

**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). Craig Jacobsen (Petaluma Valley) was not in attendance.

PVGSA Advisor: Eugene Camozzi SVGSA Advisor: Jim Bundschu
SGMA Compliance Advisor: Mike Martini
Technical Advisor: GinaLisa Tamayo
Legal Counsel: Richard Idell

Date: December 13, 2022

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. Directors Sangiacomo, Stornetta, and Wasem were present.

2. 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.

3. PUBLIC COMMENT PERIOD

There were no public comments.

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

Forgo to the next meeting.

5. FINANCIAL REPORT

Chair Mulas reported that NBWD has \$ 53,543.47. We have completed all audits through 2021 and 2022.

Director liability insurance continues to be pursued.

Martini said that in the past we (SAVE) have contributed to NBWD. Conversations will occur later re: SAVE's willingness to continue to contribute.

Director Stornetta made a motion to approve the Financials. Director Wasem seconded the motion. The Financials were unanimously approved.

6. ITEMS FOR CONSIDERATION

Item 1: Counselor Richard Idell

Counselor Idell stated that the only item he needed to discuss: the appointment/election of the Chair and the CFO for North Bay Water District. He will prepare the necessary paperwork for those appointments/elections for consideration at the January 2023 meeting of the Board.

On a separate note, NBWD will be asking the California Department of Fish and Wildlife for a consistency determination on the California tiger salamander (CTS) safe harbor agreement for ongoing agriculture and vineyard replants on the Santa Rosa Plain. As we are all aware a species that is listed at both the federal level (FESA) and by the State of California (CESA) the Fish and Wildlife Code allows entities/landowners who have obtained a federal incidental take permit (which occurred when we signed the Safe Harbor agreement) to request of the California Fish and Wildlife Director to issue a determination that the terms of the Federal agreement are consistent with CESA. If the federal documents are found to be consistent with CESA, a consistency determination (CD) is issued, and no further authorization or approval is necessary under CESA.

Counselor Idell will keep everyone posted.

Item 2: Director Michael Sangiacomo

Director Sangiacomo shared that he is participating on an Ad Hoc for consolidation of the GSA Boards. The committee appears to be moving in the direction that this is not the appropriate time to merge the three GSA Boards. In addition to the Board members wanting to maintain autonomy (primarily based upon urban jurisdiction concerns) to achieve results to address region-specific issues, there is no clear indication that an economy of scale can be realized by merging the three Boards.

Advisor Martini stated that a grant has been applied for that, if received, could result in a reduction in costs to impacted parties. The grant application was prepared and submitted by Sonoma Water. Those dollars are very helpful to the agriculture community in keeping fees for groundwater pumping rational.

Director Sangiacomo informed the Board that the next meeting for the Sonoma Valley GSA is tentatively scheduled for January 23, 2023.

Item 3: Report of Director Carolyn Wasem

Director Wasem had little to share related to the GSA. The next meeting of the Petaluma Valley GSA is tentatively scheduled for January 26, 2023.

Director Wasem was contacted about an opening on the Advisory Committee. However, did not provide any recommendations.

Item 4. Report by Advisor Jim Bundschu

Advisor Bundschu was not present.

Item 5: Report of Advisor Eugene Camozzi

Advisor Camozzi was not present.

Item 6: Report of Compliance Advisor Mike Martini

Advisor Martini shared that the agriculture community, and those representing entities representing agricultural interests, need to provide support for the grant applications for continued funding of the GSAs. Advisor Martini had been asked by Sonoma Water to gather support for that effort.

Advisor Martini co-chairs the well ordinance committee with Rue Furch. He informed the Board that the well ordinance is moving quickly. The current schedule is that the committee get back to the Board of Supervisors by the end of February. Immediate action is necessary as there is a moratorium in place until the new well ordinance is developed and adopted by the Board of Supervisors.

There are a number of outstanding issues, including:

1. The need for a clearer definition of what is Public Trust and how and where groundwater extraction negatively impacts public trust. The environmental community is suggesting that public trust is impacted by well pumping that reduces flows in navigable waterways. Further, by reducing flows in non-navigable tributaries that provide habitat for aquatic species, public trust can be negatively impacted. This can occur by de-watering tributaries that provide spawning and rearing habitat for fish.
2. The focus needs to be on areas with the highest risk of impacting public trust. This initial focus will likely include Mark West, Dutch Bill, Mill and Green Valley Creeks.
3. Regulations already in place by other agencies has largely been ignored by the County as they developed their draft ordinance. Specifically, the State Water Resources Control Board and the local GSAs regulations needs to be considered.

4. In terms of implementation, the committee needs to recommend a phased approach. Initial focus needs to be on regulating wells associated with known public trust impacts. In some cases, new permits could be made available before others. This also allows for additional time to collect data and conduct studies.

From Advisor Martini's perspective, the most crucial issue is to protect existing baseline groundwater uses as landowners replace wells.

One of the most disappointing aspects of this process is that the majority of the burden for solving a problem, that we do not know exists – or the severity of the problem – is being placed on agriculture users. He asked to hear from the Board: how many acre feet per acre is viable for agriculture purposes?

Director Stornetta responded that the .4 af/acre is not sufficient.

Advisor Martini responded that was an issue that needed to be resolved. And we need to determine if that .4 af/acre includes water needed for frost. One of the arguments we need to make is that when water is applied for frost purposes, is not lost water. That water returns to the soil. And frost protection generally occurs in the early morning hours when evapotranspiration is minimal.

Advisor Martini will continue to seek input and to report on the progress of the well ordinance until its conclusion.

Item 7: Report of Technical Advisor Tamayo

Advisor Tamayo was not present.

7. ADJOURNMENT

With no other business to discuss, Director Wasem made a motion to adjourn. Director Sangiacomo seconded the motion. The Meeting was adjourned at 6:45 pm.

The Next scheduled meeting is February 9th 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.

