

**Santa Rosa Plain Groundwater Sustainability Agency
Community Meeting on Groundwater Sustainability Fee
March 6, 2019, Rohnert Park - Meeting Summary**

Welcome and Introductions:

Gina Belforte, Mayor of Rohnert Park, and Santa Rosa Plain GSA Board Member, welcomed the audience and thanked them for attending. She mentioned the meeting would be recorded, and there would be an additional Community Meeting in Windsor, on Thursday, March 7. Director Belforte emphasized the purpose of the meeting was to discuss the fee proposal, share information, and that no decisions would be made.

Ann DuBay, Community Affairs Manager, Sonoma Water, facilitated the meeting. She asked the audience to identify themselves. The majority of attendees were rural residential well owners (approximately 20 people), and two agricultural well owners. No attendees identified themselves as using city water and having a supplemental well. Ms. DuBay provided an overview of the agenda to the group and reiterated that no decisions would be made at the meeting.

Background

Marcus Trotta, Sonoma Water, provided a background on the Sustainable Groundwater Management Act.

California is one of the last western states to manage groundwater. A 2013/2014 USGS study of the Santa Rosa Plain identified that groundwater and surface water are closely interconnected. Issues of groundwater levels and quality. Climate change is expected to impact the balance of inflows and outflows. Water quality issues and wells drying up in the Central Valley, led to the California legislature regulating groundwater. In addition to complying with state law, it is important to manage our groundwater - it is important for the environment, groundwater is a valuable resource.

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. If we miss deadlines, the State Water Resources Control Board (State Water Board) has the ability to step in and manage the program.

Formation activities were funded by GSA member agencies which include Cities of Santa Rosa, Cotati, and Rohnert Park; Town of Windsor; Independent Water Suppliers; Gold Ridge and Sonoma Resource Conservation Districts; County of Sonoma; and Sonoma Water. These agencies continue to fund the GSA through its first two years of operations.

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.

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. DWR made its final determination on basin boundaries in February, 2019, and Sebastopol and three mutual water companies could join the Santa Rosa Plain GSA.

To achieve sustainability by implementing the GSP (after 2022) may require specific activities (depending on the GSP's conclusions). Activities could include studies, monitoring, water management programs, and capital projects.

Proposed Groundwater Sustainability Fee

Andy Rodgers, Santa Rosa Plain GSA Administrator, introduced himself as a geologist, and a rural residential well owner in the county. He thanked the audience for attending, then proceeded with providing an overview of the proposed fee.

The first two years of GSA operations were funded by the member agencies. The estimated annual funding needed for the next three years is \$337,000 (after member agency repayment deferral and grant funding). Rodgers explained there are three groundwater basins in Sonoma County and funding is needed for all three. To clarify, he mentioned that the other two groundwater basins in Sonoma County aren't proposing fees because they have fewer groundwater users, fewer stakeholders, and less member agencies (five in Petaluma Valley Basin, six in Sonoma Valley Basin compared to nine in Santa Rosa Plain Basin). If fees were imposed in the other basins, the estimated fee in Petaluma Valley would be double what is proposed for the Santa Rosa Plain and almost two and a half times more in Sonoma Valley.

The Santa Rosa Plain GSA also received a \$1 million Proposition 1 grant for the preparation of the Groundwater Sustainability Plan 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. Costs to be covered are primarily for the administration of the GSA. The GSP may also include studies and water management programs.

Rodgers then explained the proposed fee. He emphasized the fee is not a tax. It is a regulatory fee based on actual or estimated groundwater uses. 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).

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.

What is the rate based on? It is based on average annual costs of running the GSA divided by acre feet of groundwater used annually in the basin = acre foot rate. The first part of the equation is the average annual costs which are determined by taking the estimated 5 year operating expenses of \$3,000,000, less \$1,000,000 grant funding, less \$992,000 member agency deferral over the three remaining years of funding the GSA = \$337,000 to be recovered over the next three years.

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).

The fee would be levied for three years, after which time the Board could end, extend, or replace it with a different fee. It would go into effect on July 1, 2019 and be collected on the 2019-2020 property tax bill (even though it is not a tax).

Proposed groundwater users registration program, Andy Rodgers, Administrator SRP

Andy Rodgers provided an overview of the proposed groundwater user registration program. SGMA requires some form of regulation 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. The program does not require meters to be installed on wells – in fact, SGMA does NOT authorize the GSA to meter de minimis users, nor does it require groundwater users to fill out forms - unless they want to share or correct information. Technical assistance for the program will be available from Ag Commissioner, GSA staff and Permit Sonoma.

Next Steps – The audience input will be provided to GSA Board and posted online. Fee methodology discussion and possible action at the Board meeting March 14 at 1 p.m., 35 Stony Pt Road. Possible approval of fee and groundwater user registration at the Board meeting on June 13, time TBD. Public comments: go to www.santarosaplainingroundwater.org for more information.

Public comments:

A panel made up of Jay Jasperse, Chief Engineer, Sonoma Water and Plan Manager of the Santa Rosa Plain GSA, Marcus Trotta, and Andy Rodgers, took questions from the audience.

- Question – I am a rural residential property owner in Rohnert Park and Petaluma Plain. Let's talk about the "big user", I would like to see what the Federated Indians of Graton Rancheria will pay for casino groundwater use. And what about Rohnert Park, what will they be paying based on the water they pump? Is that going to be passed on to the rate payor in Rohnert Park? Is it going

to be near the \$16/year rate per homeowner? What happens at the end of three years if we collect too much or too little money?

- Response – Mary Grace Pawson, City of Rohnert Park said Rohnert Park pumps a similar amount of water as Santa Rosa, about 15,000-16,000 acre feet a year. They anticipate charges of \$20,000-\$40,000/year for the GSA and do not anticipate a rate increase for their customers. Jay Jasperse added that SGMA law does not legally apply to Federated Indians of Graton Rancheria, as the tribe is a sovereign entity. They participate in the Advisory Committee, provided some funding before SGMA that was negotiated between the casino and the County, and they also fund some of the neighboring monitoring programs.
- Question – Rural residential well user, west of Sebastopol. Regarding the map with definitive borders showed early in the presentation. What about the people in the shaded section? Where do we fit it?
 - Response – In the map of the three basins, SRP basin is dark blue, the shaded area is the watershed. The GSA only has authority in the basin area and is not considering fees or a registration program in the watershed area.
- Question – If the basis of usage estimates is from two years ago, and we get two years like this year and last year, how nimble is your model? Frequently, these models are not dynamic, and we carry forward 10 years of data which isn't reality. Since you will not be monitoring individual wells, we need to know the model is adaptable to change.
 - Response – The fees will be set for a three-year period. After that period, the Plan can be changed in the future. We envision a second fee study that would include any better data we learn in the first three years.
- Comment – My concern is that once money goes to the government it never comes out, so even if we were to see the water levels rise sufficiently, I feel the agency will still find a reason to spend the money. I hope this agency will be respectful of tax payer dollars.
- Question – What happened to the questionnaires we filled out a couple years ago? They were lengthy and comprehensive.
 - Response – If you lived in the Mark West, Dutch Bill Creek, Green Valley Creek or Mill Creek watersheds, during the drought the State Water Board asked for all kinds of information about water use. The information was for the State and not the GSA. Many people who filled out those forms live outside this basin. The majority of people who live in the basin didn't have to fill out the state forms. It was a select group. That is interesting because I don't live in either of those mentioned watersheds.
 - This was discussed offline in more detail.
- Question – I am opposed to this entire thing. Never let the State control our water, they can't get anything right. How are you going to regulate anything without installing meters? You are going to come after the well owners to pay the \$337,000? There should be plenty of extra general funds from Petaluma to Ukiah to pay for this especially, taxed as we are in California.

- Response – The regulation - defining what that means - we worked hard on that, we wanted to find the simplest, least intrusive thing we could do and pass a threshold of technically regulating. So, the act of requesting information is our way of regulating.
- OK, I don't trust you.

Comment/Question – I disagree that I should pay for water. I also disagree that you are telling me what to do with my property. I didn't vote you in, I don't know how you got your jobs. First time I heard Mr. Jasperse give the presentation, I heard him say that you saved us \$600,000 because you didn't want this to go to a vote. Is this correct?

- Response – No, if it had been a property tax (not a regulatory fee), and put on a ballot for an election, it could have cost the GSA up to an extra \$600,000.
- Comment/Question – I would like to present an option before you get any further with a decision. It would behoove you to have us on your side. We, the rural homeowners, vote by mail, it would cost very little. You might get more “yeses than nos”. Water is a public trust. It would be reasonable that those who make a profit, would pay for the Plan. I do not see that in your plan. The majority percentage of water taken out of our groundwater is not being charged and wineries make thousands of dollars of profit. You say that \$9,000 x \$20 per well owner is about \$100,000. The amount of money that wineries are paying, isn't enough.... You are the kings, you have the coffers, you have the gold. We want to have some say. I think your 24% for rural residential use is way off, how can we get real numbers? If it is 12%, then the 12% is a minimal amount. How do you know how much water is being used by the wineries, you aren't metering them? And if you are metering them, then you aren't giving us the numbers. I don't know where you are coming up with this information. I was wondering if you could put on your website the stats that Bob Anderson put up regarding the 24%. I would like to send all the people I am educating to your website to get that information.
 - Comment – 1,600 acre feet for Santa Rosa, you need a big well for that. From my perspective the industrial municipal users with big deep wells need to be monitored and potentially restricted, not the rural residential users that use a small fraction of the amount of water. Point out to the public that this Board is under the control of crooks in Sonoma County Alliance. Their interest is in shifting the costs disproportionately to rural residential well owners and away from wine industry and development. In fact, they started out with a parcel tax and pointed out it would be the fairest, actually, it is the least fair. The reason they did this is because the Sonoma County Alliance likes the idea of less tax, it benefits the wealthy. I have a constructive suggestion to change the cost structure. When people pay for sewer, typically they are charged based on the water used as they are metered. Santa Rosa has some folks on a meter that also have a well. They have to fill out an affidavit to confirm how many persons live on the property. Then the administration figures out the amount of gallons per person and charge that way. It would be smart to do that, it would be fairer than what you are proposing. What you are doing would fall foul of the law. I think your legal advice is incorrect.
 - Comment – About Water Quality Control Board - if they were to take over. They would not only charge wineries \$40 per acre foot, they would charge more – wineries would pay double the

rate and the usage would be more than double than what you are calculating. They figure wineries would use more water than we figure. It would be another factor, it would shift the distribution of the cost.

- Question – I am a rural residential well owner, I really support this program, you have a good plan going. Minimal cost. What is the definition of rural residential vs agricultural? Half acre? One acre? 3 acres? Or is it registered usage of property or what? I am on diverse agriculture 10 acre minimum but I only have $\frac{3}{4}$ of an acre.
 - Response – Assessor’s records.
- I would like more information on the Plan coming up later. Where will the monitoring be done? How will we measure water quality, I am worried about industrial leaching possibly polluting my source of water.
 - Response – The Plan will be iterative, we encourage you keep up to date with the documents coming out and to attend the Advisory Committee meetings where there is lots of discussion. Voice your concerns, issues will be covered.
- Comment – I just founded an organization called “Rural Homeowners Alliance” because we don’t feel we are being protected by your agency. We are starting a petition. The regulatory fees being proposed are based on legally inaccurate data. We demand all members of the Board who have a vested interest financial or otherwise, recuse themselves from future voting until their positions have been replaced. Rural homeowners are not being supported and our needs are not being met. Where are you monitoring the use? Where are the sustainable solutions? You are not protecting the local food producers. You say you won’t meter us, but you have eminent domain, in the future you will be metering us.
- Question – Regarding the Wilson Grove area, I assume you will have to work on a sustainability plan? According to state law, it says groundwater belongs to the people of CA. Sonoma Water and other municipalities have been selling water for years that they don’t own. That is fraud. Other issues for this area isn’t water depleting, it is water coming up to the surface. You may have to get to the point where you ask people to pump water in the summer.
 - Response – We have to develop numerical standards. Conditions such as depletion have to be managed. In terms of the water rights issue, we have had appropriated water rights for decades and for the Russian River water, we have rights from the State Water Board. Wilson Grove is in limbo because the state initially prioritized it as a low priority basin. When they reprioritized, they changed it to medium priority. Sonoma County asked to reprioritize it to low again. In the meantime, the state changed basin boundaries. Petaluma and County of Marin also requested the reprioritization of Wilson Grove. The state is doing anew proposal, we are waiting for their final decision on if it will be medium priority, and if we will have to implement SGMA.
- Comment/Question – I have lots of concerns about meters. People need to recognize that not all vineyards use water because they dry farm. What about marijuana growers – they use loads of water? They can’t be ignored by this Plan.

- Question – If Wilson Grove becomes a medium priority basin, will it have to conform to SGMA?
 - Response- Wilson Grove does not have to apply at this time until the state decides on the priority status. Timing would be different, and it would have to comply to the three steps. Bulletin 118 doesn't apply to the watershed.

- Question –Will a map be out before the implementation of the Plan?
 - Response - Hopefully the map will be available next week.

- Question – What about property owners on city water with a supplemental well?
 - Response – That falls in the \$1-3/annual fee category.

- Question – Should I go to www.santarosaplainingroundwater.org for the most current information?
 - Response – Yes.

- Question – Regarding the modification after three years, if we don't have voting rights to have this put on our property tax, what will happen at that time?
 - It is a Board decision to modify, cancel, extend, etc. the fee. There will be another study and opportunity for you to comment. That is the benefit of having a plan.

- Question – Have you put any data together about all the water that is coming back? If the statistic would look like we are putting back as much as being taken out what, then that pie chart (you presented) would be totally irrelevant.
 - Response – If we see the basin is in balance, it would be very good news.
 How would that be done?
 - We can cover that offline.

Meeting adjourned.