**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

Legal Counsel: Richard Idell

Date: August 9,2022

Time:  6:00 PM

Location:   22950 Broadway, Schell-Vista Station #1

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

Chair Mike Mulas, Vice Chair Craig Jacobsen called the meeting to order at 6:02 pm.Directors Sangiacomo and Wasem were present.

1. **CLOSED SESSION** (Prior to holding any closed session, the Board of Directors shall disclose, in an open meeting, the item or items to be discussed in closed session. There were no closed session items.
2. **PUBLIC COMMENT PERIOD**  Bill Keene introduced himself as the new Administrator of the Sonoma Valley GSA. He shared his background: working in Sonoma County government from 2000-2020. He worked initially at the Sonoma County Water Agency and had substantial impact on the Sonoma Valley Basin Plan (Basin Plan). Soon after its completion, Bill moved over to the Agriculture and Open Space District where he served as the General Manager. Interestingly enough, what is now in the Groundwater Sustainability Plan (GSP) grew out of the work related to the Basin Plan.

After leaving the Open Space, Bill started my own consulting company. As a part of growing that business, he started working with other individuals who were interested in assuming administrative roles for the Groundwater Sustainability Agencies (GSAs).

In that capacity, Bill is hoping to help steer the effort and find funding for administration and projects. His ultimate goal is to actually make progress and demonstrate basin condition improvements. As part of his new role, Bill has had several outreach meetings. He came to the NBWD meeting to answer any questions the Board may have.

Further, Bill shared that he sat through the well ordinance meeting. He read Peter Kiel’s comments on the well ordinance. The comments made at the meeting and reading through Mr. Kiel’s comment gave him a greater understanding of concerns that agriculture has associated with that ordinance.

In terms of funding the GSP, including the administrative cost and project costs, there is a two-year fee set at $70 an acre-foot. As you are likely already aware, the County stepped in to augment funding so that the total cost for the next two years is $40 an acre-foot. The City of Sonoma and the Valley of the Moon Water District will continue to support the GSP. From Bill’s perspective, the big push for the next two years, beyond that initial funding period, will have to be identifying the long term needs and cost of implementing and managing the administration of the GSA. Bill has heard that many individuals in the agriculture sector feel strongly about credits for recharge and to understand that long term costs of the GSA/GSA are a worry.

Bill expressed that he would like to spread the pain, so our implementation plans/administrative costs do not put anyone out of business. This will require that people come to the table to discuss ultimate funding. Right now, there are a large number of grant dollars – those dollars need to be aggressively pursued.

Beyond the two years that the consulting team Bill is working with has committed to manage the GSA, he is making the assumption that the County won’t expend additional dollars to augment the expenses.

Bill closed by sharing his contact information with the Board, it is as follows:

Williamjkeene@gmail.com

707-483-2863

Director Sangiacomo suggested that in the future we periodically include Bill in our meetings.

1. **APPROVAL OF MINUTES OF PREVIOUS MEETING** Director Wasem made a motion to approve the July 2022 Meeting Minutes Sangiacomo seconded the motion. The Minutes were unanimously approved.
2. **FINANCIAL REPORT** Vice Chair Jacobsen reported that NBWD has $59,853.10 is in the bank. An audit is in process. Director Wasem made a motion to approve the Financials. Director Sangiacomo seconded the motion. The motion was unanimously approved.
3. **ITEMS FOR CONSIDERATION**

**Item 1: Update from Counselor Richard Idell**

Counselor Idell shared that he had no new updates.

Chair Mulas asked Counselor Idell about content on the website – what can North Bay Water District put on our website to educate and inform the public and our neighbors about our role in the community and in development of land/water use policies. He suggested that GinaLisa create content associated with the Safe Harbor and the process for enrolling.

Advisor GinaLisa Tamayo said that she would send the summary that Farm Bureau has for the board members’ review. She already posted content about the Safe Harbor on the NBWD website.

Counselor Idell offered to review any content for posting on the website.

**Item 2: Report of Director Mike Sangiacomo on Sonoma Valley GSA**

The last meeting of the Sonoma Valley GSA was held on July 25th and focused on sharing information about the updated plan. Currently not a lot is being done because of reduced budget.

The major action item was the appointment of Bill Keene as the Administrator. The Board gave Bill signing authority. The Guide Program is commencing – we are behind Santa Rosa on that. The Guide Program was set up to allow landowners greater access to information for purposes of calculating ongoing groundwater use fees. The information requested could include:

* + Property owner contact information
  + APN (Search parcel information here)
  + If the parcel uses groundwater from a nearby parcel, the APN or address of that parcel
  + Groundwater user category (commercial, rural residential, agriculture, etc.)
  + Water sources (groundwater well, public water, recycled water, etc., including the number of active and inactive wells on the property)
  + Well depth, if known
  + Site map or aerial photo of the parcel with all active well locations
  + If the well uses surface water, the estimated amount of surface water used annually
  + If the well uses surface water and the diversion is registered, the registration, water right application, or license number
  + Estimated amount of land (square footage) that is irrigated
  + If well is used for agricultural irrigation, information on type of crops and acreage
  + If well is used for commercial purposes, estimated gallons used annually and number of employees

This information will inform future fees associated with groundwater use. The GSA has a contract with the Assessor’s office to collect the fee.

For informational purposes, the next meeting of the Sonoma Valley GSA is scheduled for October 24th.

Counselor Idell asked, that if wells are not monitored how will acre-foot use be calculated?

Director Sangiacomo shared that a formula that includes crop coefficients was used to determine what crops used what amount of water.

Chair Mulas asked how agriculture producers that don’t’ use ground water on their vineyards would be treated?

Director Sangiacomo responded that if the landowner has a documented surface water right and or recycled water, you can provide that information to offset the assessment.

Chair Mulas pointed out that the irrigated pasture numbers are not accurate.

Director Sangiacomo responded that he believed that those adjustments had been made. You can inform this if the numbers are not accurate, and adjustments can be made. You can appeal if needed.

**Item 3: Report of Director Carolyn Wasem on Petaluma Valley GSA**

The last Petaluma Valley GSA meeting was held on July 28th. The majority of the meeting was dedicated to self-funding for GSA, long term. The Board was asked to review and adopt a fee structure for that purpose. The Board discussed the County’s member agencies would continue at the current rate over the next year, with augmentation from Sonoma County to meet the financial needs for the next 12 months.

The funding mechanism is intended to be designed to address the Petaluma Valley’s specific needs while meeting SGMA’s legal requirements. Current Issues that need resolutions:

1. Formation of Joint Powers Agreement
2. Public agencies generally adopt regulations by ordinance
3. A draft ordinance, modeled on the ordinance approved by the Santa Rosa Plain GSA Board (SRPGSA)

The Draft Ordinance establishes:

• A groundwater user registration program, requiring minimum information to be provided, including name, address, equipment used for groundwater extraction (well), and location of well;

• A methodology used to estimate groundwater extraction for public water service providers, agricultural and irrigation users, rural residential and urban residential users, and commercial users;

• Regulation of de minimis users, as required by SGMA;

• Authorization for a groundwater sustainability fee (to be enacted by separate resolution) for all groundwater extractors in the Subbasin;

• Penalties for violation of the ordinance, including a fine of up to $500 and civil liabilities to the Agency of up to $1,000 a day; and

• An appeals process, including the opportunity for informal resolution with the GSA administrator and a hearing before the Board or a Board-appointed committee or hearing officer.

After the second reading, ORDINANCE NO. 22-01 requiring registration of groundwater use facilities, establishing a method of calculating a method of calculating groundwater use and authorizing the adoption of groundwater sustainability fee, the Board voted unanimously to adopt the Ordinance.

Discussions ensued re: extraction fees and the proposed cap of $147 per acre foot annually.

The consultants, SCI and LWA presented options for long term funding of the GSA. Below is a table of those options:

|  |  |  |  |
| --- | --- | --- | --- |
| Regulatory Fee | Parcel Tax | Benefit Assessment | Hybrid |
| **WHO PAYS:** Groundwater Users | All Parcels | All Parcels | GW Users pay Usage  All Parcels pay non-usage portion |
| **ADOPTION:** By Board through Ordinance | Ballot Measure w/ 2/3 vote | Prop 218  Landowner weighted voting  50% approval | Adoption by Board through Ordinance |
| **PROS:** Proportionate to GW use  Similar to SRP Fee  recycled/surface water credited | Spreads cost wider = lowest rates | Proportionate to GW use  Lower Rates | Usage portion proportionate  Non-usage justified by DWR Scoring  Spreads costs wider = lower rates |
| **CONS:** Very High Rate  Private GW use not metered (estimated) | Voter Approval  2-3 Yr Implement time  High cost to implement ($180,000) | Landowner Balloting  2-3 Implement time  High cost to implement ($110,000) | Requires more legal review  Would require wider community engagement  Much debat3e about splitting costs likely |
| **RATE RANGE:**  $225 - $400 per AF per year | $28-$55 per parcel | $55-$96 per AF per year | Usage rates @ half of regulatory fee  Non usage rate $16-$18 per parcel |

The GSA Board was then asked to adopt RESOLUTION NO. 07-2022 THE GROUNDWATER SUSTAINABILITY FEE - $40 PER ACRE FOOT

The Resolution authorized the Administrator to file a certified copy of this resolution with the Auditor of the County of Sonoma. The Auditor will enter on the County assessment a fee for supporting the GSA. The fees shall continue to be collected at the same time and in the same manner as County taxes are collected.

The Board unanimously adopted the Resolution.

Lastly the GSA Board created an Ad Hoc Committee for the purpose of consolidating the Petaluma Valley GSA with Santa Rosa Plain and Sonoma Valley GSAs. The Ad Hoc Committee will include David Rabbit and Mike Healey.

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

Advisor Bundschu had no updates.

**Item 5: Report of Advisor Eugene Camozzi**

Advisor Camozzi shared that the Advisory Committee has not had a meeting in two/two and half months. So, nothing to report at this time.

**Item 6: Report of Compliance Advisor Mike Martini**

Advisor Mike Martini was not present.

**Item 7. Report by GinaLisa Tamayo Communications Development**

Advisor Tamayo shared that USFWS came to the Safe Harbor event. They are coming up with their own content: they will be sharing out their own content.

**7. ADJOURNMENT**

With no other business to discuss, Director Sangiacomo made a motion to adjourn. Director Wasem seconded the motion. The meeting was adjourned at 6:47 pm.

The Next scheduled meeting is October 11th at 6:00 pm. Again, those who wish to attend in person will be able to do so. There will be a zoom option for those that cannot make the meeting in person.

*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.*