

## MEETING SUMMARY February 9, 2017

### Colusa Sustainable Groundwater Management Act (SGMA) – Governance Workgroup Meeting #12

#### MEETING RECAP

- The Colusa Workgroup will complete a final review of the MOA by next Tuesday, February 14, clean it up and send it to Glenn County for their review.
- The Colusa Workgroup reviewed three draft funding options and were given homework to review the options and provide feedback by next Tuesday, February 14, and if necessary, a funding subcommittee meeting will be set up.
- The Colusa Workgroup generally agreed to a voting structure of one entity = one vote, which will be integrated into the draft JPA.
- Preliminary discussion was held regarding staffing and funding for the first two years of the GSA.

For more local information visit the [Colusa County Water Resources Webpage](#).

For information on SGMA visit the [Department of Water Resources SGMA Webpage](#).

#### MEETING SUMMARY

##### Opening Remarks

Dave Ceppos, facilitator from the Center for Collaborative Policy (CCP), Sacramento State University, welcomed meeting participants, introduced himself and provided an overview of the agenda.

##### SGMA Process Updates

Mr. Ceppos reported that the Glenn County SGMA Governance group agreed to work with Colusa's MOA and that they would like their MOA to mirror Colusa's as much as possible. The Glenn Workgroup decided to wait to begin their MOA review until the Colusa Workgroup had a chance to review the latest version of the MOA. As soon as the Colusa Workgroup is comfortable sharing the document, the Glenn Workgroup will begin their detailed review. They have not yet seen the drafts that have had lawyer review.

In the near future a joint meeting will be scheduled with the Colusa and Glenn Workgroups.

**Comment:** Mr. Wallace, Colusa Drain Mutual Water Company (CDMWC), stated that his lawyer will forward their comments on the draft MOA.

**Action:** *All comments on the current draft MOA to be sent to Mr. Ceppos and Ms. Fahey by Tuesday, February 14.*

**Question:** Is voting included in the MOA? **Answer:** No

**Question:** Were all eligible agencies at the last GSA Workgroup meeting? **Answer:** The City of Colusa was not in attendance. Mr. Wallace (CDMWC) was not in attendance but Mr. Marsh was at the table for them. Mr. Bettner (Glenn Colusa Irrigation District) and Mr. Williams (Private Pumper Advisory Committee) left early. **Question:** Do we have unanimous approval on the County's vision for two private pumper representatives on the Board?

**Answer:** Any "approval" has not been ratified by any of the agencies' boards. Of the parties at the table, each entity has informally approved one party = one vote.

**Comment:** Mr. Bettner stated that he had left prior to the voting discussion and needed a better understanding about the two private pumper seats and the County seat.

**Comment:** Mr. Vanderwaal (Reclamation District 108) stated that he had some concerns about the voting structure that he expressed at the last meeting, but he has thought it through and RD 108 is comfortable with two private pumper representatives and one representative=one vote on the board.

**Comment:** Mr. Bressler (Reclamation District 1004) said that they have no objections at this time.

Mr. Ceppos stated that, at this time, none of the Colusa Governance Workgroup's decisions are formal. The Glenn County Workgroup members have had preliminary discussions about voting and membership. They are just now starting to affirm their GSA membership. They are also reaching out to the mutual water companies and considering one seat to represent the mutuals. Glenn County's position is to not provide private pumper seats on the GSA board. Other agencies are okay with or without private pumper seats.

**Question:** Will there be both a Colusa GSA and a Glenn GSA? **Answer:** Yes.

Mr. Ceppos provided a recap of last week's Colusa and Glenn Supervisors' "2X2" meeting. In attendance were Colusa Supervisors Carter and Vann, Glenn Supervisors Viegas and Minto, County staff Mary Fahey and Lisa Hunter, and Mr. Ceppos. The group had a discussion regarding the West Butte subbasin but made no decisions. There is a group of agencies in the Glenn and Butte County portions of the West Butte subbasin planning to form a GSA and they are requesting a meeting with Glenn and Colusa County staff. Ms. Fahey stated that she has not been contacted by this group.

The 2x2 group also discussed the option to do a basin boundary adjustment for the Colusa County portion of the West Butte subbasin is and pull that section of the West Butte into the Colusa subbasin.

**Question:** Hydrologically, the West Butte subbasin is all on the east side of the river. Wouldn't it be difficult to include this in the same plan as the Colusa subbasin? **Answer:** There have been some conversations with the California Department of Water Resources (DWR) that indicate this would not be a problem. One option is to create a management area. Any basin boundary adjustment would occur after GSA formation.

At the 2X2 meeting both counties confirmed their commitment to rescind their GSA status when the agencies are ready to sign on to the JPA or MOA. They also discussed the upcoming Proposition 1 Project Solicitation Package and the need to coordinate on a single application and start preparing now.

**Question:** Would the white areas in the West Butte subbasin be part of this GSA? **Answer:** Not yet.

**Question:** Will we meet the June 30 deadline in the West Butte? **Answer:** Yes.

Mr. Ceppos provided a review of an updated Critical Path timeline. It is still unclear whether the JPA will be far enough along to meet the June 30 deadline to file, or if the Workgroup members will need to ratify and file the MOA instead. The timeline delineates May as the date to begin to draft the GSA notice and to begin the ratification process. This is a conservative timeline, leaving two months for board ratification. During the week of March 6, there should be a joint meeting between the Colusa and Glenn Workgroups.

### **Discussion – Joint Powers Agency Funding and Staffing**

Mr. Ceppos revisited a previous Powerpoint presentation regarding the roles and responsibilities of a GSA. He reminded the group that they are creating a new Governing Agency with many responsibilities, including outreach, compliance, funding and enforcement.

**Question:** Will well permitting stay with the County? **Answer:** I think it will be up to the GSA and the County.

Mr. Ceppos mentioned that in the near future, the group will need to decide who sits at the GSA table – will it be elected officials/board members, or their designees (managers)? The GSA will have enforcement responsibilities and the GSA board will have to be the “bad guys.”

**Comment:** The GSA could be set up with elected officials as the primary Board members and with managers as alternate members. Enforcement at the GSA board level will only happen if the management area fails.

Mr. Ceppos stated that the management areas aren’t legal entities. The State will look to the GSA for enforcement. The GSA is the final decision-maker.

The group discussed funding and staffing of the new GSA. Mr. Ceppos asked Ms. Fahey to talk about her level of effort to date to give the group an idea of staffing needs. Ms. Fahey said that she has looked back through her timesheets and estimates that over the last year she has averaged 70-75% of her time on SGMA. The County auditor’s office ran some quick numbers and determined that the County has invested about \$80,000 in staff time on SGMA over the last year. Ms. Fahey mentioned that this does not include things like office supplies, printing/copying, attorney’s work, CCP’s time, etc. She anticipates that staffing needs are going to increase as the GSA is formed and they begin Plan development and implementation. For the sake of estimating budgets today, the group decided to figure on \$100,000 for staffing for the first year.

**Question:** How will this work with individual agencies? Will each agency use its own staff? Will the GSA have independent staff? **Answer:** This staffing/cost estimate is for the first couple of years. During that time, we will make those decisions. **Question:** Does the County pick up the staffing, or do they get credit out of the budget? **Answer:** That will be up to the group.

Mr. Ceppos suggested that the group consider developing a separate MOA that addresses financing the GSA for the first two years, and delineates how each agency will contribute.

Mr. Ceppos mentioned that the draft Project Solicitation Package (PSP) for Proposition 1 funding for GSP development will be out soon. There will be a public meeting on March 20 and the PSP will be available prior to that date. The group should be prepared to provide comments. This was discussed at the Supervisors 2X2 meeting. All agencies should document any SGMA activity to-date, and into the future, to use for grant match.

Mary Randall, CA Department of Water Resources, said that there will be only one Proposition 1 application per basin allowed. There is a 50% match requirement, with match reduction for Disadvantaged Communities (DAC). The in-kind match date usually goes back to initiation of the Proposition, or it could go back to the initiation of SGMA, which was January, 2015. All of Glenn County is considered a DAC, and portions of Colusa County are designated as DAC. There will be a very short application period, maybe 60 days, and it will be very competitive. DWR is anticipating only one round of funding for GSP development.

**Question:** Could you clarify what you mean by matching funds? **Answer:** All agencies should start quantifying contributions to the SGMA process. These expenses can be used to satisfy the grant match requirements.

Mr. Ceppos turned the group’s attention to the draft Work Plan that had been developed by Grant Davids. Ms. Fahey explained that the items highlighted in green were in process under the Proposition 1 *Counties with Stressed Basins* grant. The second section on page one covers items that should be completed in the near term. The total project budget is about \$240K +/- (NOTE: After the meeting a math error was detected on the Work Plan and the actual sum of the near term items equals \$340K +/-). The items on the second page could be completed at a time after the first year, during Plan development. Ms. Fahey mentioned that DWR is working on providing a lot of technical assistance to basins, including water budget information and groundwater models, so basin planning costs might go down. The group will need to consider these near-term items for the first year

budget, plus staff expenses. Ms. Fahey mentioned that the group should decide on these soon and get more detailed cost estimates.

Mr. Ceppos asked Mr. Vanderwaal to talk about Yolo County's proposed funding mechanism for SGMA implementation. Mr. Vanderwaal discussed Yolo's Cost Allocation Chart and explained that the Water Resources Agency (WRA) of Yolo County has been in existence for a long time and they have a funding structure in place. Yolo County is also developing a JPA and currently considering one entity=one vote. Their cost estimate for the first year is \$430,000, assuming a matching State grant. They are receiving other contributions from rural agencies such as the Farm Bureau. Their model is 50 cents per acre for the rural agencies. Contributions from the cities are based on the WRA model. White areas that fall under the County are charged at 25 cents per acre with no seat on the board. They also will have "associated parties" members that are not GSA-eligible, but will have a seat on the JPA board and a vote. This plan is still in draft form and the current thinking is that it would reflect the first two years.

There was some discussion about state-owned lands and how they are represented in Colusa County. It was expressed that this is something we should keep on our radar.

Mr. Ceppos turned the group's attention to the draft Work Plan. Taking into consideration \$100K for staffing and \$240K for the near term Work Plan items, the Colusa group is looking at a minimum funding requirement of \$340K for the first year. *(NOTE: After the meeting a math error was detected on the Work Plan and the actual sum of the near term items equals \$340K, bringing the first year total with staffing to \$440K).*

Mr. Ceppos explained that Mr. Hull (DWR) had asked Mr. Ceppos during the break what Glenn County is doing in relation to Colusa's Work Plan items. Mr. Ceppos agreed with Mr. Hull that these items should be coordinated.

***Action: Glenn County is currently working with Grant Davids on their Work Plan. This should be coordinated with any efforts in Colusa County.***

The group discussed how SGMA obligations in the white areas will be funded. In Yolo County, the County is not participating in SGMA, so the white areas have to be covered by the agencies. In Colusa County, the County is covering the white areas. It is expected that, for Colusa, the County will cover the financial obligations for the white areas during the first two years.

**Question:** If the County is initially covering costs for the white areas, and after two years a Proposition 218 process is attempted in those areas and fails, what will we do? **Answer:** We would run a Prop. 218 campaign that stresses the fact that failure to fund this effort will result in State intervention.

Mr. Vanderwaal and Ms. Fahey both described their draft funding ideas. Their ideas were similar in that both included a base fee plus a per-acre fee.

**Comment:** Mr. Marsh (Reclamation District 479) expressed concern with a base fee.

Ms. Fahey mentioned that the base fee seems fair with the proposed voting structure. With the base fee, everyone has "skin in the game."

**Comment:** Ms. Murphy (Colusa County Water District (CCWD)) said that her board has concerns with the one entity=one vote scenario. She likes the base fee idea, and feels this might help with her board's concerns.

**Comment:** Mr. Bettner (Glenn Colusa Irrigation District) said that he thinks the base fee + per-acre fee is a good approach.

**Comment:** Mr. Wallace (CDMWC) said that his agency is in three counties. He feels the fees should be based on acreage. He also feels that voting should be based on acreage.

Mr. Ceppos said that the acreage issue came up in a discussion about voting at the Glenn County Workgroup meeting yesterday. CCP has developed a concept paper about consensus-based decision making that addresses some of these questions. In the end, the voting footprint is irrelevant – the GSP will be judged by how it addresses sustainability basin-wide.

**Question:** If the private pumpers have two seats, why do they only pay for one seat? **Answer:** This is something we need to discuss.

**Comment:** Mr. Bettner asked Ms. Fahey to coordinate with Glenn County on the funding options.

Mr. Ceppos asked the group if they are comfortable with one entity=one vote. Ms. Murphy stated that the CCWD is not comfortable with this, but the base fee concept might help.

Mr. Ceppos wrapped up with the following action items:

**Action Items from This Meeting:**

- Mr. Ceppos will ask Mr. O'Brien to incorporate one entity = one vote into the draft JPA
- Ms. Fahey will email the new Critical Path timeline to the group
- By noon Tuesday, Feb. 14, agencies will send comments on current draft of MOA to Ms. Fahey and Mr. Ceppos
- When the group is comfortable with the draft MOA, Mr. Ceppos will share the document with the Glenn County Workgroup
- Ms. Fahey will email the three draft funding ideas to the group
- By 9:00 a.m. Tuesday February 14, agencies will review 3 draft funding ideas and provide input and if necessary, Ms. Fahey will schedule a subcommittee meeting with interested parties
- By noon Tuesday, February 21, funding proposal(s) will be completed and shared with the group for discussion at the February 23 meeting; Ms. Fahey will compile these.
- Ms. Fahey will share Colusa's funding ideas with Glenn County staff.
- By February 23 (next meeting) the goal is to complete the JPA language on membership and governance.
- Ongoing; Agencies should compile information for grant match: staff time, vehicle/travel, attorney fees, contributions to Davids Engineering work, etc.
- Glenn County's Work Plan should be coordinated with any efforts in Colusa County.
- Consider developing a separate MOA that addresses funding.

**Participant List**

<b>GSA Workgroup Members</b>	
➤ John Garner	Princeton Codora Glenn and Provident Irrigation Districts
➤ Mike Mitchell	City of Williams
➤ Darrin Williams	Colusa County Groundwater Commission/ Private Pumper Advisory Commission (PPAC)
➤ Denise Carter	Colusa County Supervisor
➤ Terry Bressler	Reclamation District 1004
➤ Charles Marsh	Reclamation District 479
➤ Bill Vanderwaal	Reclamation District 108
➤ Thad Bettner	Glenn Colusa Irrigation District
➤ Jim Wallace	Colusa Drain Mutual Water Company
➤ Jesse Cain	City of Colusa (left early)
➤ Shelly Murphy	Colusa County Water District
<b>Members of the Public</b>	
➤ Lorraine Marsh	Colusa County Groundwater Commission/PPAC
➤ Luke Steidlmeyer	Attorney
➤ Mary Randall	CA Department of Water Resources, NRO
➤ Sharon Ellis	Glenn County
➤ Greg Plucker	Colusa County Planning and Building
➤ Kim Gallagher	Landowner/PPAC
➤ Roy Hull	CA Department of Water Resources, NRO
➤ Rod Bradford	Landowner
➤ Darryl ?	Landowner
➤ Craig Bradford	Mayflower Farms
➤ Sophie Carrillo	Interested party
➤ Jeff Moresco	PPAC
➤ Derrick Strain	PPAC

**Staff**

- Dave Ceppos                      Center For Collaborative Policy, Sacramento State University
- Mary Fahey                        Colusa County Water Resources Coordinator