

SOLANO SUBBASIN

GROUNDWATER SUSTAINABILITY AGENCY

BOARD OF DIRECTORS:

Chair:

Director Dale Crossley
Reclamation District No. 2068

Vice Chair:

Supervisor Mitch Mashburn
Solano County District 5

DIRECTORS:

Mayor Steve Bird
City of Dixon

Mayor Ron Kott
City of Rio Vista

Director Jack Caldwell
California Water Services

Director Spencer Bei
Dixon Resource
Conservation District

Director Ryan Mahoney
Maine Prairie Water District

Supervisor John Vasquez
Solano County District 4

Director Sean Favero
Solano County Farm Bureau

Director Russ Lester
Solano County Agricultural
Advisory Committee

Director Kurt Balasek
Solano Resource
Conservation District

SECRETARY/TREASURER:

Roland Sanford
Solano County Water Agency

BOARD OF DIRECTORS MEETING

DATE: Thursday, May 12, 2022

TIME: **3:00 P.M.-SPECIAL START TIME**

PLACE: **SCWA BOD Room/Hybrid Zoom Meeting**

<https://us02web.zoom.us/j/85831717539?pwd=WWt0L28rMmRUdWdRMEpZYVRRblRhUT09>

Meeting ID: 858 3171 7539/Passcode: 018886

One tap mobile:+16699009128,,85831717539#,,, *018886# US

Dial by your location: +1 669 900 9128 US

Backup Conference line: 800-510-5879/Passcode 385498

1. OPTION FOR REMOTE MEETING

In Compliance with Government Code Section 54953(e) added by Assembly Bill 361, and consistent with the findings made by the Solano GSA Board of Directors in accordance therewith, members of the Solano GSA Board and members of the public may participate in this meeting by teleconference. Per AB 361, the Board is to reconsider the circumstances of the state of emergency and determine that: (i) the state of emergency continues to directly impact the ability of the members to meet safely in person; and/or (ii) State or local officials continue to impose or recommend measures to promote social distancing.

2. CALL TO ORDER

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

5. PUBLIC COMMENT

Limited to 5 minutes for any one item not scheduled on the Agenda.

6. CONSENT ITEMS

(A) Minutes: Approval of the Minutes of the Board of Directors meeting of April 14, 2022.

- (B) Minutes: Approval of the Minutes of the Board of Directors meeting of April 28, 2022.

7. BOARD MEMBER REPORTS *(estimated time: 5 minutes)*

RECOMMENDATION: For information only.

8. SECRETARY/TREASURER REPORT *(estimated time: 5 minutes)*

RECOMMENDATION: For information only.

9. CLOSED SESSION *(estimated time: 120 minutes)*

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
(Subdivision (d) of Gov. Code §54956.9)
Significant exposure to litigation: 1 potential case-SGMA Implementation Fees.

10. GROUNDWATER SUSTAINABILITY PLAN IMPLEMENTATION FUNDING
(estimated time: 30 minutes)

RECOMMENDATIONS:

1. Discuss Solano Subbasin GSA Long-Term SGMA Compliance Methodology.
2. Approve Solano Subbasin GSA Proposition 218 Charge Report.
3. Authorize Staff to Proceed with Next Steps to Implement Recommended Long-Term Solano Subbasin GSA Funding Approach.

11. TIME AND PLACE OF NEXT MEETING

Thursday, June 9, 2022, at 5:00 p.m. at the SCWA offices.

The Full Board of Directors packet with background materials for each agenda item can be viewed on the Agency's website at
www.scwa2.com/resources-management/ground-water/solano-gsa-bod

Any materials related to items on this agenda distributed to the Board of Directors of Solano Subbasin Groundwater Sustainability Agency less than 72 hours before the public meeting are available for public inspection at the Agency's offices located at the following address: 810 Vaca Valley Parkway, Suite 203, Vacaville, CA 95688. Upon request, these materials may be made available in an alternative format to persons with disabilities.

**SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY
BOARD OF DIRECTORS MEETING MINUTES**

MEETING DATE: April 14, 2022

The Solano Subbasin Groundwater Sustainability Agency Board of Directors met this evening at the Solano County Water Agency Offices. Present were:

Mayor Steve Bird, City of Dixon
Supervisor John Vasquez, Solano County District 4
Director Spencer Bei, Dixon Resource Conservation District
Director Dale Crossley, Reclamation District 2068
Director Sean Favero, Solano County Farm Bureau
Director Jack Caldwell, California Water Services, Dixon

CALL TO ORDER

The meeting was called to order at 5:00 p.m. by Chairman Crossley.

REMOTE MEETING

In Compliance with Government Code Section 54953(e) added by Assembly Bill 361, and consistent with the findings made by the Solano Subbasin Groundwater Sustainability Agency Board of Directors in accordance therewith, members of the Solano Subbasin Groundwater Sustainability Agency Board of Directors and members of the public participated in this meeting by teleconference. Per AB 361, the Board is to reconsider the circumstances of the state of emergency and determine that: (i) the state of emergency continues to directly impact the ability of the members to meet safely in person; and/or (ii) State or local officials continue to impose or recommend measures to promote social distancing. The Board unanimously approved-by roll call vote-that both i and ii to be true and to continue the meeting by teleconference.

On a motion by Vice-Mayor Pederson and a second by Director Bei the Board unanimously approved-by roll call vote meeting remotely for the next meeting.

APPROVAL OF AGENDA

On a motion by Vice-Mayor Pederson and a second by Supervisor Vasquez the Board unanimously approved-by roll call vote-the Agenda.

PUBLIC COMMENT

There were no public comments.

CONSENT ITEMS

On a motion by Director Caldwell and a second by Vice-Mayor Pederson the Board approved-by roll call vote the following consent items:

- (A) Minutes
- (B) Contract Amendment Number 2 with Luhdorff & Scalmanini

BOARD MEMBER REPORTS

There were no Board member reports.

SECRETARY/TREASURER REPORT

There were no additions to the written report.

2022 GROUNDWATER SUSTAINABILITY PLAN ANNUALREPORT

Pursuant to the Sustainable Groundwater Management Act, Groundwater Sustainability Plan Annual Reports must be submitted to the California Department of Water Resources (DWR) on April 1 each year. The 2022 GSP Annual Report was submitted to DWR on March 29, 2022.

The 2022 Annual Report presents groundwater conditions spanning the period through the end of water year 2021 with select groundwater budget information presented for the Solano Subbasin for water years 2015 through the most recent water year (2021), as required by and in fulfillment of GSP Regulations. This report serves to fulfill SGMA and GSP annual reporting requirements for the Solano Subbasin. The Annual Report was included as an attachment to the Board packet.

The Annual report includes:

- Background information on the subbasin
- Groundwater related monitoring
- Groundwater conditions
 - Including gw levels, gw quality, interconnected surface water, and any subsidence
- Water Budget Approach
- Any changes in GW storage
- Assessment of the RMS network
- And GSP implementation progress

We did not have a meeting in February to discuss this. Unfortunately, we are asking the Board to approve the Annual Report after it has been submitted. Now it is pretty boilerplate stuff all tied to the GSP which we just submitted, so there is nothing of real note to be concerned about.

For the next annual report, we will make sure the timing is better structured to allow the Board to review the Annual report before it is submitted to DWR.

Unless there are any questions, the staff recommendation is to approve the annual report.

EXECUTIVE ORDER N-7-22

On March 28, 2022, Governor Newsom issued Drought Executive Order N-7-22 that included new well permitting requirements for local agencies to prepare for and lessen the effects of drought conditions.

In Solano County, regulatory authority over well construction, alteration, or destruction, resides with Solano County, administered through their Environmental Health Services Division.

This Executive Order does not change Solano County's existing well permit authority. In the Executive Order, under Action 9, well permitting agencies must consult with the GSAs and receive written verification from the GSA that the proposed well location is consistent with the GSP and will not decrease the likelihood of achieving the sustainability goals that the GSAs have developed in the GSP. In addition, before EH can issue a well permit, it must be determined that the proposed well will not likely interfere with the production and functioning of existing nearby wells and is not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

Staff participated in a meeting with DWR management and the Northern California Water Association. Some of the key takeaways from that meeting:

- This sounds to be only a temporary Executive Order, for as long as the drought lasts
- There is no state oversight, enforcement, or reporting required.
- According to DWR, this does not trigger CEQA, not a discretionary action-we may still want our Counsel to weigh in on that.
- DWR is not likely to issue any guidelines-they want to try to keep things local and not get in the way.
- It seems burdensome on the applicant to prove no harm to the subbasin or their neighbors-but that is a requirement of the Executive Order-and we will have to look at the applicants paying for any studies-the GSA cannot afford to do that.

The staff recommendation is to work with Solano County staff and other GSAs to develop a draft policy to determine procedures for coordination and verification between the GSAs and Solano County on well permits that is not overly burdensome for well permit applicants but that also protects Solano Subbasin groundwater resources.

Once complete, staff will bring back to the Board for consideration.

The Board may also want to consider some sort of permanent policy in working with the other GSAs and Solano County on well permits.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
(Subdivision (d) of Gov. Code §54956.9)
Significant exposure to litigation: 1 potential case-SGMA Implementation Fees

There were no reportable actions from this item.

GSP IMPLEMENTATION MOU

This item was deferred to the next Board meeting.

TIME AND PLACE OF NEXT MEETING

The time and place of the next meeting is Thursday, May 12, 2022, at 5:00 p.m., via Zoom.

ADJOURNMENT

This meeting of the Solano Subbasin Groundwater Sustainability Agency Board of Directors was adjourned at 5:34 p.m.

Roland Sanford
Secretary to the Solano Subbasin
Groundwater Sustainability Agency

**SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY
BOARD OF DIRECTORS MEETING MINUTES**

MEETING DATE: April 28, 2022

The Solano Subbasin Groundwater Sustainability Agency Board of Directors met this evening at the Solano County Water Agency Offices. Present were:

Mayor Steve Bird, City of Dixon
Mayor Ron Kott, City of Rio Vista
Supervisor John Vasquez, Solano County District 4
Supervisor Mitch Mashburn, Solano County District 5
Director Spencer Bei, Dixon Resource Conservation District
Director Dale Crossley, Reclamation District 2068
Director Jack Caldwell, California Water Services, Dixon
Director Sean Favero, Solano County Farm Bureau
Director Russ Lester, Solano County Agricultural Advisory Committee

CALL TO ORDER

The meeting was called to order at 5:01 p.m. by Chairman Crossley.

REMOTE MEETING

In Compliance with Government Code Section 54953(e) added by Assembly Bill 361, and consistent with the findings made by the Solano Subbasin Groundwater Sustainability Agency Board of Directors in accordance therewith, members of the Solano Subbasin Groundwater Sustainability Agency Board of Directors and members of the public participated in this meeting by teleconference. Per AB 361, the Board is to reconsider the circumstances of the state of emergency and determine that: (i) the state of emergency continues to directly impact the ability of the members to meet safely in person; and/or (ii) State or local officials continue to impose or recommend measures to promote social distancing. The Board unanimously approved-by roll call vote-that both i and ii to be true and to continue the meeting by teleconference.

On a motion by Supervisor Vasquez and a second by Director Bei the Board unanimously approved-by roll call vote conducting a hybrid meeting for the Board of Directors meeting in May.

APPROVAL OF AGENDA

On a motion by Director Bei and a second by Supervisor Vasquez the Board unanimously approved-by roll call vote-the Agenda.

PUBLIC COMMENT

There were no public comments.

BOARD MEMBER REPORTS

There were no Board member reports.

EXECUTIVE ORDER N-7-22

As discussed at the last Board meeting, Governor Newsom issued Drought Executive Order N-7-22 at the end of March, that included new well permitting requirements for local agencies to prepare for and lessen the effects of drought conditions.

This Executive Order does not change Solano County's existing well permit authority. In the Executive Order, under Action 9, well permitting agencies must consult with the GSAs and receive written verification from the GSA that the proposed well location is consistent with the GSP and will not decrease the likelihood of achieving the sustainability goals that the GSAs have developed in the GSP. In addition, before EH can issue a well permit, it must be determined that the proposed well will not likely interfere with the production and functioning of existing nearby wells and is not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

Assembly Bill 2201 is looking to make this law. The bill is looking to move out of the Assembly Water, Parks, and Wildlife committee. The Solano County Water Agency (SCWA) lobbyist is tracking to see where this goes-SCWA will likely oppose this bill.

The language in the proposed bill would also requires the GSAs to post a well application on their website for 30 days prior to approval for public comment.

This could have a significant impact on emergency well replacements.

In the interim, we will continue to work with Solano County staff and other GSAs to develop a draft policy to determine procedures for coordination and verification between the GSAs and Solano County on well permits that is not overly burdensome for well permit applicants but that also protects Solano Subbasin groundwater resources and bring that back to the Board for consideration when we have a draft to look at.

There was discussion amongst the Board on pressing this matter with multiple agencies and entities to amend the language to make it less burdensome on well applicants and/or to oppose the bill altogether.

On a motion by Director Bei and a second by Director Favero the Board unanimously approved-by roll call vote-the following:

1. Resolution 2022-01 Statement of Consistency Pursuant to Executive Order N-7-22.
2. Adoption of Emergency Provisions for Replacement Wells.

3. Authorization for staff to make Consistency Determinations pursuant to the Emergency Provisions of the Draft GSP Consistency Criteria for Well Construction Applications.

GSP IMPLEMENTATION MOU

The other GSAs within the Solano Subbasin either have their own existing Proposition 218 process in place or have agreed to pay directly for their GSA portion of implementing the GSP. The noted exceptions are the Delta Reclamation Districts (Delta RDs) who formed GSAs late in the GSP development process.

The Delta RDs include Reclamation District 3, Reclamation District 349, Reclamation District 554, Reclamation District 556, and Reclamation District 2111, all in Sacramento County, and Reclamation District 501 in Solano County. RD 501 is still part of the Northern Delta GSA (ND GSA) and funding for 2023 will be supplied through the ND GSA.

The purpose of this Finance/Implementation Memorandum of Understanding (MOU) between the Solano GSA and the Delta RDs would be for the Solano GSA, through Sacramento County, to be able to collect fees within the boundaries of these Delta RDs. Through this MOU, the Solano GSA would exercise powers under the Joint Powers Act to impose the Proposition 218 fee on behalf of the Delta RDs.

Although it would be more advantageous to have the Sacramento County GSA take on the task of collecting these fees from the Delta RDs, they have indicated with the recent retirement of their point person, that they would not be able to take this on with the short timeline needed to provide the information the County Assessor's office. They indicated they would be able to assist next year for the 2024 tax year.

Assuming the Delta RD's sign the MOU to allow the Solano GSA to collect fees within their boundaries, staff are concerned there may not be enough time to provide the needed information to the Sacramento County Assessor's office for the 2023 tax year. However, staff recommend pushing forward with this MOU to help solve this funding need.

On a motion by Supervisor Mashburn and a second by Supervisor Vasquez the Board unanimously approved-by roll call vote-the following:

1. Authorize Chairman to Sign GSP Implementation MOU.
2. Authorize Staff to make editorial/non-substantive changes to MOU after Reclamation District review of MOU.

Open session ended at 5:28 pm.

Closed session began at 5:29 pm.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
(Subdivision (d) of Gov. Code §54956.9)

Significant exposure to litigation: 1 potential case-SGMA Implementation Fees

Closed session ended at 7:43 pm.

Open session began at 7:44 pm.

There were no reportable actions from this item.

TIME AND PLACE OF NEXT MEETING

The time and place of the next meeting is Thursday, June 9, 2022, at 5:00 p.m., via Zoom.

ADJOURNMENT

This meeting of the Solano Subbasin Groundwater Sustainability Agency Board of Directors was adjourned at 7:45 p.m.

Roland Sanford
Secretary to the Solano Subbasin
Groundwater Sustainability Agency

**ACTION OF
SOLANO SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY**

DATE: May 12, 2022

SUBJECT: Groundwater Sustainability Plan Implementation Funding

RECOMMENDATIONS:

- 1. Discuss Solano Subbasin GSA Long-Term SGMA Compliance Methodology.
- 2. Approve Solano Subbasin GSA Proposition 218 Charge Report.
- 3. Authorize Staff to Proceed with Next Steps to Implement Recommended Long-Term Solano Subbasin GSA Funding Approach.

FINANCIAL IMPACT:

None.

BACKGROUND:

Pursuant to the Sustainable Groundwater Management Act of 2014, the Groundwater Sustainability Agencies (GSAs) developed a Groundwater Sustainability Plan (GSP) for the Solano Subbasin and submitted it to the California Department of Water Resources on January 27, 2022.

A Charge Report has been developed to determine the Solano GSA’s costs for administering the GSA and for the Solano GSAs cost share for GSP implementation. Overall annual GSP Implementation costs and the allocation among the GSAs are detailed in the Charge Report. Each GSA will also have additional Administrative Costs, which they will collect within their GSA.

It is possible that the Solano GSA may choose to use Proposition 218 to fund their costs for GSP Implementation and for GSA Administrative Costs. The Charge Report was developed with this concept as a starting point for the Solano GSA to consider.

The other GSAs within the Solano Subbasin either have their own existing Proposition 218 process in place or have agreed to pay directly for their GSA portion of implementing the GSP.

If the Solano GSA selects using Proposition 218 as a long-term SGMA compliance methodology, staff recommendations would be to approve the Solano Subbasin GSA Proposition 218 Charge Report and

Recommended: _____
Roland Sanford, Secretary

<input type="checkbox"/> Approved as recommended	<input type="checkbox"/> Other (see below)	<input checked="" type="checkbox"/> Continued on next page
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Modification to Recommendation and/or other actions:

I, Roland Sanford, Secretary to the Solano Groundwater Sustainability Agency, do hereby certify that the foregoing action was regularly introduced, passed, and adopted by said Board of Directors at a regular meeting thereof held on May 12, 2022, by the following vote.

Ayes:

Noes:

Abstain:

Absent:

Roland Sanford,
Secretary to the Solano Groundwater Sustainability Agency

authorize staff to proceed with the next steps to implement the recommended long-term Solano Subbasin GSA funding approach.