

SONOMA LOCAL AGENCY FORMATION COMMISSION

DRAFT MEETING MINUTES

Board of Supervisors Chambers
575 Administration Drive, Santa Rosa 102A
Wednesday, November 1, 2023
2:00 P.M.

<u>Commissioners</u>	<u>Alternate Commissioners</u>	<u>Staff</u>
Jean Kapolchok, Chair	Ed Hodges	Mark Bramfitt, Executive Officer
Rich Holmer	Chris Coursey	Verne Ball, Legal Counsel
James Gore	Bill Norton	Cynthia Olson, Administrative Analyst
Mark Hemmendinger, Vice Chair	Jeff Okrepkie	Kasandra Bowen, Commission Clerk
Susan Gorin		
Sandra Lowe		
Susan Harvey		

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AGENDA

1. Call to Order by the Chair @ 2:00pm with Commissioners Kapolchok, Gorin, Lowe, Norton, Harvey, Okrepkie
Commissioner Gore arrived at 2:24pm
2. Public Comment:
Attorney for North bay water came up to speak regarding them having applied for the Safe Harbor Water Agreement having to do with the boundary and the Salamander issue.
Mike Martini: "no good deed goes unpunished" "no harm no foul"
Commissioner Gorin: Not addressing the public comment but addressing the EO to ask if this is something that will eventually be something that will come forward before the Commission.
Carolyn Wassum: North Bay water representative regarding the Safe Harbor agreement and the boundaries for North Bay Water as well as stating that they "hard definition" for water companies should not get in the way of something good that they water company is trying to implement.

3. Consent Calendar: All in favor (later comment by Commissioner Gorin re: Meeting schedule and changing the dates to 2024) **dates have been updated and saved in meeting documents**

3.1. FY 2022-23 Year End Actuals

3.2. 2024 Commission Meeting Schedule (has been updated)

3.3. September 6, 2023 Meeting Minutes

4. Public Hearings: None

5. Regular Calendar:

5.1. Alexander Valley Water District Formation Proposal Study Session
Not a project under CEQA

Commissioner Gore: Went into very in-depth detail on the Potter Valley Project proposal with background.

Commissioner Gorin: Input on the potential costs associated with the operation of a Water District.

Public Hearing open at 2:45pm

Brad Peterson (President of Russian River Property Owners Association): Discussed the threats to the Alexander Valley and the water supply that will greatly affect large acreage of farmland. Acknowledgement of costs associated with this project and are hoping that the formation of the district will go through to help with the costs for water diversion. Impacts of the Russian River going dry will not just impact agricultural lands but the cities and recreation as well. Water sharing program started in 2021-22 (pilot program) took water from water rights holders and distributed it to farmers and others who didn't have access due to curtailment. New diversion facility in the Eel River and Alexander Valley Water District; would like to be a part of that.

Peter Keel: Addressing some of the concerns of the EO with how likely some of these issues are to arise. Stating that the district would be cooperating with other programs such as the water share program and the water diversion facilities with acknowledgment to the high cost of this idea. Offering the ability to tax to help cover the costs associated with a diversion project. Regarding purposes one of things the potential district is telling landowners who might be affected by forming a district is that it doesn't take away or affect existing water rights. We envision this district as supplementing existing rights to and managing them within fair share rules. It means acquiring new supply and providing financing for that. The district won't take away any water rights or regulate them. Mr. Keel addressed the potential intent of seeking special legislation for the formation of the district and the concern that this water district won't do the traditional water district services while explaining that the traditional water district does not really apply anymore today. They will continue to work on outreach to stakeholders and other organizations prior to formally engaging commission staff on the application process.

Carolyn Wassum (Jackson Family Wines): The four points of this in terms of what the purposed of this district would be and those were brought to them from resource agencies or the state water board asking that they form some kind of district or entity in the Alexander Valley to meet goals. They would like to think that innovation is what's really needed to protect the environment on this issue as well as with the safe harbor is not something that we're going to deny that ability to do the water district because there is an overly strict interpretation of what's available.

Public Hearing closed at 3:03pm

Commissioner Gorin: Discussing the current issues that are occurring in the Santa Rosa basin as well as the Sonoma Valley regarding the subsidizing of the ground water sustainability agencies. Explaining in detail the measures that the boards are taking to potentially cutting administrative costs for managing three basins as well as needing the measure what people are taking out of the ground to make sure that they are conserving water. There is an absolute need for metering, monitoring, and reporting of water usage.

Commissioner Harvey: In the ground water business for a few years – expressed that the Sigma legislation is rigorous to work with from having separate plans for each basin to the map requirements. There is a question/concern regarding the idea that the largest landowners will have the majority of the say while the smaller landowners will not.

Commissioner Norton: Concerned about the makeup of the board or the proposed district.

Commissioner Gore: Had questions for the applicant around regarding the creation of the water district and its intent to not manage this as a GSA but to be a part of the GSA or represent the users, an explanation of the water sharing program in more depth, questions the curtailments, etc.

Public comment: Explanation of the water sharing program in depth by Peter Keel, Garibaldi (resident of Alexander Valley)

Very in-depth conversation with Commissioners Gore, Gorin, Harvey, Lowe, Kapolchok and Applicants. Conversation regarding how many basins, water sharing program, the maps that were provided, how many GSAs, acknowledgement of the Sigma legislation, proposed district boundary, funding, the potential recharge projects of individual landowners putting water back into aquifer, board members, voting power of landowners, fee schedules depending on land size and the tax plan.

- 5.2. Commission Policy: District Dissolution
Not a project under CEQA
Norton: What is the staff recommendation? Per EO – it is to adopt this policy as it passed the policy committee.
Motion: Harvey
Second: Gorin
All in Favor – aye 4 noes: 0 abstain: 0
- 5.3. Current Commission Workplan
Not a project under CEQA
Commissioner Kapolchok questioned the Monte Rio SOI being different than she thought – EO confirmed that Gold Ridge is not interested in annexing Monte Rio if there is no funding to follow. They are waiting until the ballot gets voted on in March to decide if that annexation is going to move forward or not.
Gorin comments on the lack of funding for Kenwood fire as well that is affecting their consolidation into Sonoma fire.
- 5.4 The Local Agency Formation Commission will consider the following in closed session:
Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2), (e)(3). One Case.

6. Information/Report Items

6.1 Legislative Report

Taxpayer Protection & Government Accountability Act (Initiative) – EO to ask other LAFCOs what position if any, they would like to take on this initiative as it would have direct impact on fire consolidations that have been made since 01/01/2022.

Low: League of Cities has opposed this initiative.

AB 399: San Diego Water Authority

6.2 Executive Officers Report

2023 CALAFCO Conference

Norton: enjoyed the sessions, highly informative.

Harvey: enjoyed the camaraderie, highly informative.

Kapolchok: Interesting sessions, great camaraderie

7. General Announcements

8. Confirm Meetings

Commission Meeting: December 6, 2023, at 2:00 p.m. Confirmed

9. Adjournment at 4:15pm

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