

Recommendation of Approval of the Joint Exercise of Powers Agreement Creating the Santa Rosa Plain Groundwater Sustainability Agency

Board of Public Utilities

April 20, 2017



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Presentation Outline

- Groundwater Use Background
- Sustainable Groundwater Management Act (SGMA) Requirements
- Overview of the Joint Exercise of Powers Agreement
- Recommendation



Santa Rosa Groundwater

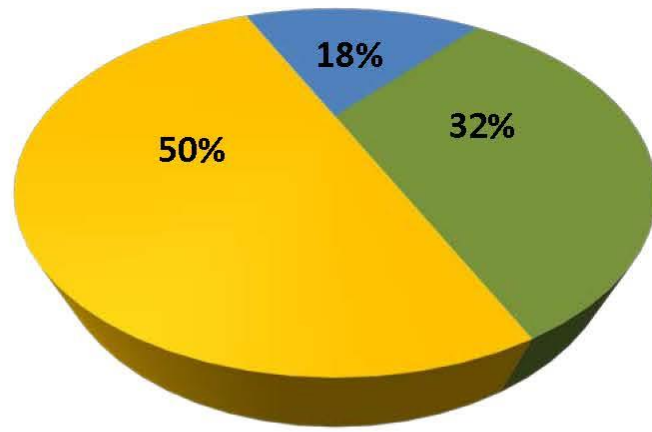
- Provides 5-10% annual water supply
 - Farmers Lane Wells
- 2013 – Santa Rosa GW Master Plan completed
 - Strategic direction for sustainable groundwater use
 - Recommended Emergency Groundwater Supply Program



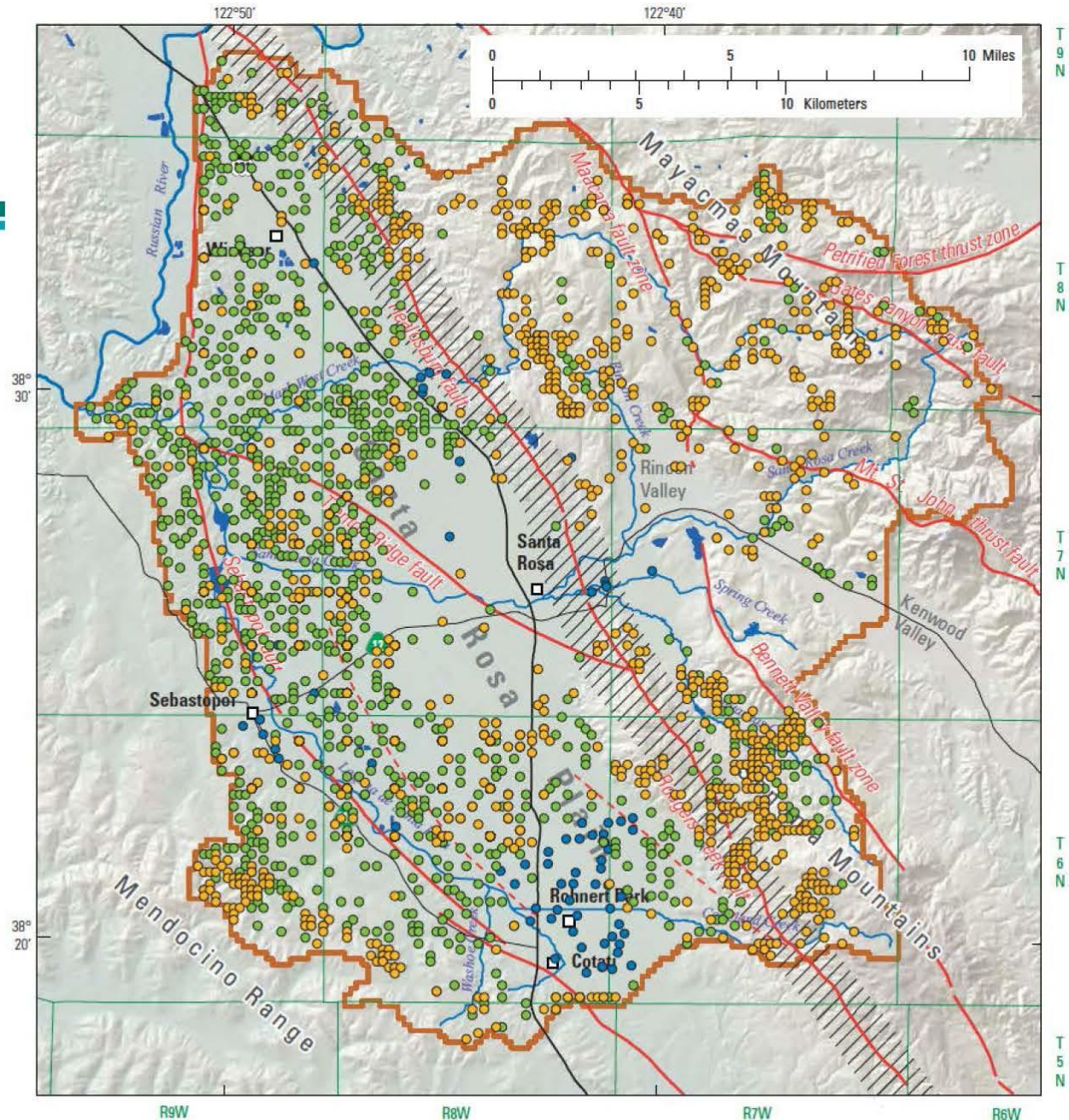
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Water Wells in the Santa Rosa Plain

Santa Rosa Plain Estimated Groundwater Demands by Use Type: Average for 1976-2010 (USGS, 2014)



- Agriculture
- Rural Domestic
- Municipal Supply



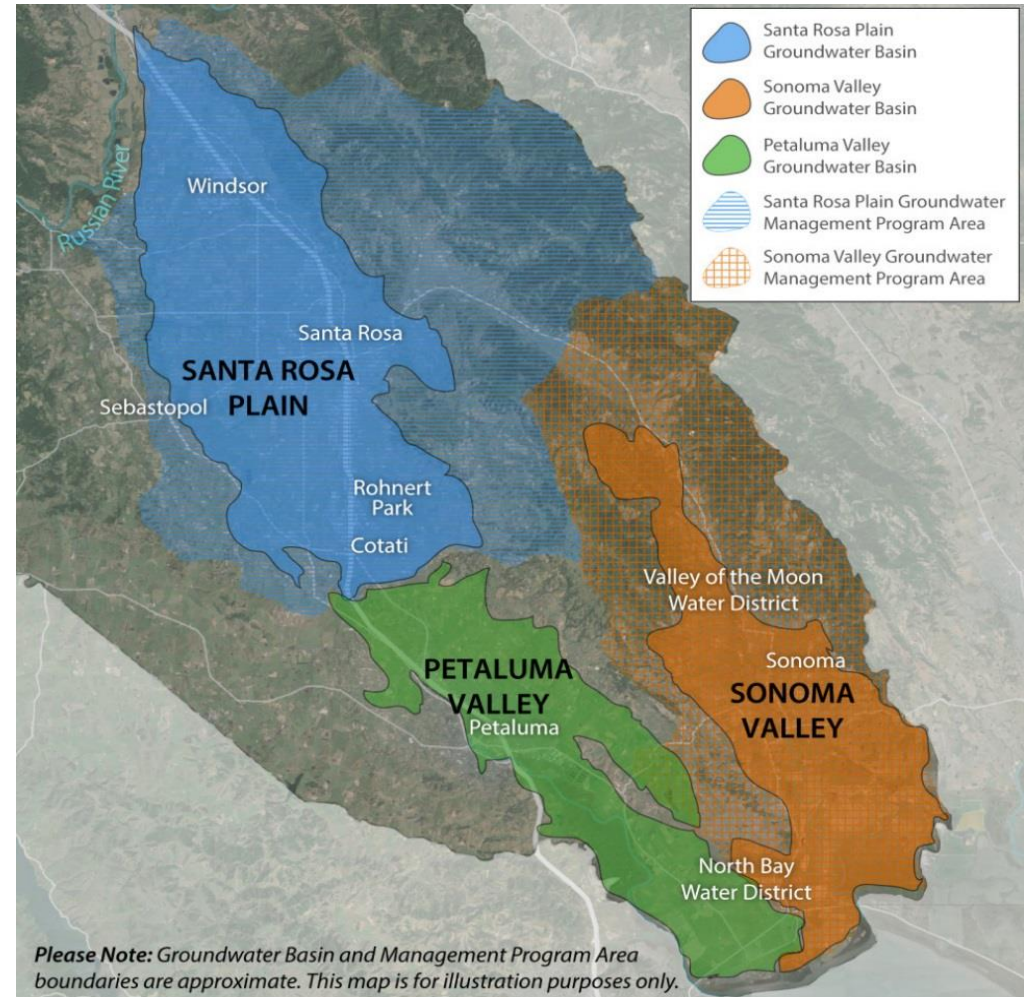
Base from U.S. Geological Survey digital data, 1:1,000,000, downloaded 2003 State Plane Projection, Fipzone 402. Shaded relief base from 1:250,000 scale Digital Elevation Model; sun illumination from northwest at 30 degrees above horizon

EXPLANATION

- /// Rodgers Creek fault zone
- Inferred fault
- Domestic well
- Agricultural well
- Public-supply well

SGMA Brief Summary

- Became law Jan 1st 2015
- Applies statewide to medium and high priority basins
- Applies to three basins in Sonoma County



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Required Steps to Groundwater Sustainability

Step one

Form
Groundwater
Sustainability
Agency (GSA)
June 30, 2017

Step two

Develop
Groundwater
Sustainability
Plan (GSP)
January 31, 2022

Step three

Achieve
Sustainability
20 years after
adoption of
plan*

* DWR may grant up to two, five-year extensions on implementation upon showing of good cause and progress

Management Authorities under SGMA

GSAs have authority to:

- Conduct studies
- Register & monitor wells
- Set well spacing requirements
- Require extraction reporting
- Regulate extractions
- Implement capital projects
- Assess fees to cover costs

Must develop GSP by 2022



Domestic Wells and SGMA

Source: State Water Resources Control Board

- Referred to as “de minimis” users in SGMA
 - Use 2 acre-feet of water per year or less for domestic purposes
- Domestic wells are subject to SGMA, depending on local needs
 - GSAs will decide how domestic wells are incorporated
 - GSAs can decide to exclude or include
 - GSAs can decide on fees
 - GSAs cannot require metering
 - May be subject to reporting and fees to state if intervention occurs
- Domestic wells can also be regulated by authorities (counties and cities, etc.) outside the scope of SGMA



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GSA Eligible Entities

- Each agency must have one of the following authorities:
 - Water supply
 - Water management
 - Land Use
- County is the default in “uncovered areas”



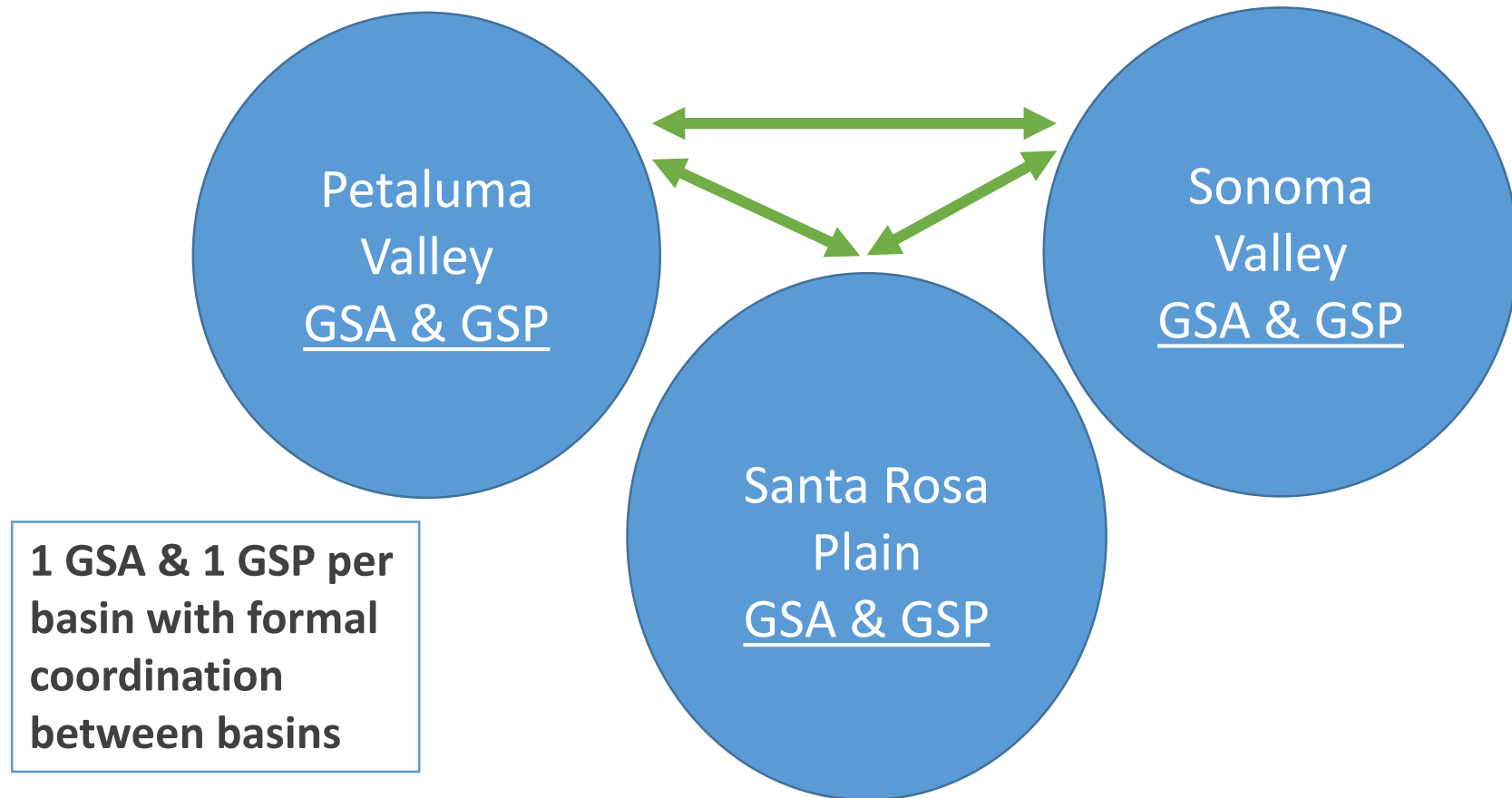
PETALUMA VALLEY	SANTA ROSA PLAIN	SONOMA VALLEY
City of Petaluma	City of Cotati	City of Sonoma
North Bay Water District	City of Rohnert Park	Valley of the Moon Water District
County of Sonoma	City of Santa Rosa	North Bay Water District
Sonoma County Water Agency	City of Sebastopol	County of Sonoma
Sonoma Resource Conservation District	Town of Windsor	Sonoma County Water Agency
	County of Sonoma	Sonoma Resource Conservation District
	Sonoma County Water Agency	
	Sonoma Resource Conservation District	
	Gold Ridge Resource Conservation District	

Principles for Developing GSA Governance Options

- Build upon existing cooperation and successful water management efforts in Sonoma County
- Reinforce “local management” principles in SGMA
- Share resources and identify cohesive approach
- Costs should be equitably shared
- Represent community stakeholders through advisory committees
- Conduct robust and transparent outreach



GSA Framework Structure



Possible Areas of Coordination Between Basins

- Grant writing and funding requests
- Data framework/management system
- Basin boundary adjustments
- Any activities that impact the adjacent basin
- Communication with state and federal agencies
- Public outreach and stakeholder engagement
- Monitoring protocols and coordination
- Staffing



Proposed Governance: GSA Board

- Eligibility: Determined by State
 - GSA-eligible entities that are being formed can receive ex-officio (non-voting seat) while formation is in process
 - Once formed, new entity would receive voting seat
- Board: One rep from each GSA-eligible entity
- Representation: Elected/appointed officials from each entity serve on board



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Proposed Governance: PUC-R and Mutuals

- SGMA allows that Public Utilities Commission Regulated (PUC-R) and Mutual Water Companies may join a GSA by agreement
 - Cal American Water Co leading an effort to develop participation agreement
- GSA Board will consider participation agreement
- PUC-R and Mutuals will have one seat on GSA Board and one seat on Advisory Committee



Proposed Governance: Voting

- Quorum: Majority of the Directors
- One vote per entity
 - Simple majority for “housekeeping” (contracts, setting meeting dates, etc.)
 - Super-majority vote (75%) needed for substantial items (fees, regulations, budgets, etc)
 - Unanimous vote needed to assess entities



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Proposed Governance: Advisory Committee

- Strong advisory body: Created for stakeholder input
- Purpose: Advise GSA Board on plan development & implementation
- Appointments:
 - GSA Eligible - Appointed by Member agency
 - Interest based - Formal application process
- Terms: Two-year terms
- Transparency: Public process, Brown Act meetings
- Decision-making: Charter & protocols



Proposed Governance: Advisory Committee

GSA-ELIGIBLE ENTITY APPOINTMENTS	INTEREST BASED APPOINTMENTS
One from each entity participating in GSA: 1. Cotati 2. Rohnert Park 3. Santa Rosa 4. Sebastopol 5. Windsor 6. Sonoma County 7. Sonoma County Water Agency 8. Sonoma Resource Conservation District 9. Gold Ridge Resource Conservation District 10. Mutual/PUC appointed	Represent SGMA-defined stakeholders: - Environmental representative - Environmental representative - Rural residential well owner - Rural residential well owner - Business community representative - Agricultural interest (surface water or GW user) - Agricultural interest (surface water or GW user) - Graton Rancheria*
Total of 10	Total of 8
Appointed by Boards and Councils	*Appointed by GSA Board (except Graton Rancheria)
Each entity determines process	Formal application process

Proposed Governance: Start-Up Costs

- Funding subcommittee formed representing all basins
- 3 start-up cost components:
 - GSP preparation
 - Administration & operations
 - Development of revenue mechanism
- Estimates compare well with estimates from other areas
- Coordination & utilization of existing staff to reduce costs
- GSA-eligible entities will cover start-up costs



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Proposed Governance: Financial Commitments

- Year One (\$460,000 total):
 - Sonoma RCD commitment – \$20,000
 - All other entities share equally – \$55,000
 - Initial commitments due on July 31, 2017
- Estimated Year Two (\$530,000 total):
 - Sonoma RCD commitment – \$20,000
 - All other entities share equally – \$64,000
 - Initial commitments due on July 31, 2018



Proposed Governance: Management & Staffing

- No new staff during first year
- Member entity staff will serve as interim administrator until GSA Board determines management structure
- Other entity staff will provide in-kind services for:
 - Technical services
 - Monitoring
 - Fiscal services
 - Outreach
- Staff from all entities will serve as sounding board for contracts and other issues



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Proposed Governance: Termination of Members

- JPA allows for GSA Board to terminate a member for failing to meet financial obligations
- To ensure participation by members, JPA allows for GSA Board to suspend a GSA Board member's voting rights



Proposed Governance: Periodic Check-In

- To ensure JPA meets GSA needs, a public review will be held to review the terms and conditions of the JPA:
 - After initial fee study
 - After GSP is adopted
 - Every 10 years after GSP adoption



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Proposed Governance: JPA Amendments

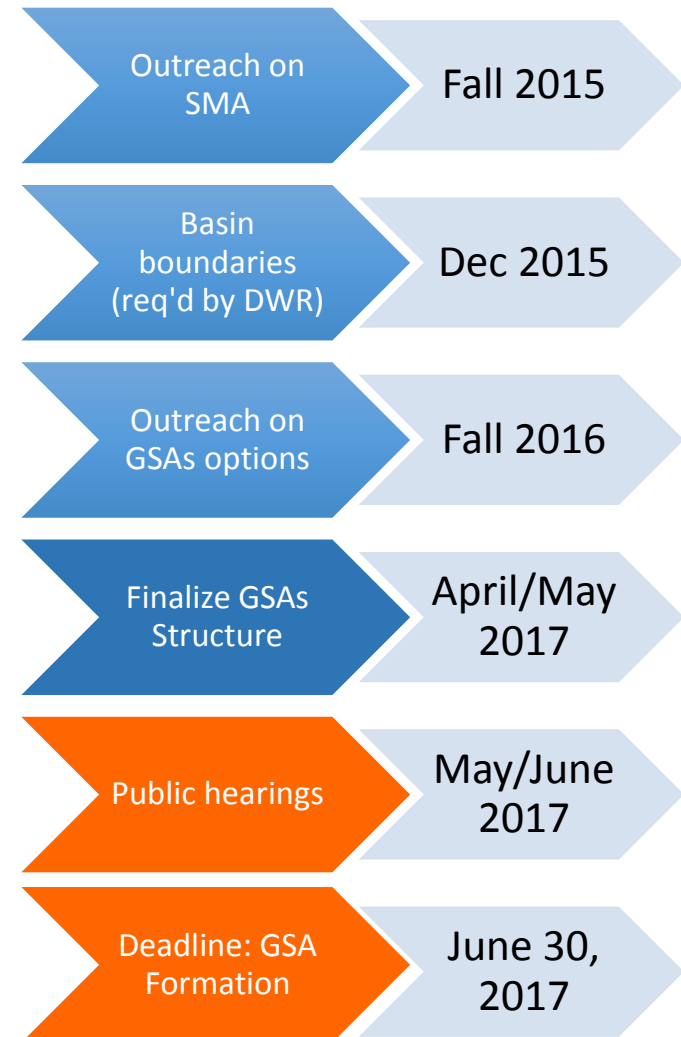
- Supermajority vote of GSA Board for minor, administrative amendments
- Unanimous consent of JPA member governing bodies for amendments resulting in:
 - Any change in Powers
 - Any change in Board composition, except as already provided for in the JPA
 - Any change in Voting requirements
 - Any changes to Liabilities and Indemnification provisions
 - Any changes to Termination and Withdrawal provisions
 - Elimination of the Advisory Committee



GSA-ELIGIBLE ENTITY	DATE FOR CONSIDERATION OF LEGAL AGREEMENT
City of Cotati	April 25
City of Rohnert Park	April 25
City of Santa Rosa	May 2
City of Sebastopol	April 18
Town of Windsor	April 19
County of Sonoma	April 25
Sonoma County Water Agency	April 25
Sonoma Resource Conservation District	April 27
Gold Ridge Resource Conservation District	April 20

Next Steps

- Council consideration May 2nd
- GSA Board initial meeting and public hearing
- Tentatively Scheduled:
 - Date: June 1, 2017
 - Time: 5 – 8 PM
 - Location: TBD
- Notify State of GSA Formation



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Recommendation

Santa Rosa Water recommends that the Board, by resolution, recommend that the Council:

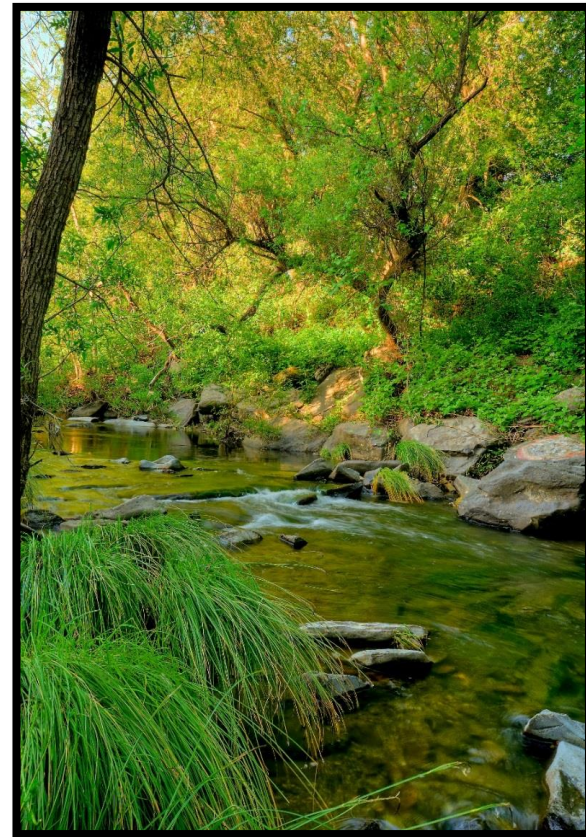
- 1) Approve the Joint Exercise of Powers Agreement (JPA) creating the Santa Rosa Plain Groundwater Sustainability Agency (GSA) to act as the single GSA for the Santa Rosa Plain sub-basin,
- 2) Approve the City of Santa Rosa's membership in the Santa Rosa Plain GSA, and
- 3) Delegate authority to the Mayor to appoint the Director and Alternate Director to the Santa Rosa Plain GSA Board of Directors, and delegate authority to the Director of Santa Rosa Water to appoint the Santa Rosa Plain GSA advisory committee member and alternate.



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Thank You

Questions/Comments?



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