

SACRAMENTO CENTRAL GROUNDWATER AUTHORITY (SCGA)
Well Protection Program Sub-Committee Meeting
Final Minutes
December 19, 2007

LOCATION: 9280 West Stockton Boulevard, Suite 220
Elk Grove, CA 95758
2:00 p.m. to 4:15 p.m.

MINUTES:

1. Call to Order and Roll Call

Andy Soulé called the meeting to order at 2:15 p.m.

The following meeting participants were in attendance:

Board Members (Primary Rep.)

Stuart Helfand, Agricultural-Residential

Board Members (Alternate Rep.)

Walter Sadler, City of Folsom
Andy Soulé, California-American Water Company

Staff Members

Darrell Eck, Executive Director, Sacramento Central Groundwater Authority
Ramón Roybal, Sacramento Central Groundwater Authority

2. Public Comment

Andy Soulé called for any public comment. No public comment was made.

3. Well Protection Program Criteria

General discussion on the further development of the Well Protection Program (WPP) including: Trust Fund shortfall language, costs, procedure for accounting for fee collection, nexus report, area of application, meeting with BIA, ordinance adoption process.

Andy Soulé began discussion by clarifying that it will be the Central Basin Groundwater Authority that adopts a Well Protection Ordinance. Darrell Eck concurs. Mr. Soulé noted this as ground rule number one. Mr. Soulé then clarified the understanding that all of the JPA signatory agencies would have to participate for the well protection program to be viable. Noted this as second ground rule.

Discussion commenced regarding the assessment of the fee. Walt Sadler pointed out that there is language in the SCGA GMP discussing the possibility of the fee being assessed on drilling permits. Mr. Sadler suggested that this may be a way to address concerns over

collection of the fee with each building permit. Mr. Sadler proposed that well drilling permits, specifically those for municipal well construction, could be assessed a fee based on the expected production capacity of the well as it relates to individual residential demands. Stuart Helfand stated that the fee would still find a way of being passed on to the developers who would then pass it onto homeowners. Mr. Eck stated that while this was an interesting proposal the Water Agency is currently focused on surface water capacity development through the construction of the FRWA project and the Vineyard Surface Water Treatment Plant and that the Water Agency has no immediate plans for adding new groundwater production capacity to their system. Given this situation, this approach would not create an immediate or near term cash flow for the WPP. It was agreed that the best approach would be to follow the recommendations in the groundwater management plan of collecting a fee on both building permits for new construction and well drilling permits for new wells.

Discussion commenced regarding the collection of the fee. It was agreed by all in attendance that the fee should be represented as a SCGA fee when collected by the various land use agencies. It is the subcommittee's opinion that this approach should alleviate concerns expressed by some of the land use agencies that the BIA feels that they are adding yet another fee. Mr. Soulé asked how the fee would be collected; would someone wanting to pull a building permit be required to show proof of payment to SCGA or would the land use agency collect the fee on behalf of SCGA? Mr. Eck mentioned that Counsel recommended that the fee be handled like many other fees that are collected by the land use agencies on behalf of the Water Agency, SRCSD and others. Staff would work with the land use agencies to determine the specifics on how the fee would be collected and how and when funds would be transferred to the Authority's Well Protection Trust Fund. As far as identifying which parcels would be subject to the fee Mr. Eck indicated that the County has a system that identifies fee areas based on a shape file provided by the agency the fee is being collected for. Mr. Eck suggested that coming up with a procedure for accounting for fees collected and transferred to the Trust Fund will be a critical component in the development of the Well Protection program. Mr. Soulé stated that he wanted to make sure to explore any potential problems that may arise with the collection of the fee. Mr. Soulé mentioned a potential Trust Fund shortfall element of the Ordinance and noted it as another ground rule.

Mr. Soulé stated that he is "coming around" to the idea of limiting the area of eligibility. He stated that if the Board has technical analysis showing a definitive, localized area of impact, then the Board can defend its decision by reason of due diligence. Mr. Soulé expressed a concern that SCGA should do more public outreach. He suggested that one way of doing this would be to send out a mass mailing news letter introducing SCGA to the community, what it has accomplished, and what it intends to accomplish in the future. Part of this effort would be to introduce the WPP and to solicit feedback from the public. Mr. Soulé reasoned that this would be a way to gather information to assess the level of interest in participating in a well protection program and that it would establish due diligence if a person were to complain because they were ineligible for benefits. Mr. Soulé also felt that the Authority should consider conducting public workshops during the development process of the WPP. Mr. Helfand stated that in his experience, the public does not attend workshops. Mr. Sadler responded that public outreach was a good idea but that the Authority better be sure of the design of the program first. Mr. Soulé suggested that an announcement be made informing the public of the development of the WPP and seek some sort of feedback. Mr. Helfand suggested that the Authority should work through the language and provisions of a draft Ordinance first. Mr. Sadler concurred.

4. Develop Business Plan for Completion of Well Protection Plan

Mr. Sadler suggested that the Authority tackle one or two elements of the Ordinance at a time through a series of workshops. Mr. Sadler further suggested that the draft Ordinance, as currently organized, could serve as guide in identifying these elements and from there a timeline of work product deliverables could be developed ultimately providing a guideline for formulating a business plan for completion of the WPP. All concur with this approach. Mr. Sadler suggested that this approach should aid in identifying specific concerns various members of the Board may have relative to the current form of the Ordinance and thus should lead to a focused resolution. Mr. Sadler stated that once the Board has completed this process then outreach to organizations such as the BIA could begin. Mr. Helfand suggested that various neighborhood/community organizations could also be contacted. Mr. Soulé commenced to sketch the following timeline for completion of the Ordinance and implementation of WPP on the conference room white board:

Layout of ground rules

2008

- January – Purpose (Chapter 2.05), Definitions (Chapter 2.10) (WRIME analysis and BIA coordination begins and continues through the end of March)
- February – Trust Fund (Chapter 2.15), Well Protection Fee (Chapter 2.20), Sunset Provision (Chapter 2.35), Collection of fees (Business agreements with land use agencies)
- March – Eligibility (Chapter 2.25), Benefits (Chapter 2.30)
- April – Fee amount (Appendix 1), Establishment of fee/nexus report
- May – 1st draft of Ordinance
- June – review of Ordinance, begin public outreach
- July – final draft of Ordinance
- August – Public Notice
- September – adopt Ordinance, start fee collection
- October – implementation

The subcommittee agreed that this proposed schedule be brought to the Board in January and that the first workshop, Purpose and Findings, should be part of the January 9, 2008 agenda.

5. Adjournment

With no further business to discuss meeting adjourns at 4:15 p.m.

By: *Dust D. Ford*
Chairperson

Attest: *Michelle Fiorino*

