

Santa Rosa Plain Groundwater Sustainability Agency Community Meeting on Groundwater on Sustainability Fee January 30, 2019

Meeting Summary

Welcome and Introductions:

Rich Wilson, Facilitator of the meeting through the Collaboration and Consensus Program, welcomed the audience, thanked them for attending, and then introduced Tom Schwedhelm, current mayor of Santa Rosa and vice-chair of the Santa Rosa Plain Groundwater Sustainability Agency (GSA). Vice-Chair Schwedhelm provided a short introduction and noted the meeting was an occasion to learn about:

- 1) the Sustainable Groundwater Management Act and how it's being implemented in the Santa Rosa Plain area;
- 2) State law and the funding of the Santa Rosa Plain GSA;
- 3) the proposed Groundwater Sustainability fee; and
- 4) the groundwater user registration program.

Schwedhelm mentioned that rates and fees would be covered in detail, and the meeting was an opportunity for asking questions and sharing comments, and no decisions would be made at the meeting.

Jay Jasperse, Plan Manager of the Santa Rosa Plain GSA, provided background on the Sustainable Groundwater Management Act (SGMA), as follows:

- California is one of the last western states to manage groundwater. A 2013/2014 USGS study of the Santa Rosa Plain identified issues of groundwater levels and quality. As much as 50% of the basin's water supply comes from groundwater and new wells are being installed every year. Climate change is expected to impact the balance of inflows and outflows so this led to the California legislature regulating groundwater. Three basins in Sonoma County were mandated by the State to comply with SGMA: Sonoma Valley, Petaluma Valley and Santa Rosa Plain.
- On June 30, 2017, Step 1 of SGMA was completed through the formation of the Groundwater Sustainability Agency via a Joint Powers authority Agreement (JPA). Step 2 of SGMA, "Develop Groundwater Sustainability Plan (GSP)," should be completed by January 31, 2022. Step 3, "Achieve Sustainability," is due to be complete 20 years after the GSP adoption.
- Formation activities are being funded by GSA member agencies which include City of Santa Rosa, City of Cotati, City of Rohnert Park, Town of Windsor, Independent Water

Systems, Gold Ridge Resource Conservation District, Sonoma Resource Conservation District, County of Sonoma, and Sonoma Water.

- The goals of the GSA are to sustainably manage the community's groundwater to ensure it is available now and into the future, to meet the requirement of SGMA, to ensure the GSP reflects the goals and priorities of the community, and to be as cost-effective and efficient as possible.
- To-date, 23 public meetings have been held, three postcards have been mailed to all potential well owners in the Basin, and the Board and Advisory Committee alternate meetings every month. For more information about meetings, documents, budgets and background go to www.santarosaplainingroundwater.org.
- The California Department of Water Resources (DWR) defines the Santa Rosa Plain Basin boundary. The city of Sebastopol and three neighboring mutual water companies proposed amending the boundaries to be included within the basin. In November, 2018, DWR released a draft approval of the proposed boundary change request. The final DWR determination is expected in February, 2019, and, if approved, Sebastopol and three mutual water companies could join the Santa Rosa Plain GSA.
- The first two years of GSA operations are funded by the member agencies. The Santa Rosa Plain GSA also received a \$1 million Proposition 1 grant for the preparation of the GSP and has received Facilitation and Technical Support Services from DWR. Moving forward, the GSA must identify an equitable funding source for costs above the \$1 million grant for the next three years. Costs to be covered are primarily for the administration of the GSA. The GSP may also include studies and water management programs.
- To achieve sustainability by implementing the GSP (after 2022), may require specific activities (depending on the GSP's conclusions). Activities could include studies, water management programs, and capital projects.
- The estimated annual funding needed for the next three years is \$337,000 (after member agency repayment deferral and grant funding).
- Prior to tonight's community meeting, many public meetings have been held to discuss the fee, including six Board meetings, six Advisory Committee meetings, and a Community Workshop in March, 2018.

Fee Discussion:

Jay Jasperse described the fee proposal:

The proposed fee is a **regulatory fee based on actual or estimated groundwater use** – the more water used, the more one pays. Actual use is based on metered pumping data (for municipal and public water systems including some commercial uses such as wineries,) and estimated groundwater use when pumping data is not available (for general rural residential, agricultural and other users, e.g. golf courses and schools). Estimated usage is based on data, reports, and studies by independent parties.

For rural residential groundwater users, the fee is based on estimates (since most rural residential landowners don't have meters, and SGMA prohibits the metering of small water users). Based on studies, the estimated average usage for rural residential is 0.5 acre feet per parcel (466 gallons per day). It is noted that the average rural residential parcel size in the basin is 3.4 acres.

For agriculture, the estimated use is based on the number of irrigated acres and estimated annual applied water for specific crop types, accounting for recycled water use and surface water rights.

For cities, towns, mutual water districts, commercial users, wineries, etc., the fee is based on actual groundwater pumped.

Currently, the estimated fees are:

- \$8-\$13 per parcel/year for rural residential (compared to annual State intervention fees of \$100 per parcel)
- \$16-\$26 per acre foot of groundwater used for cities, towns, mutual water districts, golf courses, commercial users, agriculture (compared to State intervention fees of \$300 base fee plus \$40 per acre foot)
- \$1-3 per parcel/year for urban supplemental irrigation wells of (compared to annual State intervention fees of \$100).

Outstanding issues include how to handle parcels that are only partially within the basin. There are 922 parcels intersected by the Santa Rosa Plain basin boundary and 60 of those parcels are partially in and partially out of the basin. The GSA will assume that these wells are within the basin, and there will be an appeal process for property owners to correct the GSA's information.

Groundwater User Registration Program

Andy Rodgers, Santa Rosa Plain GSA Administrator, provided an overview of the proposed groundwater user registration program. A registration program is required if fees are assessed to *de minimis* groundwater users (using less than 652,702 gallons per year). Most rural residential users fall into this category, which makes up approximately one-quarter of the total groundwater extraction/use in the Santa Rosa Plain.

Rodgers specified that registration is free to groundwater users. Costs for the program are funded by the GSA budget. Registration includes requests for information, not for metering.

People not connected to a public water supply system are assumed to have a well and there is an on-line and hardcopy appeal process if the assumption isn't correct. The GSA will be contracting with the County Agricultural Commissioner and Permit Sonoma for program development and technical assistance. Public outreach is provided by Sonoma Water.

The fee methodology will be discussed at the next Board meeting with possible approval of both the fee and groundwater user registration at a later Board meeting in the spring timeframe.

Rich Wilson then opened a Question and Response / Comment session for the audience to a panel comprised of Paul Wells from the California Department of Water Resources, Tom Schwedhelm, Jay Jasperse, Andy Rodgers, and Marcus Trotta of Sonoma Water.

In the following pages, please find Comments, followed by Questions, received at the meeting either verbally or in written format. Due to the number of people wishing to address the panel in the limited time available, it was not possible to answer all the questions at the meeting. All questions and comments are important and will be shared with the Board and addressed.

Written & Verbal Comments

- Comment – I want to mention this is really good. We are talking about a small fee, stay involved, every user has an impact on groundwater.
- Comment – The panel looks really bored. I live by the old burn dump. Since you are going to make us pay for our water, are you also going to pay to ensure I have good drinking water? You are going after the wrong people. How come nobody wants to sue the State? Go after folks that have money, not us.
- Comment – I manage Primarywater.org website, this is a sham meeting. Water is a renewable energy resource, it is called primary water. Santa Rosa City hired Ernst & Young who is increasing revenue on natural resources. Go to my website. You are being deceived, don't let them on your property and don't let them put a meter on your property. Do not let them know who you are, do not fill out the forms or volunteer information.
- Comment – This is nothing but another governmental agency trying to take my water. I agree with the previous comments.
- Comment – Fee should come from users/exporters/profiteers of our groundwater before ever charging residents who require water to survive.

- Comment – I received a postcard. Given the government we have right now, I am a little sensitive to only men on the panel. I feel nervous and left out. Be sensitive to the people, don't only think about your pocket books.
- Comment – I received a notice about a well. I am outraged about a fee, this is nothing but another governmental agency. Do not fill out the form.
- Comment – Some folks seem to think we are running out of water, some think we aren't. Are you trying to limit water use or charge for using more water? The purpose here is to raise money and the way you are going about it is wrong.
- Comment – I am a rural well owner and think this program is a good idea, water is a limited resource.
- Comment – This process is biased. Exempt *de minimis* users.
- Comment – For 13 years I have been paying \$26/year fee for water in Santa Rosa. You are going after the wrong people. Support us.
- Comment – I own one acre and am more than happy to be part of this and glad you are here to administer groundwater and can sustain a wonderful place to live. I agree with wells being metered.
- Comment – You didn't ask how many people here are from wineries. They use lots of water and don't feed the people. You aren't saying anything about what the plans are for metering. I don't owe anyone for the water on my land. If you want to manage resources, then you need to manage agriculture.
- Comment – I was born in Santa Rosa in 1950, the population has changed enormously since then. What we are looking at now with climate change and tremendous growth is depleting natural resources. This is a flawed process but with good will. I feel democracy is key to saving our resources. Use this opportunity to work together.
- Comment – I own four acres, water is one of the most precious resources we have, especially on the west coast. We should do all we can to sustain it.
- Comment – I have been living in the Santa Rosa Plain for 45 years and have two wells. A \$13/fee parcel fee isn't high. My concern is that I don't my wells don't go dry. What is the Board of Supervisors doing? I disagree with folks that say they own the groundwater under their property. The water under property comes from somewhere else. It doesn't belong to the owner. We need a fair process.

- Comment – Businesses not individuals should pay for all of this. Also, businesses need to be forced to use water wisely. Regulate the wineries.
- Comment – Allowing legal permitting of water-wise technologies such as grey water and composting toilets would go a long way to reduce water usage.
- Comment – Regarding the 466 gallons/day assumption, I started monitoring my well and put a meter with cycle on it. My usage is 57.5 gallons/day. The 466/gallons/day doesn't work for me. Let's be fair. You admitted you estimated a lot of this data. Whatever we use goes into our septic. Our water isn't free; we pay for the well, water treatment, and the maintenance, etc.
- Comment - Why can't you just leave rural well owners out of it for now? Why not just charge agricultural, breweries, and businesses that use a lot of water? I would rather pay higher food and beverage prices than pay for our own water.
- Comment – Regulate the wine industry water usage.
- Comment – I support this effort but it seems like the audience doesn't understand basic rate of usage vs recharge of groundwater. Need more science lessons.
- Comment – Everyone who uses water (no matter the source) affects the groundwater level – it's being diverted from recharging the aquifer. Everyone is a "stake holder", thus everyone should be assessed the fee.
- Comment – I do think there should be no fees for *de minimis* users – the large water users should bear the cost.
- Comment – I like the idea of metering so three acres with two people won't pay as much as three acres with five people and 10 horses. I realize this might be cost prohibitive.
- Comment – I am appalled by the people who say "I won't pay" and who believe water is free and unlimited. Thank you for your work.
- Comment – Before the start of the meetings, ask attendees to turn off their phones so we aren't distracted – and if they must speak on their cell, to take the conversation outside the room.
- Comment – When you identify agency members, ask them to stand (we can't see them raise their hands).

- Comment – Thank you for including my Spanish speaking neighbors.
- Comment – Shouldn't we display our national and state flag at the meetings?
- Comment – Meetings should be at times the general public can attend.

Written and Verbal Questions / Responses

- Question – You mentioned that each of the three basins received \$1 million, so why is Santa Rosa Plain GSA charging a fee when the other two basins have found other ways to fund the program until the GSP is adopted?
 - Response – In June, 2018, the Santa Rosa Plain GSA Board decided to pursue this route rather than have member agencies continue to fully fund.
- Question – I have been part of the groundwater process since 1981 and have been to over 100 meetings, I am glad a postcard was finally sent out and that this meeting is in the evening. [To the audience] Educate yourself, read the website. What is going to be done to have a balanced group of stake holders represent us? What are you going to do to make the outreach work?
- Question – What is going to keep the wells from being metered in the future?
 - Response –There is no plan to do any metering. **NOTE: SGMA prohibits GSAs from requiring metering of rural residential (*de minimis*) groundwater users.**
- Question – I have a four acre parcel. Is the agency trying to account for the amount of rainwater being absorbed on my property? I assume some will go into groundwater so will we get a credit?
 - Response – This point has already been brought up a lot – recharge will be studied and incorporated into the technical plan. Currently, there isn't enough information to incorporate a credit. There is a pilot recharge net metering program in Monterey County but for this phase of funding, we don't have enough information.
- Question – I live on two adjoining parcels but there is only one house and one well. Will I be charged two fees?
 - Response – Yes, because it is assumed that each parcel uses groundwater.
- Question – Will the current State Water Board fees be nullified or will the GSA grant fee relief?
 - Response – State fees would only be applied if the local GSA didn't comply with SGMA.
 - Clarifying Question – I just paid \$600 to the State Water Board to register as a water discharger, am I going to have to pay fees to the GSA?

- Yes, the discharger program is a separate program.
- Question – As far as I know, no wineries are metered, is this correct?
 - Response – Most wineries are metered – usually as public water supply systems, and are required to be metered and report their usage to the State. Also, the County has a requirement since 2004 that new businesses are required to report their usage on a monthly basis.
- Question – Is there a cap on how much they (wineries) use and is there a limit on how much water is taken out of the ground by agriculture, golf courses, Graton casino? Don't tell us you don't have enough money. How many acres do the wineries have? Put a \$1 fee per acre on the wineries.
- Question – Millions of gallons of water are being exported out of our county for profit. We have an import excise tax on wineries. How about putting a small excise tax on exporting wine?
- Question – Everyone in Sonoma County has a right to vote on taxes, water rights and land rights. People have a right to privacy.
 - Response - Property rights and land use rights are not regulated by SGMA. But SGMA does require the GSAs to manage groundwater. An analogy is land use – while the county can't take away your property rights, it can regulate what you do on that land.
- Question – Is there a well monitoring program in existence at Graton Rancheria Casino?
 - Response - Yes.
- Question – I think the panel is looking for money, not input. I am a well user for 40 years in this county. I started metering in 1980. The last meter read was within 6 inches of what it was in 1980. A few years ago we were told that rural residential / *de minimis* users wouldn't have to pay anything. Now we are being told there is a charge. Why not have a parcel tax for everybody? Everyone is using water in the county. Why attack well users? You aren't keeping this fair.
 - Response – A parcel tax was carefully examined by the Board and they determined it was not the right method so decided to go with a fee based on groundwater use. It would have cost \$300,000-\$600,000 to put a proposed parcel tax on the ballot, a higher cost than actually running the agency – and would need 2/3rd vote to pass. If it wouldn't pass, we still wouldn't have a plan or meet the timeline required by the State. That isn't a prudent strategy.
- Question – You admit that you don't know who has wells. How can you be fair? Do you think people that have wells will come forward?

- Question – I live in SR and already pay a lot of money for water. I did not see Graton Casino on the pie chart and would like to know how much they are charged. And what will heavy marijuana producers pay? For me to be charged for a well that I don't use, is really annoying. I only use a well for emergency purposes in case of fire. I am not happy to pay but I will.
 - Response – Graton Rancheria Casino - Federal properties and tribes are exempt. They provide funding to the county for groundwater related projects.

- Question – Is the Appeals process going to be based on income, or location and use of the well? Could you include an Appeals process based on income?
 - Response – Appeals process is simply a request to get information and a way for information to be corrected back to us. Appeals process is not based on income at this point.

- Question - My understanding is the \$337,000 is for 3 years. I understand the city has a number of wells. How are the city wells being charged for groundwater?
 - Response – Santa Rosa City will be charged based on their pumping and their records and urban well users who get their water from the city and have a well on their property would be charged \$1-3/year.

- Question – I am the Board President of Graton sewer district. Don't see information on frost protection, irrigating agriculture. We would like to directly inject treated wastewater back into the ground possibly through sand. Are you considering the amount that people pay to maintain our wells? We aren't getting any subsidies, seems ludicrous we need to pay more.

- Question – I own six acres in Graton and grow organic vegetables. How many of the wineries (acres) grow their grapes organically in this water basin? How much toxicity is going into the ground? We need to keep the water clean.

- Question – How does PG&E's abandonment of the Potter Valley Project impact this? The loss of the hydro facility is going to cost. We are told 600,000 water customers, and 7,000 acres of Russian River farms and vineyards will have less water from Sonoma County down to Marin will be affected.

- Question – How much drinkable water is left if we continue to consume water at this rate? I'm worried about the over-use of water and how it will affect me in my adulthood.

- Question – For agricultural users, have you or will you take into consideration dry farming, drip irrigation or sprinkler irrigation? These factors greatly affect water use and should be considered.

- Question – Currently, lake waters are drained to prevent flooding. Are there plans to use this water for recharging?
- Question – You admit you have no idea who has wells because of incomplete documentation. How can you be fair – do you think people who have wells in addition to city water will come forward?
- Question – Two years ago you told us residential users were *de minimis* and law prevented charging a fee. No law has changed. How can we trust what you tell us now?
 - Clarification: GSA and member agency staff stated in past meetings that *de minimis* users cannot be metered, but never stated that fees would not be charged. For a review of past meeting materials and presentations, go to www.santarosaplaingroundwater.org
- Question – It has not been clarified tonight if when the \$337,000 is recovered, will we be done paying or are the fees to be paid indefinitely?
- Question – Are you aware if there is a well monitoring program that exists in the Graton Rancheria Casino area? Have you accessed that data?
- Question – Have these fees been approved by a 2/3 majority vote by the public? How will we be compensated for the loss of our property rights and loss of property value?
- Question – Why can't the government just let you use as much groundwater as you need?
- Question – What would/could happen if you don't get enough funds?
- Question – Why can't we, like other places, get money from other sources?
- Question – How are you going to make groundwater sustainable without meters and make it equitable?
- Question – Are there going to be solutions for water wasters? When will the fees go up? Close illegal pot farms, stop giving permits to vineyards and legal pot farms, there are too many now. What about small farmers with a few animals or gardens?
- Question – After well registration, what will protect rural residents from private citizen group lawsuits? I do feel the proposed rates are better than the State fees. Will there be a cap on the fees for rural residents?

- Question – How much are the hotels, wineries, casino, big businesses charged in your plan?
- Question – As far as I know the Russian River watershed and Sonoma Water supplies 80% of Novato’s water for a fee. Is this true? Do you plan on making any adjustments to this to conserve our water?
- Question – Not all well owners on my road received cards for tonight’s meeting. Some have two wells. What about pot grower and vineyards using wells? I cannot even drink my water and you want to charge me. I have to replace filters. Are you going to pay for that every two years? And pay for my new filter system so I can drink my water?
- Question – How can someone collect and provide groundwater elevation information to the Sustainability Agency? Early and often/regular data points can be important and not available later. Can also provide rain gage information at the same site.
- Question – Estimated 5-year operating expenses = \$3,000,400 – this is \$600K a year. Where is the budget? How is this used?
 - Note: The GSA budget is available at <http://santarosaplainingroundwater.org/finances/>

For more information go to www.santarosaplainingroundwater.org.