

# Meeting Summary

## Ukiah Valley Basin Sustainable Groundwater Management Act Implementation Meeting

October 20, 2016

Ukiah Veterans Hall

293 Seminary Ave. Ukiah, CA

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*Prepared by the Center for Collaborative Policy, CSU Sacramento (based on meeting notes taken by Sarah Dukett)*

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## Background

California's Sustainable Groundwater Management Act (SGMA) provides a statewide framework for sustainable groundwater management. SGMA is intended to support local groundwater management through the oversight of local agencies, which are required to form Groundwater Sustainability Agencies (GSAs) by June 30, 2017. GSAs must develop groundwater sustainability plans (GSPs) by 2020 or 2022 (depending on priority) to achieve sustainability within twenty years of the GSP's adoption.

The California Department of Water Resources (DWR) is providing GSA development support to the County of Mendocino (the County) and various stakeholders in the Ukiah Valley Basin (the Basin). Following a series of public workshops held by the County in 2015, the DWR tasked the Center for Collaborative Policy (CCP) at California State University, Sacramento to support GSA formation efforts, including assessing the perspectives of a diverse set of stakeholders, facilitating stakeholder discussions, and helping finalize the governance process(es) for one or more GSAs. This is the fifth public meeting held as part of this process. After the second (July) meeting, a Working Group was formed to discuss further possible GSA structures and return with these to the larger group.

## Meeting Summary

This meeting's purpose and goals were to:

- Continue to report on feedback from participants' boards/constituencies
- Discuss Working Group's latest recommendations re: proposed Groundwater Sustainability Agency (GSA) structure

- Continue to flag/discuss current GSP-related issues (USGS Study)
- Identify next steps re: GSA formation

## Supporting Documents (on County website)

Supporting Document A – Meeting agenda

Supporting Document B – Handout on proposed GSA structure

## 1. Welcome, Introductions, Review of Previous Meeting Summary & Overview of Today's Meeting

Mendocino County Supervisor Carre Brown welcomed attendees to the meeting. People introduced themselves.

Facilitator Malka Kopell of the Center for Collaborative Policy welcomed everyone and reviewed the agenda.

The group began by reviewing the written summary of the previous (September 15) meeting. There were no corrections or amendments proposed.

## 2. Feedback from Board/Constituency Meetings

Six people reported back on consultations with their boards:

1. The City of Ukiah supports the general approach of creating a JPA under the currently proposed GSA structure.
2. Russian River Flood Control [STILL NEED TO PULL THIS FROM THE TAPE: Tamara]
3. The Sonoma County Water Agency has discussed various SGMA issues, including GSA structure and possible financial contributions to the GSA and ongoing studies (see June, July and September meeting summaries), but they have not voted yet.
4. The Mendocino County Resource Conservation District (MCRCD) is not yet able to commit to being a full paying member but want to explore ways to become one in order to have full voting privileges. They are not comfortable filling the environmental seat.
5. The Upper Russian River Water Agency supports the current proposal in principle but wants to be clear on costs before committing to being a paying member.
6. Redwood Valley Rancheria will represent the Ukiah Valley local tribes, who will pay the required annual dues.
7. The Mendocino County Farm Bureau will participate in the process of appointing the agricultural seat. They are still discussing the details of the appointment process.

### Discussion:

- During #4 above, a question was raised whether the MCRCD's having a full seat on the GSA would constitute a conflict – specifically, a double vote for the County – since the County provides funding to the MCRCD. County and MCRCD representatives said no, given that the amount of funding is minimal and that contact between the two agencies is limited.

- No other discussions.

### 3. GSA Formation Committee Working Group Recommendations

Sarah Dukett gave an overview of the Working Group's efforts since the last meeting. The three main issues discussed concerned (1) the timing of the development of a draft Joint Powers Agreement (JPA); (2) expected costs for SGMA-related studies over the next few years; and (3) processes for appointing representatives and alternates for the tribal and agricultural seats.

#### 1. Timing for JPA draft development

The Working Group would like to get the proposed GSA structure to the county attorney by the end of October in order to provide ample time for legal drafting and comment.

#### 2. Estimated Study Costs

Based on current knowledge, about \$300,000 will be required for SGMA-related studies over the next several years, including the USGS study (see previous meeting summaries) and the upcoming Eel River Watershed analysis. The Working Group is currently looking at an annual dues figure of \$5,000 per GSA (paying) member.

#### 3. Agricultural and tribal seats

- Tribal seat: The six Ukiah Valley Basin tribes met earlier in the week and have nominated a representative (Brandy Jones) and an alternate (Benjamin Henthorne) to the tribal seat. This seat will be a full-paying member.
- Agricultural seat: They are looking to follow the Upper Ventura Basin model.
  - Qualifications: Representative and alternate must (1) own or lease property in active commercial agricultural production in the basin or be an employee of someone who is, and (2) be a groundwater extractor on at least 50 acres of production agriculture. One concern is that these qualifications may be too stringent, so they are still looking into this.
  - Appointment: Nominations for representative and alternate will be handled by the Farm Bureau based on the decided qualifications.

#### Discussion

There was a question about why the Sonoma County Water Agency (SCWA) is being considered as a GSA board member rather than a member of an advisory board. This prompted a discussion about the proposed GSA structure, which under the current proposal opts for using the public comment and participation process rather than having a standing advisory board, but allowing for the creation of specific advisory groups on an as-needed basis. This discussion included the role of the Working Group vis-à-vis the group as a whole, and to a lesser extent the larger group's efforts to do public outreach and encourage public participation. The question of how the group deals with dissenting opinions was raised and discussed.

### 4. What Other (In-Kind) Resources Can GSA Members Bring to the GSA?

The group then had a discussion about what types of resources various stakeholders can bring to the GSA. These were described as follows:

#### Mendocino County

- Meeting space
- Office space
- Staff support (e.g., GIS mapping, information gathering)
- Public noticing
- Administrative resources
- CASGEM support
- Grant writing

#### City of Ukiah

- Legal and staff support
- Data
- Public noticing
- Administrative resources
- Meeting space – this included a proposal to televise meetings
- Grant writing

#### Sonoma County Water Agency

- Funding on USGS study
- Technical expertise
- Staff support

#### Mendocino County RCD

- Outreach
- Boots on the ground
- Fish biologist and soil scientist on staff
- Office and meeting space
- Grant writing

#### Upper Russian JPA

- Data
- Staff assistance
- Boots on the ground

#### Russian River Flood Control

- Legal review
- Treasurer – see next agenda item

#### Mendocino County Farm Bureau

- Meeting space
- Outreach
- Education (e.g. on BMPs)

#### Tribes

- Meeting Space
- Technical assistance (possibly)
- Liaising with tribes
- Grant writing

#### UC Cooperative Extension

- Meetings

- Technical assistance
- GIS work and mapping
- Third-party information gathering

#### UC Davis

- Technical work and expertise
- Assistance from Hopland Research Center
- Facilitation assistance
- Grant writing

#### Treasurer/Comptroller

Russian River Flood Control was selected as the GSA's treasurer/comptroller. The group agreed to add language to the JPA that would allow this role to change when needed.

#### Decisions Yet to Be Made

Malka Kopell summarized seven issues where decisions have not yet been made and asked if anyone wanted to discuss any of these:

1. Where should the principal office for the GSA be located?
2. How should the powers of the GSA be articulated? (A list? A statement?)
3. What should be the officers? Chair, Vice-chair and Secretary? Should there be an Executive Director?
4. How often should the GSA meet?
5. Should some members be able to enter into specific projects without necessarily involving all of the members? This would provide an additional degree of flexibility.
6. Should the budget be decided now or later?

#### Discussion

The group discussed the question of how non-paying members would or would not vote on specific projects (no. 5 above), since projects involve risk of debt. Proposed options ranged from (1) non-paying entities would be able to vote on projects, to (2) non-paying entities would *not* be able to vote on projects, to (3) an intermediate option involving criteria for when non-paying members would be allowed to vote. Additional points were raised on the following issues:

- It might be worth distinguishing voting *on* project selection versus voting *within* projects once they have been selected.
- To what extent is this relevant? Won't the GSA be primarily a regulatory body rather than a project-doing body?

This item was not decided. The Working Group will consider it at their next meeting and bring a proposal back to the group. The group took a straw poll, which had three (3) votes each for proposed options 1 and 2, and a majority for the intermediate option 3.

## 5. Update on USGS Study

Sarah Dukett gave a brief update on the USGS study, which seeks to scale up an existing model of surface water and groundwater interaction in the Santa Rosa plane to the watershed as a whole. Various entities still have some outstanding questions, so Mendocino County will schedule a meeting with Sonoma County to discuss these, aiming for early November. Sarah will collect and collate questions from Mendocino County people and send them to Sonoma ahead of the meeting.

#### Discussion

One participant asked for background on how the study came to be proposed, raising a concern on

whether the study provides good value for money, given its costs.

## 6. Next Steps

The next meeting is scheduled for December 15 at the usual time.

- The group will not meet in November since the attorney will be developing draft language for the JPA. The December meeting will reconvene to discuss this draft.
- The group is considering an evening meeting for the January meeting.

In the meantime, the Working Group will meet as soon as possible to continue discussing the question of non-voting members' participation in project voting, so this can be included in what goes to the attorney for drafting purposes. The Working Group may also want to meet a second time before the December meeting.

There will also be a meeting about the USGS study in early November.

**Announcement:** The DWR will be releasing a set of BMPs for groundwater management in January.

There will be two outreach events for this in November in the area:

- Nov. 10 in Santa Rosa
- Nov. 14 in Willows

## Attendance

Attendees included but were not limited to the following individuals:

- Jerry Cardoza, URRWA
- Brandi Brown, Redwood Rancheria
- Bill Koehler, Redwood Millview Water
- Tamara Alaniz, RRFC
- Janet Pauli, IWPC
- Roger Krueger, Mendocino County Planning Commission
- Carre Brown, Mendocino County
- Kevin Doble, City of Ukiah
- Glenn McGourty, UCCE Mendocino
- Susan Knopf
- Paul Zellman
- Richard Campbell, Coyote Valley EPD
- Devon Jones, Mendocino County Farm Bureau
- Marita Flores, UC Davis
- Sam Sandoval, UC Davis
- Zack Sampsel, Pinoleville Pomo Nation
- Ann Dubay, SCWA
- Marcus Trotta, SCWA
- Mike Webster, Mendocino County RCD
- Deborah Edelman, MCRCD
- Granville Pool, RVCWD
- Roger Kellerman, City of 10,000 Buddhas
- Ben Henthorne III, Redwood Valley Rancheria

- Aaron Cuthbertson, California DWR
- Erick O'Donnell, Ukiah Daily Journal