

Glenn Groundwater Authority

Groundwater Sustainability Agency

225 N. Tehama Street, Willows, CA 95988 | 530.934.6540

Meeting Minutes

Glenn Groundwater Authority Board of Directors

May 9, 2022 | 1:30 p.m.

LOCATION: 225 N. Tehama Street, Willows, CA 95988

The meeting was also conducted via teleconference; accessible via telephone, computer, smartphone or tablet.

Director Members Present:	Alternate/2 nd Alternate Directors	Agency Representing:
X Grant Carmon	X Tom Arnold	County of Glenn
X Bruce Roundy	Pete Carr	City of Orland
	Ed Vonasek (2 nd)	City of Orland
X Gary Hansen (Vice Chair)	X Evan Markey	City of Willows
X Matt Deadmond	Leslie Nerli	Glide Water District
X John Amaro (Chair)	X Thad Bettner	Glenn-Colusa Irrigation District
X Charles Schonauer	X Emil Cavagnolo	Orland-Artois Water District
X Randy Hansen	Wade Danley	Kanawha Water District
	Michael Alves (2 nd)	Kanawha Water District
X Mark Lohse	Seth Fiack	Monroeville Water District
X Gary Enos	Lance Boyd	Princeton-Codora-Glenn Irrigation District/ Provident Irrigation District

Others in attendance:

Lisa Hunter (GGA/Glenn County), Valerie Kincaid (GGA Counsel), Ashlee Veneman (Glenn County staff/clerk), Donald Bills (CGA TAC), Brandon Davison (DWR), Jaime Lely (landowner), Ben King (CGA TAC), Jenny Scheer (Water and Land Solutions), Denise Carter (Colusa County/CGA), Grant Davids (Davids Engineering), Arne Gustafson, Heather Ellingson, Carel Lely, Holly Dawley (GCID), Tavis Beynon (Cal Water), Jim Brobeck, Lisa Humphreys (Glenn County Farm Bureau), Gina Nicholls (Nossaman, LLP), Holly (last name not available), Del (last name not available).

1. CALL TO ORDER

- Chair Amaro called the meeting to order at 1:30 p.m. and the pledge of allegiance was recited.

2. ROLL CALL

- Roll call was taken as indicated above.

3. APPROVAL OF MINUTES

- * Approval of meeting minutes from April 11, 2022
- * Approval of special meeting minutes from April 26, 2022

- Chair Amaro invited comments or revisions on the aforementioned meeting minutes. No comments were heard.

On motion by Director Carmon, seconded by Director Randy Hansen, the meeting minutes of the April 11, 2022 meeting were unanimously approved as presented.

On motion by Director Enos, seconded by Director Schonauer, the meeting minutes of the April 26, 2022 special meeting were unanimously approved as presented.

4. PERIOD OF PUBLIC COMMENT

- Ben King announced that the Colusa Basin Drainage District has a new general manager and raised concerns relating to potential conflicts of interest. He then encouraged the Board to consider projects that would benefit the County, such as a project in the Willow Creek area.

5. STAFF UPDATES

- Glenn Groundwater Authority (GGA) Program Manager, Lisa Hunter, stated all significant updates are presented in the meeting packet and there are no additional updates.

6. FINANCIAL REPORT

- a. *Review and accept Monthly Activities Report.
- b. *Review and consider approval of claims.

- No discussion was held on item 6.a.

On motion by Director Gary Hansen, seconded by Director Schonauer, it was unanimously ordered to accept the Monthly Activities Report as presented.

- No discussion was held on Item 6.b.

On motion by Director Roundy, seconded by Director Carmon, it was unanimously ordered to approve the claims as presented.

7. BUDGET AD HOC COMMITTEE REPORT

- a. Receive report and recommendation from Budget Ad Hoc Committee

- Director Carmon stated he and Directors Gary Hansen and Nerli met recently to prepare the next fiscal year's budget, which is currently in deficit but the remaining balance from previous years will assist with this. He indicated the recommended yearly per acre cost remains the same (\$1.50 per acre).
- Director Gary Hansen stated the budget has been simplified from last year, as the committee was trying to be conscious of the severe drought and other economic factors. He shared that the salaries and wages budget increased by \$50,000 to account for more part time help; legal contract services were raised from \$100,000 to \$120,000 and professional services raised from \$20,000 to \$35,000.
- Director Carmon stated he has had discussions with the County Administrator Officer, who is finalizing the next fiscal year budget and plans to include the part time employee position requested by the GGA, but the County requests the GGA share 50% of the costs for the training of the new employee. It was agreed this item be placed on a future agenda for consideration.
- Directors Gary Hansen and Arnold thanked the staff and committee for their hard work.
- Ben King encouraged the Board to do price comparisons for the professional services and legal services costs. He further encouraged the Board to consider consolidating some services with the Colusa Groundwater Authority (CGA) and other regional GSAs. He also noted that state SGMA grant funding may be going away.

- Chair Amaro stated the GGA is very mindful of the cost considerations and is always looking for opportunities to cost share with the CGA.

8. GLENN GROUNDWATER AUTHORITY OPERATIONS FEE

- a. *Adopt the Glenn Groundwater Authority Operations Fee per acre for Fiscal Year 2022/2023
 - b. *Adopt Resolution 2022-005 *Authorizing the County to Collect Property-Related Fees on the County Tax Roll and Indemnification of the Collecting Agency*
 - c. *Authorize the Program Manager to complete or direct the completion of all tasks necessary for the completion of the submittal packet to the Glenn County Department of Finance.
- Chair Amaro introduced item 8.a.
 - Landowner Jaime Lely spoke to her concerns that the per acre operations fee is not equitable and asked for clarification on planning phase versus implementation phase (administrative and project fees) charges. GGA Counsel, Valerie Kincaid, responded that the GGA is operating under the current Proposition 218 fee study executed in 2019, and further noted that after GSPs are submitted to the Department of Water Resources, GSAs have more funding authority and are able to charge for more including implementation.
 - Ms. Lely stated she believes the amount being charged exceeds the cost of service and provided an example of her property's fees (rangeland) versus irrigated acreage fees, further stating the fee should be based upon irrigated versus non-irrigated land. She also stated the agricultural well moratorium and the updating of the County's General Plan complicates the fee implementation further. Ms. Kincaid stated the GGA is considering other fee alternatives and that irrigated versus non-irrigated land is only one of several factors to consider when composing the fee schedule. The issues are very complicated and the GGA remains committed to continue looking at those issues and try to take the most defensible and practical approach to being the GSA. She thanked Ms. Lely for her comments and noted the importance of feedback while considering the next round of fee studies. She reiterated that the existing action is based on the existing 218.

On motion by Director Roundy, seconded by Director Randy Hansen, it was unanimously ordered to adopt the Glenn Groundwater Authority Operations Fee per acre for Fiscal Year 2022/2023 as recommended.

On motion by Director Gary Hansen, seconded by Director Roundy, it was unanimously ordered to adopt Resolution 2022-005 *Authorizing the County to Collect Property-Related Fees on the County Tax Roll and Indemnification of the Collecting Agency.*

On motion by Director Roundy, seconded by Director Carmon, it was unanimously ordered to authorize the Program Manager to complete or direct the completion of all tasks necessary for the completion of the submittal packet to the Glenn County Department of Finance.

- Director Roundy asked when the next Request for Proposal (RFP) is set to be released to reassess the Proposition 218 fee, whereby Ms. Kincaid stated the GGA is in year 3 of 5 of the current contract. Discussion ensued.
- Ms. Hunter stated she would bring forth an agenda item at a future meeting to discuss the next RFP and the process.

9. FISCAL YEAR 2022/2023 BUDGET

a. *Consider approval of the Fiscal Year 2022/2023 Glenn Groundwater Authority Budget.

- Chair Amaro introduced the item. No further discussion was heard.

On motion by Director Schonauer, seconded by Director Roundy, it was unanimously ordered to approve the Fiscal Year 2022/2023 Glenn Groundwater Authority Budget as presented.

10. COLUSA SUBBASIN GROUNDWATER SUSTAINABILITY PLAN

a. GSP Development Grants (Proposition 1 and Proposition 68) and Project Agreements
b. Groundwater Sustainability Plan Implementation

- Relating to item 10.a, Ms. Hunter stated an invoice will be submitted to the Department of Water Resources (DWR) for the period from January through March 2022 and there are no updated expended numbers on the grant as invoicing has not been completed. She further stated the annual report budget is almost complete.
- In relation to item 10.b, Ms. Hunter stated the Well Monitoring Pilot Program has completed the site visits and is currently working with the landowners to continue the process. Ms. Hunter noted that the program would like to continue looking for more suitable well sites and move forward as new sites are identified, as they currently have not reached their target number and the grant funding has a short timeline remaining. No opposition was heard.
- Director Carmon stated a representative from DWR announced at the recent Northern Sacramento Valley Integrated Regional Water Management meeting that approximately \$200 million in grant funding may become available for project and management areas in relation to GSP implementation.
- Ms. Kincaid stated the most severely impacted basins were granted money with little to no competition but the next round of funding will be competitive.
- Ms. Hunter noted the GSP public comments that were available in the meeting packet.

11. DISCUSSION ON AGREEMENT WITH DAVIDS ENGINEERING, INC. TO PROVIDE ON-CALL TECHNICAL CONSULTING SERVICES

- Ms. Hunter stated that with the GSP moving from the planning to the implementation phase, the Board may wish to consider having a consultant on hand to confer with for technical support.
- Directors Schonauer and Gary Hansen spoke in favor of having an on-call agreement.
- Director Lohse asked how the agreement would be executed, whereby Ms. Hunter stated there would be an overarching contract with the consultant and each GGA request or job would produce an independent task order to approve and execute.
- Ben King encouraged the Board to shop for other consultants and perform price comparisons.
- Ms. Hunter stated the intended relationship with the consultant would be for small works, such as map requests or information clarification, and not for large projects.

- Jenny Scheer asked if the GGA anticipates project proponents to share in the implementation phases of GGA projects, whereby Ms. Kincaid stated the GGA is not a project approval agency and the project proponents may consult with the GSA for consistency with the GSP but they may use their own consultants and project plan. Discussion ensued regarding projects and management actions.
- Grant Davids stated they have several similar agreements with other clients and if there were any larger projects anticipated, they would expect a competitive process. Mr. Davids also stated Davids Engineering is a firm with two locations and twenty employees and is not just a family operated and owned business.
- There was general concurrence to bring the item back to a future board meeting as an action item.

12. DISCUSSION ON WATER CONSERVATION CAMPAIGN

- Ms. Hunter reviewed the aforesaid matter, opening the discussion if the GGA should enact a water conservation campaign due to the drought conditions, as other agencies are.
- Director Roundy stated the City of Orland has enacted Stage 2 of their water conservation and shortage contingency plan, which encourages conservation through service charges and watering constraints.
- Director Gary Hansen said Cal-Water will enact a similar campaign in the Willows vicinity, whereby Director Markey confirmed there would be a public hearing on Wednesday, May 11 to enact Stage 2 of the Cal-Water plan to take effect May 22, 2022 restricting irrigating certain days of the week. Director Markey further stated water budgets may come into effect if Stage 3 is reached.
- Director Carmon spoke in favor of a public campaign with recommendations and watering guidelines.
- Chair Amaro suggested providing a report at the public Drought Task Force meetings, whereby Director Carmon stated the next meeting is May 12 and there has been less public participation at the last few meetings.
- Director Enos stated this would be a good opportunity to celebrate conservation successes as well as what the agency has accomplished.
- Director Roundy spoke in favor of the campaign and that it could present an opportunity to discuss upcoming projects whereby discussion ensued.
- Ms. Hunter stated the campaign could also aid in familiarizing the public with the GGA, and will be bringing this to the next agenda with potential topics and materials to be disseminated.

13. *APPROVE LETTER OF SUPPORT: CITY OF ORLAND DOMESTIC WELL AND GROUNDWATER STORAGE TANK PROJECT

- Director Roundy stated the City of Orland would greatly appreciate the support of the Board.
- Director Carmon stated DWR has indicated they would like a letter of support from the GSA to move forward with the \$800,000 grant award for the project.

On motion by Director Carmon, seconded by Director Roundy, it was unanimously ordered to approve a Letter of Support to the City of Orland for the benefit of the Domestic Well and Groundwater Storage Tank Project.

14. RECEIVE RECOMMENDATION FROM RECHARGE AD HOC COMMITTEE TO ENGAGE THE SERVICES OF A TECHNICAL CONSULTANT TO PLAN AND DEVELOP RECHARGE PROJECT(S).

- Director Schonauer reviewed the four sites the committee identified as potential sites for the project but that the committee has not placed any priority on a specific site. Director Schonauer noted the limitations the drought has caused and the lack of available water for the project.
- Chair Amaro asked if anyone has contacted the site landowners, whereby Director Schonauer stated they have not made contact with any landowners as there is no guarantee there is water available for the project but that overall, there has been a positive show of interest.
- Director Roundy noted that the purpose of the committee’s endeavors were to have a “shovel ready” project should funding and the needed resources become available. Director Roundy asked if there is currently a CEQA exemption for recharge projects through executive order, whereby Ms. Kincaid confirmed there is.
- Director Schonauer stated a consultant may be needed due to the level of involvement and the need for technical information. Discussion ensued and updates were provided in regards to Black Butte Lake’s water flow management.
- Ms. Hunter stated the committee may bring forth a Request for Proposal for a consultant, as the project may be complicated and the consultant could outline and prioritize the potential sites. Director Enos asked if an on-call technical consultant was hired as referenced earlier, if this could be included in those services, whereby Ms. Hunter stated it possibly could.
- Ben King spoke to his experience with water recharge in Kern County and suggested the Board look at what other areas are doing.
- The consensus of the Board was to not purchase water for the project and to explore the possibility of using water flow from Black Butte Lake depending on possible discussions with the Army Corp/Bureau of Reclamation. Director Schonauer stated the committee would schedule another meeting soon to discuss this in depth.

15. DISCUSSION ON EXECUTIVE ORDER N-7-22 AND WELL PERMIT ACKNOWLEDGMENT RESPONSE

- GGA Counsel, Valerie Kincaid, reviewed the aforesaid matter, stating the Executive Order was passed in encouragement from DWR for agencies to pause before issuing well permits too fast. Ms. Kincaid further stated the next step is to discuss this approach with the County. A revised draft was included in the meeting packet.
- Chair Amaro stated the acknowledgment acts as a checklist for well permit applicants and complies with the State’s requirement.
- Ms. Kincaid stated there has not been a uniform approach from all Counties. If the County has any comments, this item will be brought back to a future agenda.

16. COMMITTEE UPDATES

- a. 2022/2023 Budget Ad Hoc Committee
- b. Executive Committee

- i. CGA/GGA Joint Executive Committee
- c. Multi-Benefit Recharge Pilot Project Ad Hoc Committee
- d. Recharge Pilot Project Ad Hoc Committee
- e. Technical Advisory Committee
- f. Water Well Drilling Permits and Standards Ad Hoc Committee.

- Chair Amaro introduced the item stating the Budget Ad Hoc Committee has already provided their report, the Executive Committee has no updates, the Recharge Pilot Project Ad Hoc Committee will be scheduling a meeting soon, and there are no other committee updates.
- Ms. Hunter noted that Director Deadmond would be replacing Director Nerli on all of her represented committees to which the Board showed no objections.

17. CLOSED SESSION

Gov't Code §54956.9 – Conference with Legal Counsel – Anticipated or significant exposure to litigation regarding tax refund claims and challenges to previously adopted property related fees.

18. CLOSED SESSION

Gov't Code §54956.9 – Conference with Legal Counsel – Existing Litigation
Aqualliance, California Water Impact Network, and California Sportfishing Alliance vs. Colusa Groundwater Authority, Glenn Groundwater Authority
Colusa County Superior Court - Case Number CV24584

- No public comments were presented or heard for agenda items 17 and 18.
- The Board adjourned to closed session at 3:21 p.m.

19. REPORT OUT FROM CLOSED SESSION

- The Board returned from closed session at 3:50 p.m.; the Board provided direction to counsel.

20. MEMBER REPORTS AND COMMENTS

- Ms. Hunter shared that a Land IQ presentation would be given at the Corning Sub-basin GSA meeting on May 11, 2022 meeting and encouraged those that are interested to attend.
- Director Carmon stated the Drought Task Force meeting is scheduled for May 12 and GCID is scheduled to give a presentation.

21. NEXT MEETING

The next regular meeting is scheduled for June 14, 2022 at 1:30 p.m.

22. ADJOURN

The meeting was adjourned at 3:53 p.m.