

Sonoma Valley Groundwater Sustainability Agency Board Meeting

Regular Meeting Minutes

Date: June 28, 2021, 4:00 p.m.

<http://sonomavalleygroundwater.org/>

1. Call to Order and Roll Call

Chair Gorin, called the meeting to order at 4:01 p.m. She asked Ann DuBay, Administrator, to conduct roll call. **Directors Ding, Gorin, Mulas, Rabbitt, Rogers, and Sangiacomo** were present. Also, in attendance: Jay Jasperse, Plan Manager; Marcus Trotta, Technical Staff; Andrea Rodriguez, Outreach Staff; Simone Peters, Administrative Aide (recording minutes); and Fred Allebach, Sonoma Valley Advisory Committee Chairman.

2. Public comment on matters not listed on the agenda but within the subject matter jurisdiction of the Board

None.

3. Consent Calendar

- a. **Minutes, April 26, 2021**
- b. **Year-to-date Financial Report**
- c. **Year-to-date Member Agency Contributions**

No public comment.

Director Rogers moved to approve the Consent Calendar as presented, **Director Ding** seconded. Motion passed unanimously **6-0-0**.

Roll call Vote:

Director Ding – aye

Director Gorin – aye

Director Mulas – aye

Director Rabbitt – aye

Director Rogers – aye

Director Sangiacomo - aye

4. Directors/Subcommittee Report

- a. **Rural Community Engagement Program**

Director Sangiacomo reported that the liaison met as a group and received feedback. There was participation from all three basins. Main bullet points of feedback include:

- Concern about groundwater levels
- Worry about fees/charges
- Worry about expansion of cannabis grow <https://outlook.office365.com/people/>
- Skepticism of local government regulation

The consultants will meet with the Board in July to provide initial outreach details and get more feedback.

b. Rate-Fee Study

Director Ding reported the Board liaisons met with staff on May 12 to interview three possible consulting teams. Staff was asked to follow up with two of the consulting teams. Staff reported the results of the follow-up via email and made recommendations, they are currently doing more due diligence.

Questions/Comments

Director Gorin – Where do we go with the outreach on the rural community outreach? How will it be reported officially?

Ann DuBay – The goal of this whole project, which is funded by proposition 68, is for the consultants to develop a comprehensive outreach campaign for rural residents to make sure they know there's a Groundwater Sustainability Agency in existence and the role of it. We would like to get this messaging out prior to the release of the draft GSP so people will have already heard something about groundwater and the GSA.

No public comment.

5. Advisory Committee Report

Fred Allebach, Sonoma Valley GSA Advisory Committee Chair, said he wanted to provide a little feedback from the Advisory Committee regarding the Interconnected Surface Water SMC. Majority of the AC voted to give a nod to environmental interests and beneficial users on ISW SMC. Many of us were disappointed that our efforts to include this stakeholder group weren't matched by the GSA Board, and felt the Board missed the difference between scientific and politically conservative. This feedback is so you know where the AC stood on it, but we respect your decision. I just wanted to give some honest feedback on that SMC. Thank you.

Director Gorin – We respect the Advisory Committee. This is a new venture for us so we're trying to figure out the best way of moving forward, I respect your technical expertise and that's why all of you were appointed to the Advisory Committee.

No public comment.

6. Action Items

a. General Liability Insurance:

- i. Consider approval of contract with Golden State Risk Management Authority, beginning October 1, 2021

At its October 2020 meeting, the Board approved a resolution withdrawing from the Association of California Water Agencies Joint Power Insurance Authority (ACWA JPIA) due to increased costs of membership.

Ann DuBay said the proposed new insurer Golden State Risk Management Authority (GSRMA) is less expensive than the current insurer ACWA JPIA. The new insurer offers \$5,000,000 less liability coverage than the current insurer but is much less expensive. A three-year commitment is required, and the policy would be effective October 1, 2022.

Staff recommends the Board authorize the Administrator to sign a Joint Powers Authority agreement with Golden State Risk Management Authority for three years, effective October 1, 2022.

Question/Comments

Director Rogers – The major exclusions are roughly the same between the two?

DuBay – Yes.

Director Rogers – Punitive damages weren't included in either of the policies?

DuBay – The biggest issue I am finding in insurance right now is cyber liability.

Director Gorin – Will all three GSAs be insured by Golden State?

DuBay – Yes, but all have separate policies.

Public Comment/Questions

Fred Allebach – Has Sonoma Water or the County ever had a ransomware attack?

Director Gorin – Not to my knowledge.

DuBay – Not to my knowledge at Sonoma Water either.

Director Rabbitt moved to approve the Administrator sign a contract with Golden State Risk Management Authority, beginning October 1, 2021, **Director Rogers** seconded. Motion passed unanimously **6-0-0**.

Roll call Vote:

Director Ding – aye

Director Mulas – aye

Director Rabbitt – aye

Director Rogers – aye

Director Sangiacomo – aye

Chair Gorin – aye

b. Rate and fee study:

- i. Consider authorizing Administrator to execute an agreement with a consultant for a new rate and fee study

Because all three Sonoma County GSAs need to conduct new fee studies, staff issued a joint Request for Qualifications on March 29, 2021. Ann DuBay provided expected timing for the study:

May-June 2021: Select and engage a consultant
July-November 2021: Data and budget development
Winter 2021-2022: Board and public discussions
Spring 2022: Select and implement funding option

Staff is still going back and forth between two consultants asking for additional information and obtaining references. At this point, no specific team has been chosen, but we expect to do that soon. If the Board desires, we could go ahead and complete the due diligence process, select the consultant, get a contract signed, hopefully, in the next couple of weeks, which would be prior to the Board's next meeting at the end of July. And then, at the July 26th Board meeting, provide a full report of the selection process and introduce the successful firm to the Board.

Staff recommends the Board authorize the Administrator to work with the three-GSA selection committee and, in consultation with the GSA Board Chair and Vice-Chair, select a rate and fee study update consulting firm, negotiate a scope of work and budget, and execute a Professional Services Agreement.

Question/Comments

Director Rogers – Is there any disagreement amongst the GSAs for which consultant?

DuBay – To-date there is not.

Director Ding – Maybe we would like to authorize the Administrator to execute an agreement with a consulting firm based on due diligence.

Director Rabbitt – What is the timing now, how is it different from when we spoke before? The public doesn't want to pay for a plan, then, to have you increase their costs to pay for implementation. I personally believe that we have to offer something in return for what they're paying, for which hopefully will be some sort of resiliency.

DuBay – Now, the member agency commitments end on June 30, 2022, and the GSP will be submitted by January 31, 2022. What we're talking about is a fee starting sometime in late 2022 that would pay for the implementation of the GSP. The GSP requires an implementation plan and it doesn't need to be very detailed in terms of budget. Especially in Sonoma Valley Basin, some projects and management actions will be needed to make sure we can achieve sustainability, so that's the kind of thing where well owners will perceive a benefit to them. This is unlike the original fee study; this one is for actual implementation.

Director Rabbitt – I am glad to hear that. We need to make sure that we communicate the implementation and the benefits because, again, no one wants to pay for bureaucracy or plans without receiving some benefit.

Director Gorin – How would you work with the Chair and Vice Chair if the Board agrees with the staff recommendation?

DuBay – We touch base again with the liaisons to make sure everybody is on the same page. When all the GSAs have agreed on the same consulting team and the scope of work and have something set in terms of a budget and scope, then we would reach out to the Chair and Vice Chair to make sure they agree with it, and move forward with the agreement.

Director Gorin – So, timing would be in about two weeks?

DuBay – I am thinking closer to three weeks.

Public Comments/Questions

Fred Allebach – There are some differences of who are the stakeholders and who would pay. There should be some basis for assessing everyone in the Valley. If you only assessed property owners, that would leave renters out as far as paying for the common pool resource. Personally, I would like to see everyone in the basin pay towards groundwater sustainability, but I can't figure out how it would be fair to assess property owners. I think it would be easier if everyone paid, then we'd all be in it together and there would be more of a common purpose for us.

Director Gorin – (to DuBay) – How do we ensure equity in the basin?

DuBay – Difficult question. We learned from the last go-around when Santa Rosa Plain implemented their fee structure, the biggest challenge is that the constitution limits the options. There are options based on groundwater pumping, a parcel tax option, or a kind of a Proposition 218 option based on the benefit received. We are seeing a two--prong approach in some other basins.

Director Gorin – How many consultants responded to the Request for Proposal?

DuBay – Three.

Director Ding moved to authorize the Administrator to work with the three-GSA selection committee and, in consultation with the GSA Board Chair and Vice-Chair, select a rate and fee study update consulting firm, negotiate a scope of work and budget, and execute a Professional Services Agreement, **Director Rabbitt** seconded. Motion passed unanimously **6-0-0**.

Roll call Vote:

Director Ding – aye

Director Mulas – aye

Director Rabbitt – aye

Director Rogers – aye

Director Sangiacomo – aye

Chair Gorin – aye

c. Drought Outreach:

- i. Consider budget adjustment to allow GSA to contribute to August regional Drought Drop-By

Ann DuBay said a regional Drought Drop-By event is being planned for August to provide water conservation kits to the public. This item would allow the GSA to participate in the event, so kits can be provided to groundwater users. Staff recommends the Board authorize an expenditure of \$2,500 in FY 2021-22 for the Drought Drop-By event. Funding would be allocated through the outreach budget line item.

Questions/Comments

Director Rogers – About outreach, there is a letter going out signed by Valley of the Moon Water District and the City of Sonoma to all well owners asking for their participation in a voluntary 20% reduction in the use of their well. I think the letter should also be signed by the GSA.

DuBay – There was a press release that has been posted on the website. There was also a special email that went out to our interested parties of about 1,500 people but there is nothing that would stop the GSA from duplicating the messaging in the mentioned letter, if the Board approves it.

Director Gorin – The benefit of that is the outreach that we are still attempting to do.

Director Rabbitt – I would be very careful in how we word anything. We have no power to mandate any percentage of reduction. Personally, the people that I know who have wells are usually more sensitive to the water shortage than those who have a pipe coming in their house. I have no problem with reminding people that there's a severe drought going on, and that they should conserve water going forward, but I think it's very important that we don't tie ourselves to mandatory conservation.

Director Gorin – As a practical matter, if we were to send out a message, it should be via email, I don't want to incur postage.

Director Rogers – We will send the letter to the Board members for information and comment.

Director Gorin – I assume any action by this Board wouldn't occur until the next Board meeting. Is there anything else we could do in the meantime?

DuBay – We've put up quite a bit of drought information on the website and encourage people to go to that. Maybe we could tie this idea to the Drought Drop-By.

Director Gorin – That is a good suggestion. Let's see if we can take that action combined with media information about the Drought Drop-By, and list the locations and let everybody know that whether they are served by a well or "the pipe", conservation is everybody's responsibility.

Public Questions/Comments

Fred Allebach – This would be a good opportunity for the GSA to frame its own message.

Director Gorin – You are right, it may be good to frame the drought and the Drought Drop-by with the message that we represent many of the users in the Valley, so we are concerned about water conservation.

Director Rogers moved to authorize an expenditure of \$2,500 in FY 2021-22 for the August regional

Drought Drop-By event, **Director Sangiacomo** seconded. Motion passed unanimously **6-0-0**.

Roll call Vote:

Director Ding – aye

Director Mulas – aye

Director Rabbitt – aye

Director Rogers – aye

Director Sangiacomo – aye

Chair Gorin – aye

7. Information Items:

- a. **Groundwater Sustainability Plan:** Sonoma Water staff will give an update on the GSP, and discuss Projects and Management Actions and Implementation Plan

The Groundwater Sustainability Plan (GSP) is due January 31, 2022. Jay Jasperse provided a summary of the GSP schedule. He said the schedule has slipped a little; SMC Sections 4 and 5, will be available in July rather than June. Sections 6 and 7 will be available for Advisory Committee review in August rather than July and Public review is expected in October rather than September. Adopting and filing the GSP is still foreseen for December (no change from original schedule).

Marcus Trotta provided a status update on scenario modeling and evaluation of conceptual projects and actions needed to achieve or maintain sustainability; and an introduction to the GSP implementation plan including a presentation on each of the GSP components and next steps, which include developing further details and budgetary costs estimates.

Questions/Comments

Director Gorin – We are under a time crunch, are we on track to get the GSP done in time to meet the state deadline?

Jasperse – Yes.

Director Gorin – Are you planning on having a public meeting to present the Plan?

Jasperse – Yes, a Community meeting, it will be scheduled in the fall.

Questions/Comments

Director Rogers – We still drill wells, yet we are asking for a 15% reduction in vineyard well use. I think your model includes some new wells.

Trotta – Our baseline projected scenario does include projected future increases of water demand in rural domestic, agricultural, as well as municipality future projected pumping.

The decreases that we're simulating under Group 1 are all future wells. The idea of limiting well water use in future, the county retains the well permitting authority. We have also talked about including policies the Board may want to consider, in our implementation Plan.

Director Rogers – It would be important to talk about that.

Director Gorin – Sonoma County has the record, or close to, of the highest number of wells.

Director Rogers – We also have issues with well drilling, some of the well drilling interconnecting the upper and lower aquifers. There are some things the County could be doing to maintain aquifers in good shape.

Director Gorin – Well drillers have the best information on wells/water tables, etc. Are we tapping into those sources of information?

Trotta – Yes, we have had discussions with various well drillers over the years. Ann DuBay and I talked recently about trying to do some specific outreach to the well drilling community to help gather information.

Public Questions/Comments

Fred Allebach – I thought the Group 2a Storage and Recovery projects for the City and Valley of the Moon Water Districts look like a great example of groundwater banking. I am curious about the stormwater recharge in Arroyo Seco. How would that work in the winter? Where would the recharge go?

Trotta – We are simulating the projects at a conceptual level. Lots of studies would have to go into the recharge projects. We are selecting a diversion point along the stream. The State Board has developed a methodology that they are calling a “streamlined permit” for aquifer recharge projects. In terms of locations, we are assuming on-farm recharge.

Director Sangiacomo – There are some concerns, but also options for opportunities, to make corrections and deficits disappear.

Director Mulas – A few comments/questions. 1) It would be encouraging to know what kind of projects you are thinking of. 2) With the concern about future development of wells in the rural areas, I go back to being in the middle of a severe drought. I haven’t heard any kind of mention of a moratorium on wells and housing developments. 3) Eminent domain – some projects may fall into some of the areas you were thinking about as far as storage, is that a consideration as part of your strategy?

Jasperse – The GSA does have authority for eminent domain should it present itself – a right of way for example. Sometimes there is friendly eminent domain because there can be benefits to the property owner. The projects we are talking about now in Group 1 are the low-hanging fruit. The overall idea is to start with low hanging fruit either like efficiency or projects already underway from other agencies, and then build up to the larger efforts.

Director Rabbitt – New connections are miniscule compared to existing ones in terms of water use. I don’t know what would have to happen to create a building moratorium on hookups.

Jasperse – Through water use efficiency, we deliver less water now. Fifteen years ago, Sonoma Water delivered about 65,000 acre-feet of water per year. Now it is more like 40,000-45,000 acre-feet per year.

Director Gorin – We go through periods of very wet and very dry. Climate change is a game changer. New houses are much more water efficient than existing buildings.

Director Rabbitt – Water agencies work on more high tech approaches to manage water better, including FIRO, the Forecast Informed Reservoir Operation. This year alone, there were 11,000 acre-feet more water in Lake Mendocino at the start of this year than there was in previous

years because of that program. That coupled with AQPI, the Advanced Quantitative Precipitation Information System, which is new radar in the Bay Area, that identifies when atmospheric rivers will come and where they will hit. We will use new technology, conservation, recycled water, manage water, updated technology, etc., it gives me great optimism. We are on the right track.

Director Gorin – Congratulations to Direct Sangiacomo for using updated technology in the vineyards.

Director Rogers – Valley of the Moon also uses new technology so we can do better leak detection. We have water but there are areas that don't have adequate fire flow, so we need to install new pipes.

Director Ding – In the sanitation plant, grey water goes to irrigation. The rest goes to the Bay. Any way we can save or recharge the aquifer?

Jasperse – Ultimately, the plant will have less discharge over time. We have been asked if it can be injected into the aquifer like in Southern California, I don't think it is the best thing to do here. We can just use it as we're doing now, which is what we call "in lieu "recharge when we give it to a vineyard to use, for example, so they no longer pump the groundwater and we get the benefit that way, rather than injecting it which has technical and cost issues.

Public Questions/Comments

Fred Allebach – I would like to remind everyone of the Pete Parkinson study that indicated there will be zero growth in the County unincorporated area.

Director Gorin – The County is expected to grow a little in the unincorporated areas.

Director Rabbitt - I personally think in Santa Rosa and downtown, they could meet an additional number of housing units. So, it's the drought and then the housing crisis and then trying to deal with climate change. The more houses you build in the unincorporated area, the more vehicle miles traveled, so there are some contradictory things going on right now.

8. Legal Counsel, Plan Manager and Administrator Report

The Administrator and Plan Manager report is in the packet. Jay Jasperse added that staff are working not only from the Sonoma Water perspective, but from the GSA perspective to look at getting funding for projects for this basin and the others. The drought may jumpstart implementing some projects a little earlier by providing funding.

Jasperse also mentioned that DWR reviewed the first four Groundwater Sustainability Plans that were submitted two years ago by critically over-drafted basins. Our consultant has looked at the reviews in detail as they were involved with three of those four basins. The bottom line is, that our consultant does not see any red flags in what we're doing. We feel good in terms of the product we're delivering.

No report from Legal Counsel.

9. Adjournment

Director Gorin thanked the Board members for attending and adjourned the meeting at 6:10 p.m. The next Board meeting is July 26, 2021 at 4:00 p.m.