together to develop and refine understanding of the conditions over time. This common knowledge and understanding will be incorporated into future GSPs as data and information becomes available.

6. The Parties intend to coordinate messaging and outreach along the subbasin borders to maximize stakeholder outreach and understanding between the subbasins.

IN WITNESS WHEREOF, the parties have caused this Memorandum to be executed by and through their respective officers thereunto duly authorized.
WEST TURLOCK SUBBASIN GSA,
a Joint Powers Authority

By: ___________________________
    Joe Alamo, Chair

Date: ___________________________
EAST TURLOCK SUBBASIN GSA,
a Joint Powers Authority

By: ___________________________
   Albert Rossini, Chair

Date: ___________________________
MERCED IRRIGATION-URBAN GSA

By: ___________________________
    Chair

Date: ___________________________
MERCED SUBBASIN GSA,
a Joint Powers Authority

By: ___________________________
    Chair

Date: ___________________________
BOARD ACTION ITEM

TO: MEMBERS OF MERCED SUBBASIN GSA GOVERNING BOARD
FROM: MARK HENDRICKSON, SECRETARY
DATE: JANUARY 10, 2019

SUBJECT: AMENDMENT TO WOODARD AND CURRAN CONTRACT

SUMMARY:
On July 12, 2018 the Merced Subbasin GSA Governing Board approved a contract with Woodard and Curran, Inc. to provide engineering, technical and professional services related to the Prop. 218 process. The original term of the contract expired on December 31, 2018.

This amendment/revival to the contract extends the term to December 31, 2019 to allow Woodard and Curran to complete the scope of work and continue providing services to the GSA throughout the Prop. 218 process. This amendment does not change the scope of work or the compensation limit of $52,988 in the original contract, it only extends the term.

REQUEST/RECOMMENDATION/ACTION NEEDED:
Approve and authorize the Chairman to sign the amendment/revival to Contract 2018-01 with Woodard and Curran, Inc. to continue to provide engineering, technical and professional services related to the Prop. 218 process through December 31, 2019.
REVIVAL/AMENDMENT 1
TO
CONTRACT NO. 2018-01
BETWEEN
MERCED SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY
AND
WOODARD & CURRAN, INC.

This Agreement is made this tenth day of January, 2019, between the Merced Subbasin Groundwater Sustainability Agency (hereafter “GSA”), and Woodard & Curran, Inc. (hereafter “Consultant”).

RECITALS:

1. On July 12, 2018, in Merced Subbasin GSA Contract number 2018-01 (hereafter “2018-01”) GSA and Consultant entered into an agreement for Consultant to provide engineering, technical and professional services.
2. 2018-01 expired on December 31, 2018, but GSA and Consultant desire to continue to be bound by the terms of 2018-01, as amended in this amendment, to allow Consultant to continue to provide engineering, technical and professional services through December 31, 2019.

THE PARTIES AGREE AS FOLLOWS

1. GSA and Consultant agree that 2018-01 shall be deemed effective from its original effective date of July 12, 2018, and continue in full force and effect for all purposes through December 31, 2019, unless sooner terminated under the terms of 2018-01.
2. Section 2 of 2018-01, entitled "Term", is amended to read as follows:

   The term of this Agreement shall commence on the 12th day of July, 2018, and continue until the 31st day of December, 2019, unless sooner terminated in accordance with the sections entitled “TERMINATION FOR CONVENIENCE” or “TERMINATION FOR CAUSE” as specified elsewhere in this Agreement.
3. This Agreement reviving 2018-01 and amending its terms shall be deemed to have been duly approved when executed by both GSA and Consultant. Once duly approved, this Agreement shall become effective as of the date signed by the Chairman of the Merced Subbasin Groundwater Sustainability Agency Governing Board.

Merced Subbasin Groundwater Sustainability Agency

By: ______________________________

Woodard & Curran, Inc.

By: ______________________________
The Technical and Advisory Committees have been meeting jointly, once a month, since August 2018. The committees review the information and data that the Stakeholder and Coordination Committees’ are receiving, in order to provide comments and feedback to Board Members. This is a staff report reflecting staff’s understanding of the discussions and recommendations emerging from the committee meetings.

Currently the Board has appointed seven members to each committee. The meetings are generally attended by approximately five to six committee members in total and members of the public.

Items the Committees discussed with feedback to the Board Members include:

Undesirable Results
- If there is an undesirable result of dewatering “shallow” domestic wells or if “shallow” domestic wells are used in defining a minimum threshold, the GSP should define the meaning of a “shallow” well. A shallow well would measure differently in distinct areas of the basin.

- Recommendation is made to incorporate economic impacts in the undesirable results; inclusive of land values, job loss due to diminished production, tax roll loss.

Minimum Threshold for Groundwater Elevation
- The proposed approach to defining a minimum threshold for groundwater elevation is an acceptable approach, considering the data the GSAs have.

- The monitoring data used in the minimum threshold approach for groundwater elevation currently relies on CASGEM well monitoring which takes place in spring and fall. A recommendation is made to measure the wells in August 2019, when water levels are the lowest, to compare if the CASGEM monitoring is representative of those wells during the time of the year with the lowest anticipated groundwater elevations.

Draft GSP Sections: Plan Area and Basin Setting/HCM
- Committee members were given the opportunity to provide feedback on the draft GSP chapters. No written comments were received on the Plan Area chapter, written comments were received on the basin setting/hydrogeologic conceptual model and shared with the consultants.

Water Budget
- Proposed historic and future water budgets were presented to the Committee members, as presented to the GSA members in November.

Merced Water Resources Model
The Committees received a thorough briefing on the Merced Water Resources Model in October by representatives of Woodard and Curran. Committee members were able to ask questions regarding the model and the model inputs. Concerns were expressed regarding areas with limited data in the eastern portion of the subbasin and a recommendation for collecting data from the well drillers was suggested. Woodard and Curran is working to collect new data through various means (including the online form for submitting data), and will incorporate the new data post-GSP development. The Merced Water Resources Model has been calibrated for drafting the GSP, new data will be updated into the model post-GSP development, in time for the five year update.

Public Workshops

Committee members assisted in spreading the word on the public workshops held throughout the basin.