

Board Meeting Santa Rosa Plain Groundwater Sustainability Agency

Regular Meeting Minutes

August 9, 2018

1:00 p.m.

City of Santa Rosa, Utilities Field Office

35 Stony Point Rd, Santa Rosa, CA 95401

<http://www.sonomacountygroundwater.org>

Member Agency	Directors	Alternates
City of Cotati	Susan Harvey	Mark Landman
City of Rohnert Park	Pam Stafford	Jack Mackenzie
City of Santa Rosa	Tom Schwedhelm	Chris Rogers
County of Sonoma	Shirlee Zane	Susan Gorin
Gold Ridge Resource Conservation District	Joe Dutton	Mel Sanchietti
Independent Water Systems	Evan Jacobs	Michael Spielman
Sonoma County Water Agency	Lynda Hopkins	Susan Gorin
Sonoma Resource Conservation District	Walt Ryan	John Nagle
Town of Windsor	Mark Millan	Deborah Fudge

1. Call to Order and Roll Call

Lynda Hopkins, Chairwoman, called the meeting to order at 1:00 p.m. and noted that a quorum of the board was present, consisting of the following Directors: Joe Dutton, Debora Fudge (for Mark Millan), Susan Harvey, Lynda Hopkins, John Nagle, Tom Schwedhelm, Michael Spielman (for Evan Jacobs), Pam Stafford, and Shirley Zane. Others present included Ann DuBay, Interim Administrator; Simone Peters, GSA Administrative Assistant; Jay Jasperse, Sonoma County Water Agency; Scott Morris, Legal Counsel.

2. Public Employee Performance Evaluation (GC § 54957) Title: Legal Counsel

Public Comment on Closed session:

Duane DeWitt, Roseland - would behoove the Board to get feedback from the public about employees, could easily do a survey online to ask the public for feedback.

Michael Hilber, Santa Rosa – does not feel the Legal Representative is always working in the best interest of the public.

The Board went into closed session following roll call and reconvened from their closed session at 1:48 p.m.

Director Hopkins mentioned there were no formal reportable actions from the performance evaluation and they are considering an extension of the Legal Counsel's contract through October, 2018.

3. Public comment on matters not listed on the agenda but within the subject matter jurisdiction of the board

Duane DeWitt, Roseland – It is important that you as a groundwater sustainability management agency work together with different sectors to get the best outcome of water management. Publicize it and let Sonoma Water interact with the City of Santa Rosa to get positive things done and bring publicity to it.

Michael Hilber, Santa Rosa - would like to see this issue taken to the state. Licensed business users should be restricted and charged a fee, not residential well users. He thinks that Bob Anderson, chair of the Santa Rosa Plain Advisory Committee, would like to shift costs to small people and have a parcel tax to subsidize the wine industry. He believes that Mr. Anderson has a conflict of interest and shouldn't be on the Advisory Committee.

4. Consent Calendar

- a. Approve Minutes of June 14, 2018
- b. Approve Final Financial Report for FY 2017-18
- c. Approve Member Agency Invoicing for FY 2018-19
- d. Approve Meeting Schedule for FY 2018-19

Public Comments: None

Director Harvey moved to approve the Consent Calendar, **Director Stafford** seconded.

Motion carried.

Abstained: (4) **Director Alternate Fudge, Director Hopkins, Director Alternate Spielman, Director Zane**

5. Directors/Subcommittee Report

- a. **Director Hopkins** stated that the Ad hoc committee on funding options had not met since the last Board meeting so there was nothing new to report. The committee will meet a few times in the next few months through October, 2018. They are continuing to explore in greater detail the intricacies of legal issues regarding funding options.

Public comment: None

No action was taken.

6. Advisory Committee Report

Rue Furch, Advisory Committee Vice-Chair, mentioned the Advisory Committee had not met since the last Board meeting. Several AC members attended the Department of Water Resources (DWR) public meeting in Healdsburg. It was a very informative meeting and the comment period has been extended.

Public comments: None

No action was taken.

7. Informational Item

a. Fee/Rate Study and Update

Ann DuBay, Interim Administrator, provided a short update on the Fee/Rate Study. She mentioned that in June, the Boards of Petaluma Valley and Sonoma Valley asked staff to temporarily halt the rate/fee study and negotiate ongoing member agency contributions. The Boards of the two basins will consider renegotiated agreements again at their August Board meetings. In July, Raftelis spent much time reconciling their numbers developed locally with numbers that DWR had in their basin reprioritization study that showed much higher groundwater use. Also, staff has met and communicated with DWR to discuss the numbers. In August through October, Raftelis will focus on refining the numbers and options, discuss refined groundwater use estimates with the Advisory Committee in September, and then and bring options to the board for discussion in October.

- Question: – Are there any obvious reasons for the discrepancy in the numbers?
 - Response – Overall, the two main reasons are that 1) DWR assumed a number of parcels that were using groundwater are actually using recycled water or aren't irrigated, and 2) DWR used much higher water-use estimates for crops than what we use locally.

Public Comment: None

No action was taken.

8. Action Items

- ### a. **Contract for Rate and Fee Study: Ann DuBay, Interim Administrator**, asked the board for authorization to amend the contract with Raftelis Financial Consulting, Inc., to complete the Agency Fee Analysis and Rate Setting Services and to add funding not to exceed \$50,000. The current contract for FY 2017-18, not to exceed \$85K, will be fully expended by September 1, 2018. FY18-19 has built in \$65,000 for the rate/fee study in the FY 2018-19 budget. The proposed amended contract would add up to \$50K in funding to supplement the approximately \$13,000 remaining amount.

Public Comments:

Michael Hilber, Santa Rosa – He does not support the proposal as he thinks there is lots of “wheel spinning”, he suggested data could be collected without a consultant via the Property Records’ Department.

Director Harvey moved to approve extending the contract for \$50K, **Director Stafford** seconded. Opposed: (1) **Director Nagle**. Motion carried.

- ### b. **Contract with Auditor: Ann DuBay** requested authorization to enter into a three-year contract for a total amount not-to-exceed \$13,650 for an annual audit with Pimenti & Brinker, LLP as the JPA requires a financial audit be conducted annually.

Pisenti & Brinker, LLP is a local firm working with the county and already familiar with GSA. Their proposal fell into the budgeted amount.

- Question **Director Hopkins** - is there a penalty if the contract is ended early?
 - Response: No

Public Comments: None

Director Stafford, moved to approve as suggested, **Director Schwedhelm** seconded. Motion passed unanimously.

c. **Basin Reprioritization Comment Letter and adoption of a Resolution for a possible Basin Boundary Modification request.**

Jay Jasperse, Plan Manager, presented two updates. Since the last board meeting in June, they have considered comments of analyses by DWR that raised the priority of two basins from medium to high (no practical change in this), and three new basins: Healdsburg, Dry Creek and Wilson Grove. They completed analyses on metrics and are currently preparing a detailed technical comment letter for this basin as well as the other two basins. Deadline for the comment letter has moved from July 18th to August 20th. The key issues that raise total points include; water quality, inclusion of manganese and iron impacts, groundwater use estimates, evaluation of public water supply well density, and saline water intrusion. They are now busy coordinating with Napa and Marin counties and cities outside and inside the basin to collect and coordinate comments.

Wilson Grove Basin boundary could be reduced to low- or very low-priority through a basin boundary adjustment if approved by the State. The State allows two types of basin boundaries: 1) jurisdictional (from a city or county – this process is simpler and less intensive as one less step is involved) and 2) scientifically based – which would allow the GSA to take the lead by looking at the watershed boundary or fault line. Either way, to achieve the goal of Wilson Grove being reprioritized/lowered in priority, DWR would have to agree with our assessment of groundwater use.

Meeting again with City of Sebastopol, City of Petaluma and County of Marin. City of Petaluma is pursuing a jurisdictional boundary. There is a Resolution in the packet as the board won't meet again by September 28th. Staff recommends adopting the resolution to be submitted to DWR by the Plan Manager in case a basin boundary modification be submitted on behalf of the Board.

The Plan Manager (when asked) suggest that the best alternative for the GSA is to support jurisdictional boundary with the City of Petaluma and with City of Sebastopol. He requested input from the Board.

Board questions and feedback:

- Question – **Director Zane** – why not use science rather than jurisdictional boundary?
 - Response – It can always be changed in the future. The Science method is only good if the data is good, would often have to rely on USGS data that exists today.
 - Question – **Director Zane** – is there an economic reason why DWR doesn't want to share their formulas?
 - Response – Not an economic reason, it is a policy.
- Question **Director Nagle** – last time we met you mentioned it would cost \$30,000 to do a scientific boundary modification, is this still correct?
 - Response – it would be less than that, probably about \$15,000. A jurisdictional modification would be a minimal cost.
- Question **Director Hopkins** – How likely is it that DWR will agree to all the contingencies you stated, reassessment of pasture land, etc.?
 - Response – My guess is less than 50% because we still have to use DWR's data.
- Comment/Question **Director Hopkins** – I would love to see Wilson Grove de-listed. Doubling groundwater basins in Sonoma County would be challenging. So you are saying that the scientific model is not seriously advantageous to us because there are so many contingencies?
 - Response – Yes, to Supervisor Zane's point of view, maybe the boundary should always have been at the watershed, this is a very important point.
- Question **Director Hopkins** - What is the most current conversation with the City of Sebastopol?
 - Late July was our last meeting. They were in favor of either a jurisdictional or scientifically based modification.
- Comment **Director Dutton**: Supports basin boundary change.
- Question **Director Nagle** – The new information that DWR gathered under their emergency information order for Green Valley, is it informing any of the decisions on the scoring of Wilson Grove?
 - Response: I don't think so, it was a different agency (State Water Resources Control Board).

Board provided feedback on their preference of jurisdictional or scientific:

- **Director Alternate Spielman** – jurisdictional approach seems simplest and most direct
- **Director Alternate Fudge** – jurisdictional
- **Director Harvey**– jurisdictional seems the way to go

- **Director Zane** – vote is for science
- **Director Hopkins** – jurisdictional with caveat if in ongoing discussion with DWR, it becomes clear a watershed based boundary would have a higher likelihood of eliminating the higher prioritization of Wilson Grove, would be interested in pursuing that direction.
- **Director Nagle** – support resolution
- **Director Stafford** – jurisdictional for now
- **Director Dutton** – jurisdictional for now

Public Comments:

Michael Hilber – does DWR have scientific basis for claiming a problem with high manganese levels and counting it against groundwater? What is your argument going to be against DWR?

John Rosenblum, representing Belmont Terrace Mutual Water Company, just outside Sebastopol City limits. He has been meeting with three other mutual water companies now in the same situation, they have more or less agreed on scientific approach. To allay fears about a giant \$30,000 investigation, there is already a CA Department of Fish and Wildlife evaluation of hydrogeology in our area and its impact on surface water. It shows very clearly that Wilson Grove is quite continuous for about a half circle (about 1.5 miles) around Sebastopol, it could easily be incorporated. They request the boundary be based on the scientific approach. USGS presented a model and put a warning in there that they had no data for rural agricultural or domestic extraction. Every vineyard we know about has meters, so there is data that was outlined in the rate review. About the water quality issue, Dept. of Water resources has to apply uniformity across the State. Worried about a jurisdictional boundary with the City of Sebastopol, as they don't have the money to annex us but every one of the mutual water companies is willing to join the independent water users and pay \$20 per home per year and join the Santa Rosa Plain GSA.

Rue Furch – speaking as a domestic well owner, priority should be watershed boundary. If we can get to watershed level planning, we will be that much more effective at sustainability. It would be really helpful if we can move our jurisdictional sustainability plans to a watershed model.

Director Harvey moved to approve Resolution Number SRP-18-004, **Director Nagle** seconded. Motion passed unanimously.

- d. **Selection Process for GSA Administrator: Update search for an Agency Administrator and possible appointment of two or three board members to participate on the candidate interview panel.**

Ann DuBay, said an RFP has been issued - they will be reviewing the written proposals the week of Aug 20th and interviewing the week of September 3rd or 10th. Staff recommendation is for the Chairwoman to appoint two to three board members to participate on the interview panel. **Director Hopkins** asked for volunteers: **Director Schwedhelm** and **Director Stafford** offered to participate.
Public Comments: None

e. **Advisory Committee use of alternates: Consider approval of the use of alternate members for the Advisory Committee.**

Ann DuBay, said the Advisory Committee would like the ability to have designated alternates which requires Board approval. The Advisory Committee approved a charter amendment on the appointment of alternates, staff recommends the Board approve the use of alternates and the proposed appointment process.

Public Comments: None

Director Harvey moved to approve the use of alternates for the Advisory Committee, **Director Stafford** seconded. Motion passed unanimously.

9. Administrator & Plan Manager Report

Jay Jasperse, presented the Plan Manager update. He is continuing with work on the groundwater sustainability plan and making good progress on an initial draft with the first part which is the basin setting part of the report. He will be working through various stages with the Advisory Committee starting in September.

Ann DuBay presented the Administrator update. She mentioned there is an update in the packet but pointed out she is currently working with outreach staff and the Plan Manager planning community workshops to be held in the January, 2019 timeframe. The purpose of the workshops is to get people in the basin more familiar with groundwater in the basin and also starting to get them familiar with the groundwater sustainability elements.

Public Comments:

Rue Furch - emphasize outreach in other languages where English is spoken as a second language. Reaching out to those communities will be critically important, please prioritize that.

No action was taken.

Adjournment

The meeting adjourned at 3:10 pm.