

**SACRAMENTO CENTRAL GROUNDWATER AUTHORITY (SCGA)**  
**Sustainable Groundwater Management Act Sub-Committee Meeting**  
**Final Minutes**  
**March 10, 2016**

**LOCATION:** 10060 Goethe Road, Room 1213  
Sacramento, CA 95827  
1:30 p.m. to 3:30 p.m.

**MINUTES:**

**1. Call to Order and Roll Call**

Paul Schubert called the meeting to order at 1:30 p.m.

The following meeting participants were in attendance:

Board Members:

Paul Schubert, Golden State Water Company  
Tom Nelson, FRCD/EGWD  
Tom Mahon, Agricultural Interests  
Brett Ewart, City of Sacramento  
Forrest Williams, County of Sacramento

Staff Members:

Darrell Eck, SCGA  
Sarah Britton, Legal Counsel  
Ping Chen, SCGA  
Ramon Roybal, SCGA

Others in Attendance:

Mark Madison, FRCD/EGWD  
Bruce Kamilos, FRCD/EGWD  
Jonathan Goetz, GEI

**2. Public Comment**

None

**3. Draft Emergency Regulations for Groundwater Sustainability Plans and Alternatives**

Jon Goetz with GEI provided a review of the Draft Emergency Regulations. Mr. Goetz stated that committee members could provide comments to staff to incorporate into the final comments that would be submitted by SCGA to State DWR by April 1. Mr. Goetz then announced that DWR would be hosting a statutorily mandated webinar on March

24<sup>th</sup> addressing the draft regulations in addition to three regional meetings. Mr. Goetz stated that the webinar would be an opportunity to see comments from interests across the state. Mr. Goetz then referred to the draft regulations guidebook that was provided to the SCGA board and available on the DWR website and mentioned that two additional publications would be produced by DWR, the first being a plain language version of the regulations expected June 2016 after the regulations were adopted, and second a Best Management Practices document that would be important for instructing on how to implement the regulations.

Mr. Goetz remarked that there had been discussions that he had overheard in other forums where it had been expressed that entities that had existing groundwater management structures, data, and groundwater models should not be penalized by the regulations with additional requirements that would not be asked of entities starting from the beginning. Mr. Madison commented that those established entities should also not be penalized when it came to grant funding.

During discussion of the Alternative Plan submittal option, Mr. Mahon suggested that SCGA submit written comments to Omochumne-Hartnell (OHWD) regarding the option of an Alternative Plan for the whole subbasin. Mr. Goetz mentioned that the concept of a management zone for OHWD within an Alternative Plan had the potential to be an acceptable point of discussion with OHWD. Mr. Eck concurred and stated that a management zone concept might provide OHWD with the autonomy that it sought while keeping costs down specifically when considering that a multiple GSA or multiple GSP arrangement would require coordination under a formal management structure per the draft regulations. Mr. Madison suggested formally informing OHWD of SCGA's board actions relative to SGMA including a protest of a basin modification and application to file over the entire Bulletin 118 subbasin.

Mr. Schubert led a discussion on a schedule for submitting comments to DWR. Draft comments were to be distributed to the subcommittee by March 18<sup>th</sup>, subcommittee comments and feedback were due back to staff by March 20<sup>th</sup>, and all compiled comments would be submitted for legal counsel review by March 24<sup>th</sup>. Final comments would be submitted to DWR by April 1<sup>st</sup> with the subcommittee receiving a copy at that time.

#### **4. Request by Florin Resource Conservation District for a New Joint Powers Agreement**

Mr. Madison suggested that, in the interest of time and in consideration of providing adequate time for review by the subcommittee members, to provide a brief introduction to the proposed JPA with a plan to have a more in depth discussion two to three weeks later. Mr. Madison stated that the overarching goals of the proposed JPA were to introduce equality, to address a new funding structure, and to address the termination clause. Mr. Madison then introduced Mr. Kamilos to speak further.

Mr. Kamilos stated there was expressed resistance to moving forward with a new JPA by the SGMA Subcommittee but that no formal action had been taken to stop it. Mr.

Kamilos asked that the subcommittee receive the proposal with an open mind and stated his belief that if its members did so, they may become more receptive to the proposal. Mr. Kamilos stated the FRCD felt strongly that changes needed to be made to the existing JPA in order for SCGA to comport with SGMA going forward including a revised funding structure. Mr. Kamilos then explained that the list of signatories would be expanded and that if any signatory wished to withdraw it would not dissolve the agreement as the existing agreement was structured. Mr. Kamilos explained that the proposed agreement would also allow for any member of the Authority to withdraw without affecting the agreement. Mr. Kamilos then pointed out that FRCD had taken it upon itself to do the heavy lifting by having a new JPA drafted and was willing to lead the effort. Mr. Kamilos stated that the proposed agreement otherwise closely followed the overall structure of the existing document and that it would serve as a good starting point for when an analysis of the existing JPA would need to be made. Mr. Kamilos distributed a summary sheet to the subcommittee that highlighted the changes contained in the proposed agreement. Mr. Kamilos noted that the common powers referenced in the proposal were based on the powers granted under SGMA and that it was FRCD's opinion that the police powers under the existing agreement were not necessary. Mr. Kamilos then stated that the proposed agreement was more equitable for its member agencies.

Mr. Schubert questioned whether his company could be signatory to a JPA. Mr. Madison replied that their attorney had implied that it could and offered to follow up with confirmation. Mr. Schubert stated that he did not feel that his organization necessarily needed to be signatory to the JPA in order to have equal standing on the board. Mr. Schubert said that he felt like the document was a good start and addressed important issues but that he also saw areas of concern. Mr. Nelson responded that the document was intended to be a starting point and that he foresaw that it would be changed as it was discussed in detail. Mr. Nelson stated that it was an important issue to FRCD and that the rest of his board was in full support of it. Mr. Schubert asked what it was the FRCD specifically needed from a revised JPA. Mr. Schubert mentioned that he understood that FRCD wanted the ability to appoint its own representative and not have to have their representatives vetted by the City of Elk Grove. Mr. Madison added that FRCD also sought to be a signatory to a JPA. Mr. Schubert requested that FRCD explain why it sought those changes to the JPA as it would help SCGA work through those issues. Mr. Ewart concurred with Mr. Schubert and added that an understanding what FRCD sought to achieve would aid his discussions with the City of Sacramento and that absent of that understanding it might be perceived as a distraction. Mr. Madison agreed to provide those explanations and offered to provide them prior to the next discussion of the subject.

Mr. Madison mentioned that he had a list of questions regarding Zone 13. Mr. Eck responded that those questions should be directed to Kerry Schmitz with the Sacramento County Water Agency.

##### 5. Action Items/Next Steps Assignments

Mr. Nelson asked for a list of specific tasks and items necessary before January 1, 2017 to complete the Alternative Plan submittal.

Mr. Ewart mentioned that he had in interest in having the subcommittee give consideration to recommending professional mediation services to facilitate negotiations with OHWD. Mr. Schubert concurred. Mr. Eck reminded that Tom Gohring had offered those services on behalf of the Water Forum. Mr. Madison recommended Dave Ceppos from the Center for Collaborative Policy as a good resource. Mr. Eck stated that Tom Gohring would have resources like Dave Ceppos available via the Water Forum.


**ADJOURNMENT**

Mr. Schubert adjourned the meeting at 3:30 pm

**Upcoming meetings –**

**Next SCGA Board of Directors Meeting** – Wednesday, April 20, 2016, 9:00 am; SASD South Conference Room 1207, Valley Oak.

By:

  
\_\_\_\_\_  
Chairperson

4/20/16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Date

4/20/16  
\_\_\_\_\_  
Date

