



SANTA CRUZ MID-COUNTY GROUNDWATER AGENCY
Final Meeting Minutes
May 18, 2017

1. Call to Order

The meeting was called to order at 7:04 p.m. by Chair Jaffe.

2. Roll Call

Board Members Present: B. Jaffe, C. Abramson, C. Mathews, D. Baskin, J. Kerr, J. Benich, J. Leopold, J. Kennedy, R. Marani, B. Daniels (Alternate), J. Ricker (Alternate)

Board Members Absent: T. LaHue, Z. Friend

Staff Present: D. Pruitt, J. Townsend, R. Bracamonte, R. Duncan, R. Menard, S. Ryan, T. Carson

Others Present: There were approximately 6 members of the public in attendance, Central Water District (M. Romanini) & 1 alternate board member (R. Schultz)

Presentations

There were no presentations given during this meeting.

3. Public Comments

None.

4. Consent Agenda

The chair asked if anyone would like to pull any items from the Consent Agenda. Mr. Baskin requested to pull items 4.1, 4.3 & 4.4.

4.1 Approve Minutes from March 16, 2017 Board Meeting

Mr. Baskin noted that on page 5, the motion to approve the meeting minutes from November was not unanimous because he abstained.

<p>MOTION: Mr. Leopold; Second: Mr. Kennedy. To approve the meeting minutes from March 2017. Motion passed with one abstention (B. Daniels).</p>
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4.2 Accept Engagement Letter from Auditor

MOTION: Mr. Leopold; Second: Mr. Daniels. To authorize the Treasurer to sign the audit engagement letter with noted revisions and engage the services of Fedak & Brown LLP for the 2017/17 audit. Motion passed unanimously.

4.3 Adopt Records Retention Policy and Schedule

Mr. Baskin asked if the policy from Soquel Creek Water District had been reviewed by legal counsel since August 2014. Ms. Menard replied that it had not. Mr. Baskin requested that the policy be reviewed by counsel, and moved that the group conditionally adopt the policy. If any changes need to be made, it can be updated at the next board meeting.

MOTION: Mr. Baskin; Second: Ms. Mathews. To adopt the Records Retention Policy conditionally, and update at the July board meeting per legal counsel's review. Motion passed unanimously.

4.4 Adopt Guidelines for Public Input during Meetings

Ms. Mathews suggested the following addition to page 29 of the packet in the first sentence under Public Comments: "...members of the public can comment on any item not on the agenda as long as it is related to the subject matter of the MGA."

Ms. Mathews suggested the following addition to the third paragraph under Public Comments: "Speakers must address the entire board; dialogue will not be permitted either between speakers and board members or amongst board members."

MOTION: Ms. Mathews; Second: Mr. Leopold. To adopt the guidelines for public input during board meetings with the edits mentioned above. Motion passed unanimously.

5. General Business

5.1 Report from the MGA Working Group on Groundwater Sustainability Plan (GSP) Development and recommendations to:

- A. Accept a preliminary process and schedule for the development of a Groundwater Sustainability Plan;
- B. Form a Groundwater Sustainability Plan Development Committee (Committee), including establishing the interests to be represented on the Committee;

- C. Conduct an application process and time frame for appointing non-MGA Board representatives to the Committee, including recommended application form and time frame, and appointment of a Board Nomination Committee to oversee the screening, interviewing and identification of appointees to recommend to the full MGA Board for appointment at the Board's September 15th meeting; and
- D. Provide feedback to the MGA Working Group on the Draft GSP Development Committee charge and initial problem statement.

Mr. Kennedy spoke about the overall schedule, and asked the board to approve the makeup of the committee and process for bringing people on board. He commented that staff would be responsible for creating the plan, and the committee for making policy recommendations to the board. The group reviewed and discussed the charge.

Mr. Baskin suggested an edit to the first sentence of the charge on p.43: "The GSP Development Committee will provide guidance to staff and the board of directors regarding the creation of the GSP."

Mr. Baskin suggested an edit to the first bullet point listed on p.43: modify to say "evaluate scientific information and recommendations from staff..."

He continued that the Committee's work will be a collaborative process with staff, and that staff will drive the product and should be mentioned in the charge. Mr. Daniels agreed that the role of staff should be clarified in the charge. The group debated how much work would be done by staff versus the Committee. Mr. Kennedy suggested that the committee would focus solely on policy issues, whereas staff would address the technical aspects of plan development. Mr. Jaffe commented that it depends on the members of the Committee.

Ms. Mathews noted that she thinks the Committee should be made up of non-expert generalists to be a sounding board rather than to do the technical analysis. Mr. Leopold commented that one of the values of the Committee should be to build public support. Committee members should have constituencies that they represent, and be able to contribute to the education and engagement of the community. He suggested asking organizations that represent others (e.g., the Farm

Bureau) to generate potential Committee members that represent their interests (e.g., Farm Bureau to find agricultural user, Chambers of Commerce to find business nominee). In this case, the MGA would still review these nominations. Ms. Mathews suggested looking for diversity of sectors as well as geography, and making an effort to get the word out in all of the sectors.

The group suggested clarifying in the charge that the work will be demanding for a couple of years, but important. Additionally, Committee members would be expected to actively communicate with their constituencies. The group suggested adding a question to the application regarding how applicants would communicate with their community members.

Mr. Baskin reiterated his concerns that individuals might be misled into thinking that they would be working on the technical aspects of the plan. He suggested changing the name to Advisory Committee in lieu of Development Committee. Ms. Mathews agreed. Mr. Jaffe replied that he does not want to preclude individuals contributing their expertise that might have technical capabilities to guide plan development. Ms. Menard referenced Attachment 2, and highlighted the role of the working groups to engage technical experts as needed. Mr. Marani suggested including the California Department of Fish & Wildlife, and increasing the level of expertise within this group whenever possible.

Mr. Jaffe reviewed the suggested edits to the draft charge:

- Replace Development with Advisory in the name of the Committee
- Change first sentence on p.43 to: “...will provide guidance to staff and the board of directors regarding the creation of the GSP”
- Change the first bullet on p.43 to: “Evaluate scientific information and recommendations from staff on the impacts to the Basin...”

MOTION: Mr. Baskin; Second: Mr. Daniels. To make the above edits to the Draft GSP Development Committee Charge. Motion passed. No: Mr. Kennedy.

Public Comment: Becky Steinbruner expressed her desire to create buy-in and make everyone feel like they have a chance at the table. She inquired about the criteria for the committee selection process, and suggested that a professional panel work

with an advisory group to meld different recommendations. She added that she would like to see a greater number of spots at the table, and regular public meetings moving forward.

MOTION: Mr. Leopold; Second: Mr. Abramson. To add a question on the application regarding how the prospective applicant plans to community with their community members and related experience. Motion passed unanimously.

Mr. Kerr acknowledged that the application process will generate lists that can help with building working groups.

Public Comment: Ms. Steinbruner asked that the board make the job description and criteria for selection clear on the application so that people know about the expectations.

Mr. Daniels stated that he is a member of the Association of California Water Agencies (ACWA) which has a groundwater committee. He encouraged board members to attend those meetings, and shared insights from a recent session on the GSP development process. The California Department of Water Resources recommends that agencies submit plans early.

Mr. Duncan noted that the MGA intends to join ACWA in the future, which would allow board members and staff to attend future ACWA events.

Mr. Abramson suggested limiting the Committee to “up to 13 members,” in case exceptional candidates can represent more than one interest group. The group confirmed that the Nomination Committee will evaluate the candidates and make recommendations to the board. No public comment given.

MOTION: Mr. Abramson; Second: Mr. Kennedy. To limit the GSP Development Committee to up to 13 members; the Nomination Committee would evaluate the candidates and make recommendations to the board. Motion failed. Ayes: Mr. Leopold, Mr. Kennedy, Mr. Marani, Mr. Abramson. Noes: All Others

MOTION: Mr. Baskin; Second: Mr. Lepold. To approve the working group’s recommendations for Items A, B & C, excepting the Nomination Committee section which will be discussed subsequently. Motion passed unanimously.

Public Comment: Ms. Steinbruner asked if there was a way to view draft proposals submitted by other GSAs. Not at this time.

Ms. Mathews suggested that board members and alternates that would like to participate on the Nomination Committee contact the board chair by June 1, 2017. The chair will pick an odd number of candidates to form the Nomination Committee.

Public Comment: the Nomination Committee should have a Private Well Owner representative as part of the committee.

MOTION: Mr. Leopold; Second: Mr. Kennedy. To direct the board chair to appoint the Nomination Committee. For board members and alternates to notify the chair of their interest by June 1, 2017. Motion passed unanimously.

The group requested that staff develop a fact sheet to accompany the application package. Ms. Menard will circulate the application package to board members to disseminate.

5.2 Approve Annual Budget for Fiscal Year 2017-2018

Mr. Carson reviewed the proposed budget which incorporate decisions made at the last board meeting. Mr. Carson reviewed the options and recommendation for use of the FY 2016-17 unspent funds and the proposed agency allocations FY 2017-18. Ms. Mathews asked if \$70,000 is adequate to cover technical funding for the advisory group. Ms. Menard replied that it should be adequate given that the group will not be active until the fall.

Mr. Daniels reported that DWR has an upcoming grant opportunity with funding from Proposition 1 for Groundwater Sustainability Plans (GSPs) and Projects. The maximum awards will be up to \$1.5 million per basin. He encouraged staff to explore and pursue this opportunity.

Public Comment: Ms. Steinbruner added that there will be Proposition 1 workshops this summer and hoped staff would attend.

MOTION: Mr. Leopold; Second: Mr. Baskin. To approve the proposed MGA planning budget, approve crediting the unspent funds from FY 16/17 to reduce FY 17/18 contributions, and reconfirm the intent for each agency allocation presented for FY 17/18. Motion passed unanimously.

6. Informational Updates from Directors and Staff

6.1 Treasurer's Report

Informational, no motion necessary. Mr. Leopold suggested that staff include who can vote as part of future memos (e.g., with respect to budget items).

6.2 Outreach Reports

Ms. Ryan provided updates on the work of the outreach committee which also includes Ms. Pruitt & Ms. Cross. The committee plans to host a public meeting on June 27th or 29th, and is preparing press releases for that event as well as the GSP Development Committee application process. The outreach committee plans to send 2600 post cards to private well owners and small water systems. Agencies will do outreach as well. Other channels include road signs, Facebook, Next Door, and the MGA website. The committee is developing a brochure about the GSP entitled “Who Cares About Groundwater,” which should be ready by the end of June.

Public Comment: What about rural land owners that have not yet constructed wells, do those individuals have rights?

Public Comment: With cooperatives, one person gets the outreach materials but does not always distribute it to the community. Ms. Ryan replied that that was a problem in the past and will be fixed this time around by sending materials to all properties.

Public Comment: Ms. Steinbruner suggested the use of radio, signs in plumbing supply shops, and pump repair stores.

6.3 Board Member Reports

Mr. Daniels reported from the ACWA meeting last week, the JPIA has agreed to provide liability insurance depending on how many members of the MGA are already members of JPIA. The MGA currently has two members which could mean half of the cost on \$60 million coverage. He continued that the reprioritization of basins will start in June and be completed by the end of the year. Mr. Daniels suggested that the Technical Advisory Committee reconvene to make sure the model is sound before it is used.

Mr. Kennedy expressed concern with cannabis growing in the hills, and conveyed potential projections that could represent double the current water usage. He reported that he received a phone call from a constituent that is worried about redwood health, stream health, and related pesticide use. Mr. Leopold responded that the Board of Supervisors has been working on cannabis rules for years, and is doing a full Environmental Impact Report which will be done in June. This is going to be a challenge throughout California. He acknowledged that there is a lot of water use that is unknown not withstanding cannabis growth. The group discussed the cannabis licensing process, and making it easier for cultivation to occur on existing commercial agricultural properties.

6.4 Staff Reports

Mr. Duncan provided an update on the process of signing contracts for helicopter work to locate the offshore seawater interface. Work should start on Monday. He recognized Mr. Carson's efforts on the logistics, and Ms. Ryan's work to bring the project to the table. Mr. Duncan made a note to communicate with the Sierra Club member that attended the last board meeting. He added that the contract was divided into two pieces, essentially the MGA will reimburse the Soquel Creek Water District to lower the risk to the MGA which does not yet have insurance.

Mr. Ricker provided an update on surrounding groundwater basins; the item will go to the Board of Supervisors next week to adopt the JPA for the Margarita Basin. He expects the GSA to be official for the two medium priority basins by June 30th. The county plans to become the GSA for the West Santa Cruz Terrace and Purisima Highlands until those areas are reprioritized as low priority basins.

Mr. Carson reported that he has his eye on the Proposition 1 grants. There is a 50% cost share that can go back to May 2016 and recoup costs retroactively. He added that costs are eligible for reimbursement starting July 1, 2017. Mr. Carson thanked Mr. Bracamonte for putting him in touch with ACWA.

Mr. Carson reminded all the meeting packet will continue to typically posted at the website one week in advance of the meeting (<http://www.midcountygroundwater.org/committee-meetings>). As required by the Brown Act, the packet will always be posted and materials available on the website a minimum of 72 hours prior to the meeting and notification posted at the meeting location. Advertisement of the meeting is also included in the MGA's email newsletter ("e-blast"). In addition, meeting notification will be sent via email to board members, alternates, the executive team, staff, and interested parties with the notification in the subject line. This process is intentionally duplicative to ensure the board and public are informed of the meeting.

7. Adjournment

The group adjourned at 8:55 p.m.

SUBMITTED BY:

APPROVED BY:

Julia Townsend
Program Associate
Regional Water Management Foundation

Cynthia Mathews
Board Secretary
City of Santa Cruz