

Meeting Summary

Ukiah Valley Basin Sustainable Groundwater Management Act Implementation Meeting

February 16, 2017

County Administration Center, Conference Room C

501 Low Gap Road

Ukiah, CA

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 intends 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 eighth public meeting held as part of this process, and the seventh meeting held of the group as a GSA Formation Committee. After the 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:

- Discuss draft Joint Powers Agreement (JPA) for the proposed GSA; and

- Identify next steps regarding GSA formation.

Supporting Documents (on County website)

Supporting Document A – Meeting agenda

Supporting Document B – MCFB Proposed Change

Supporting Document C – Upper Russian River Water Agency res 2017 01

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

Mendocino County Supervisor Carre Brown welcomed attendees and invited participants to introduce themselves. Facilitator, Malka Kopell of CCP, reviewed the agenda, and previous meeting materials, and sought feedback on any necessary changes.

- Participants noted the date on the agenda still read January 26, 2017, and recommended revising it for clarity.

2. Review Draft GSA Joint Powers Agreement

Sarah Dukett reviewed items new to the JPA and the outstanding policy decisions.

This meeting addressed a number of issues that had come up in previous meetings, and resulted in the following edits and additions to the draft JPA:

1. Language was added around the process of submitting nominees to the Member Directors that includes, "...review by and a recommendation from the Farm Bureau." (Section 7.3.2(a))
2. Language was added for an appointed Alternate Director for each Stakeholder Director. (Section 7.4)
3. Language was added around removing or reappointing a Stakeholder Director. (Section 7.6)
4. Language was added for Agricultural and Tribal Stakeholder representatives. (Section 11.3)
5. A signature block was added to the end of the document. (Page 14)

Recommendations:

- Incorporate references to Bulletin 118 in sections 2.2 and Exhibit A, in case it changes later on.
- Provide draft documents (i.e. JPA changes) further in advance for more time to review. The County agreed to do this to the best of their ability.

3. Upper Russian River Water Agency (URRWA) Resolution

The facilitator asked group members to review the URRWA resolution (listed in the supporting documents) which addressed the issue RRFC abstention of the vote. Participants expressed concerns for, and discussed the distinction between 'abstention' and 'recusal'. Participants did not receive the resolution in advance; but reviewed the document during the meeting. Some comments:

- The term 'recusal' implies there is no participation in discussion or voting, whereas 'abstention' implies participation in discussion but abstaining to vote.

- 'Recusal' is typically used in situations where a conflict of interest is present, however, there is none in this case.
- Participating in a discussion can influence a vote.

The facilitator suggested that the City of Ukiah ad hoc group caucus on this issue.

4. MOU/MOA

In the January meeting, the group had discussed the JPA reference to a MOU between the GSA and the members of the Technical Advisory Committee who are not GSA members (i.e., Sonoma County Water Agency and the Mendocino Resource Conservation District). A working group (Tamara Alaniz, Jay Jasperse, Don Seymour, Patricia Hickey, and Sarah Dukett) met and developed the draft MOU framework for group consideration. The working group has scheduled another call to review the framework and discuss any comments received. The group will bring back language to the next meeting. It was suggested that the group discuss whether the MOU will include 'in-kind' as well as financial contributions.

5. Cost Sharing: Voting on Fiscal Issues

In previous meetings, the group determined that members of the Board, who were unable to contribute financially, would not be able to vote on fiscal issues. This concern specifically relates to the agricultural and tribal representation on the Board. Comments are highlighted below.

- All Board members should be able to vote on all matters, regardless of contributions.
- Would the ability to vote increase liability and indemnification?
- A stakeholder that does not contribute financially could create a majority vote on public funding.
- The Agricultural seat has no agency or authority to collect fees and, therefore has no mechanism for contributing financially.

The facilitator reminded the group that there was an interest in having agricultural representation on the Board. With more discussion, the group agreed to modify the JPA such that it would accommodate the stakeholder (agriculture and tribal) seats' abilities to vote without financial contribution. The Farm Bureau also brought up additional suggested language regarding the appointment process related to the agricultural seat. Group members recommended incorporating the Farm Bureau's suggested language.

6. Next Steps

Mendocino County will review and revise the JPA, incorporating the edits discussed above, and discuss the revised version at the next meeting on March 16.

7. Attendance

Attendees included but were not limited to the following individuals:

- Sarah Dukett, Mendocino County
- Janet Pauli, MCIWPC
- Jerry Cardoza, URRWA
- Brandi Brown, Redwood Valley Rancheria

- Carre Brown, Mendocino County
- Kevin Doble, City of Ukiah
- Sean White, City of Ukiah
- Doug Crane, City of Ukiah
- Brian Wallace, LACO
- Chris Watt, LACO
- Jarod Thiele, City of Ukiah
- Mike Webster, MCRCD
- Frost Pauli, MCFB
- Roger Kellerman, City of 10,000 Buddhas
- Carmel Angelo, Mendocino County
- Dan Hamburg, Mendocino County
- Tamara Alaniz, RRFC
- Patricia Hickey, MCRCD
- Bill Koehler, Upper Russian River Water Agency
- Maritza Flores, UC Davis
- Sam Sandoval, UC Davis
- Susan Knopf
- Linda Mendez, UC Davis
- Paul Zellman, RRFC
- Heather Gurewitz, Congressman Huffman
- Donald Seymour, Sonoma County Water Agency