**NORTH BAY WATER DISTRICT**

**22950 BROADWAY, SONOMA, CA  95476**

Board of Directors

Mike Mulas, President, and Chair (Sonoma Valley); Craig Jacobsen, Vice-President (Petaluma Valley); Carolyn Wasem, Secretary (Petaluma Valley); Matthew Stornetta, Treasurer (Sonoma Valley); and Mike Sangiacomo (Sonoma Valley).

PVGSA Advisor: Eugene Camozzi SVGSA Advisor:  Jim Bundschu

SGMA Compliance Advisor: Mike Martini

Technical Advisor: GinaLisa Tamayo

Legal Counsel: Richard Idell

Date: November 7, 2023

Time:  4:00 pm Location:   22950 Broadway, Schell-Vista Station #1 Sonoma, Ca

1. **CALL TO ORDER/ROLL CALL**

Chair Mike Mulas called the meeting to order at 4:00 pm.Chair Mike Mulas and Directors Craig Jacobson, Matt Stornetta, Mike Sangiacomo and Carolyn Wasem (via zoom) were present. Legal Counsel Richard Idell, Advisor Jim Bundschu, Advisor Eugene Camozzi, Advisor Mike Martini (via zoom) and Advisor GinaLisa Tamayo (via zoom) were present.

1. **CLOSED SESSION**

There were no closed session items.

1. **PUBLIC COMMMENT PERIOD**

There were no public comments.

1. **APPROVAL OF MINUTES OF PREVIOUS MEETING**

Director Sangiacomo made a motion to approve the September 2023 Minutes. Director Jacobsen seconded the motion. The September 2023 Minutes were unanimously approved.

1. **FINANCIAL REPORT**

Chair Mulas reported that NBWD has $48,952.15 in the bank. Director Sangiacomo made a motion to approve the September Financials. Director Jacobsen seconded the motion. The September 2023 Financials were unanimously approved.

1. **ITEMS FOR CONSIDERATION**

**Item 1. Report by Counselor Richard Idell**

Counselor Idell introduced Advisor Martini to discuss the Resolution before the Board of Directors to intervene in legal proceedings that will affect water and regulation of water throughout Sonoma County.

Advisor Martini shared that Resolution before the Board would require Pacific Gas & Electric (PG &E) to notify North Bay Water District (NBWD) of any actions related to the Federal Energy Regulatory Commission’s (FERC) decommissioning of Scott and Cape Horn Dams.

Counselor Idell stated that proceedings related to the (FERC) decommissioning plan will affect water in Sonoma County including Petaluma and Sonoma Valley groundwater. The ask of this board is to consider intervening as part of the transfer of licensees associated with that project. This would require that NBWD receive notices of actions taken in the proceedings.

Advisor Bundschu agreed that Sonoma Valley will experience impacts of these decisions as it will impact groundwater.

Director Sangiacomo supported the Resolution and the inclusion of language that reflected the impacts to the ground water basins in Petaluma and Sonoma Valley.

Director Sangiacomo then made the motion to approve Resolution 23.4, a Resolution ratifying intervention in the proceedings that affect the availability of water for agriculture users in the matter of PG&E – Project 77-314 as the groundwater agencies in the Sonoma Valley basin and the Petaluma Valley basin will be impacted by outcomes in the project’s proceedings. Director Stornetta seconded the motion.

Counselor Idell called for a roll call of votes:

Mike Mulas: Aye

Craig Jacobsen: Aye

Mike Sangiacomo: Aye

Matthew Stornetta: Aye

Carolyn Wasem: In attendance by zoom, therefore did not vote.

Counselor Idell then discussed the election of the North Bay Water District (NBWD) Board in 2024. Landowners, within the footprint of the district will get a vote based on land owned and assessed value of that land. NBWD is responsible for ensuring assessments and land information is accurate. The district has five current directors who could run for the seat. If all five register to run, and no one runs against those five, NBWD does not need to execute on the election/balloting process. However, the district needs to be prepared for an election. The heavy lifting will be raising the money to mail out ballots and collect ballots. Phil Williams, an attorney familiar with process, has been helpful in sharing the steps that will need to be taken.

Counselor Idell’s recommendation is to start the work for the election early. That will allow NBWD to line up all the actions that need to be executed by August 14th. If no one files to run against incumbents, the district does not need to hold the election. Assuming all incumbents are running – qualification statement, declarations, etc. will need to be filed with the State. If someone other than an incumbent does run in the election, and because NBWD’s seats are held at-large, the district will be required to hold an election. In that case, the top five vote getters will secure the board seats.

Director Jacobsen asked: What happens if someone runs and an existing Director drops out, would a district election be needed?

Counselor Idell responded: In that case, depending upon the time of those actions related to the election timeline, a district election may not be required. He will confirm.

Chair Mulas shared that he thought that someone years ago had gone through a similar scenario. His recollection was that if a filing occurs, and one of the existing Board members backs out, the district will still have to hold an election.

Counselor Idell strongly suggested that if any of the board members want to run again, they need to commit now. And, as a reminder, votes are based upon assessed valuation of the property.

Advisor Martini shared that there are 470 parcels within the district boundaries.

Director Sangiacomo suggested that it will be tedious work, but it is doable.

Counselor Idell shared that no solutions need to be arrived at now.

Chair Mulas asked Counselor Idell to confirm the dates for filing by incumbents, and the last date for an individual to file for a seat on the board?

Advisor Martini informed the board that he would take on reviewing the assessor roles from 2020. Getting the number of individual owners and value of land should not be too difficult. I will take it on this week – assessor roles I have are from 2020. I can get the number of individual owners and values and provide a pretty good estimate.

Counselor Idell shared that August 9th of 2024 is the last day that an incumbent can declare that they are running for a board set. A non-incumbent must declare by August 14th of 2024.

Counselor Idell asked for an update from the individuals who had attended the LAFCO workshop and conversations that occurred at that time, and subsequently that are relevant to NBWD.

Advisor Martini added that Mark Bramfitt, Exec. Officer of LAFCO, indicated that he would contact the NBWD with his concerns related to the district’s participation in the Safe Harbor Agreement for the California tiger salamander. That commentcame on the heels of Mr. Bramfitt telling the Commission that LAFCO, under his leadership does not go out of its way to close water districts (paraphrasing).

Advisor Tamayo and Chair Mulas informed that Board that, thus far, LAFCO has not reached out.

Advisor Martini shared that he did not hear a lot of interest from the Commission on pursuing NBWD for their participation in the Safe Harbor. However, there will be further conversations with the Commission and LAFCO staff. And, given that those conversations are likely, the district needs to be prepared for the conversation.

Counselor Idell suggested that he and Peter need to have a conversation and understand next steps related to Mr. Bramfitt’s concerns.

**Item 2: Report of Director Mike Sangiacomo**

The Sonoma Valley GSA has met on October 30th. The Board was informed that the State had awarded the SVGSA $3.1 million. And while that falls well short of the awards to the Petaluma Valley GSA and the Santa Rosa Plain GSA, everyone viewed this as a victory. SVGSA Director Susan Gorin made a point that this GSA needed more money than the other two Sonoma County GSAs.

SVGSA director Susan Gorin continues to discuss declining groundwater and asked Marcus Trotta of the GSA staff to provide the most up to date data on streams and level of stream and groundwater declines. Her biggest concern was that a plan needed to be developed now. Mr. Trotta shared that it is not clear yet the level of decline. Director Gorin was especially interested in gains to levels for both groundwater and surface water.

In terms of recycled water availability to augment needs in the SV basin, the board discussed that the contract to supply water to the Fish and Wildlife Service will end soon. It is still unclear how much water will be available, long term, for basin augmentation. There was a belief that some of the recycled water will become available prior to 2033, especially if users are willing to pay for it.

The Board then discussed implementation of the GSP, where the initial funds will be spent. Collecting data will be a priority. And back to Director Gorin’s request for information regarding declines in groundwater and surfaces streams, staff is anticipating that they are going to see undesirable results associated with this water year.

Director Gorin wanted to discuss the lack of fees from members of the GSA (i.e., the RCD and the NBWD). That is on of Director Gorin’s “heartburn” issues. Director Gorin was pushing SVGSA Director Bill Keene on this. Her concern was that funds being spent to augment membership fees to the GSAs could be better spent on more pressing needs within her supervisorial district. She suggested that she will continue to push the Administrator and the County to ween the GSAs off funds from the County.

Advisor Camozzi contributed that Santa Rosa puts money out, Petaluma puts money out and once everyone was assessed the $40 per acre foot, the ag community was no longer required to pay the membership fees. That makes sense.

Advisor Bundschu suggested that the SVGSA advisory committee (minus ag representation) wants to see a plan for addressing the groundwater declines within the basin. And they want to see a plan now, with detailed steps.

Chair Mulas brought the conversation back to GSA membership fees. The districts’ understanding is that the County will be paying GSA members’ fees for the foreseeable future.

**Item 3: Report of Director Carolyn Wasem**

Director Wasem informed the Board that the last Petaluma Valley GSA (PVGSA) meeting was held on October 26th. Directors were informed at that meeting that the PVGSA received $6,739,409. The Santa Rosa Plain GSA was also awarded its full funding request of approximately $5.3 million.

The dollars received as part of the grant will be prioritized to fund the following:

1. Addressing Data Gaps
2. Planning for Projects and Management Actions

Marcus Trotta of the PVGSA staff discussed a study to understand how best to achieve the following:

1. Reducing groundwater demands

2. Filling data gaps

3. Aligning with existing policies and facilitate coordination with other agencies

4. Improving management of groundwater resources

5. Protecting beneficial users

Another topic discussed was well permitting review/well construction recommendations. Those recommendations are as follows:

The GSA staff will review well permits that meet certain criteria, such as planned usage or location. To the extent needed, and within a recommended timeline, GSA staff will make well construction and permitting recommendations to Permit Sonoma to consider. This participation by the GSA is designed to achieve the following:

•Goal: Incorporate GSA sustainability goal considerations into future land use decisions

•Objectives: Ensure the GSP sustainability goals are considered during future well permitting review. Assess potential future impacts to sensitive beneficial users and recommend mitigation or monitoring conditions in areas of interest

• Benefits: Promote avoidance of undesirable results and protection of sensitive groundwater users

• Costs to implement: Uncertain, likely less than $20K

The only other item of real interest to this Board was the strident recommendation to GSA staff to start working with agriculture to develop on farm recharge projects. Staff member Trotta and Director Wasem were asked to put together a list of agencies that would need to be involved, and a process to begin planning on farm recharge project using recycled water, direct injection and or shaving peak flows from surface streams for application to and percolation to groundwater.

**Item 4: Report of Advisor Jim Bundschu**

Advisor Bundschu reported that the last meeting of the Advisory Committee was held in September. There were an overwhelming number of advisors who believe that projects need to occur now, not just planning and studies.

The other item discussed included a need for a faster, transparent plan for moving from solely voluntary measures to including mandatory measures, as there are concerns around groundwater supply and voluntary measures will not be sufficient to reverse, what they believe, is a deterioration of in groundwater supply. This need for mandatory measures was highlighted by concerns expressed by staff that they are expecting undesirable results in the next GSP report.

Advisor Bundschu further shared that he introduced his concerns that Permit Sonoma will likely present additional problems in permitting new or enhanced wells.

Several advisory members recommended that land development projects, including the Sonoma Development Center (SDC) and Hanna, include package treatment plants and water storage capacity and use the water for recharge and/or to offset groundwater pumping.

Finally, the advisory committee briefly discussed that determinations as to new areas and new routes for recycled wastewater are being made now. New areas for future uses have been determined, but that process will continue over the next year. The timing for the recycled water was discussed. Some estimates include 2025 to 2027 however, another date of 2033 was floated. NBWD and agriculture users need more clarity on this issue. If the future does not hold a large number of wet years, 2033 is the likely number for access to that water.

**Item 5. Report by Advisor Eugene Camozzi**

Advisor Camozzi shared that the last advisory committee was held in September. Of the $6.7 million dollars awarded, the advisors were informed that $2.3 million will be used to develop recycled water plans and another, undisclosed amount, will be used for aquifer recharging in the form of direct injection.

A question: Can we (the GSA’s) tap into the pipeline from Sonoma to Marin? What would be the charge to tap into the pipeline. Sonoma Water could recharge at any time if that were the case as Sonoma Water controls all the water.

Water use, by category was discussed for 2022. The following was shared:

* 60% of gw use was related to municipality demand
* 22% of gw use was related to agriculture demand
* 5% of gw use was related to rural residents demand
* 4% of gw use related to golf courses, parks, etc. demand

Finally, the advisory committee provided key feedback to staff re: needs for implementing the GSP:

1. Additional information regarding the cost and benefit (e.g., estimated reduction in groundwater use) of the policies and programs
2. Recommendations for grouping or tying policies and programs to basin conditions, such as: geographic areas experiencing known or potential problems; estimated extraction in relation to sustainable yield; or occurrence of minimum threshold exceedances
3. Recommendations for including additional policies and programs, including supply-side (recycled water and recharge) projects, water quality programs for domestic well users, incentives for destruction of improperly abandoned wells, creating mitigation opportunities for needed projects, investigating “land repurposing” strategies
4. Caution in recommending policies or programs which may conflict with the policies or goals of other agencies
5. Caution in recommending policies or programs that could place GSA in position (or perceived position) as the “approving entity” for land use related permitting and preference for providing criteria or analysis to the permitting agency which the GSA would like considered during permitting process. • Concern for increasing cost and timeline for permit reviews
6. Preference to defer to Permit Sonoma for more stringent or controversial policies and programs
7. Concern for potential to create inequities between different categories of groundwater users
8. Concern that voluntary measures will not be effective
9. Support for starting with “lower-hanging fruit” policies and programs, such as voluntary water-use efficiency, voluntary metering, and groundwater user education and engagement. This input was used to refine the list of options and develop the recommended approach for the study described below

**Item 6. Report by Advisor Mike Martini**

Advisor Martini discussed the questions that the LAFCO committee members had related re: using NBWD to represent the needs for an agriculture-based water district for the County. The answers are complicated. To proceed along those lines, NBWD will have to expand its sphere of influence and undertake an arduous process. Expansion of a district is almost as difficult as creating a new district.

Because something is going to break on Potter Valley (FERC decommissioning), Advisor Martini asked the board to re-examine the potential to increase the sphere of influence. He believes that the LAFCO Commission will provide political support to move forward – the agriculture community must find a way to protect and enhance water sustainability and resiliency for the County. It may be the best response for LAFCO on the Safe Harbor question. An expanded boundary would put that issue to rest. If this board is interested in moving forward with expansion, Aubrey Mauritson, Peter Kiel and Walter Keiser would be resources.

The Russian River Property Owners Association (RRPOA) did approve an agreement for representation by the NBWD in the Potter Valley discussion. Both RRPOA and NBWD need to get signatures on this agreement. Both entities need to enter into that agreement. Advisor Martini will come back with a budget to explore expansion of sphere of influence. NBWD, as a Board, needs to have a conversation and provide direction for budget preparation and process.

**Item 7: Report of Technical Advisor Tamayo**

The only item of note is to inform the board is that the Farm Bureau is collecting money for the participation in the Safe Harbor. That should provide some cash to North Bay Water District

1. ADJOURNMENT

With no other business to discuss, Director Jacobsen made a motion to adjourn at 6:00. Director Sangiacomo seconded.

The next meeting will be .held December 12, 2023, at the Shell-Vista Fire Station.

*Board meeting documents are available to review prior to the meeting at the Shell-Vista Station, 22950 Broadway, Sonoma California. Please call or contact Mike Mulas for an appointment to obtain a copy.*