**Russian River Property Owners**

**Board of Directors Meetin**g

Date: October 12, 2022

Time: 4:00 pm

Location: 5515 Hwy. 128 Geyserville, CA

1. **CALL TO ORDER/ROLL CALL**

President Brad Petersen called the meeting to order at 4:00pm. Harry Black, Richard Rued, David Fanucchi, Rickie Pina, Carolyn Wasem, Cam Mauritson, Pat Burns, John Saini, Paul Foppiano, Denny Murphy, and Brett Munselle were present.

Advisors Adriane Garayalde, Walter Keiser and Mike Martini were present.

Special Guests Fritz Carlson and Dave Taber were present.

**Introduction of Guest:**

President Petersen asked guest Fritz Carlson to provide some background to the Board. Guest Carlson shared that he worked as a hydrogeologist for CH2M Hill out of Redding for a number of years. Guest Carlson also has a ranch off Soda Rock. Based upon his years of experience in hydrogeology and life in Alexander Valley, he feels that he can contribute to our efforts at managing groundwater.

Chair Petersen responded that it is nice to have someone join us with technical experience to provide information around groundwater. This is particularly important as we commence groundwater recharge efforts in Alexander Valley. The RRPOA appreciates Guest Carlson’s offer to help.

1. **APPROVAL OF MINUTES OF PREVIOUS MEEETING**

Chair Petersen asked for approval of the August 2022 Minutes. Vice President Harry Black made a motion to approve the minutes. Board member Paul Foppiano seconded the motion. The Minutes were unanimously approved.

1. **APPROVAL OF FINANCIAL REPORT**

Treasurer Rickie Pina reported that the RRPOA bank account as of July 12th, 2022, had:

$ 29,777.55.

Treasurer Pina noted increased revenues of $3.75 in interest. Total membership dues received thus far for this year: $8,080. The RRPOA has 83 paid members. Expenses for this year, thus far: $6,542.66

Advisor Garayalde asked if there is a spot on the invoice to opt into an email billing? She further suggested that the RRPOA send out an update on activities and issues of interest that would accompany the invoice.

President Petersen agreed and shared that he would provide the update for inclusion in invoices.

Chair Petersen asked for a motion to approve the Financials. Board member Pat Burns made a motion to approve the Financials. Board member David Fanucchi seconded the motion for approval. The Financials were unanimously approved.

1. **ITEMS FOR CONSIDERATION**
2. **Update on Governance (Advisors Martini and Keiser)**

Advisor Mike Martini updated the Board on meetings that he held with Mark Bramfitt, Executive Director for LAFCO, and the second meeting with Senator McGuire. Included in the meeting with Mr. Bramfitt was Brad Petersen, Carolyn Wasem, Supervisor Gore.

There was not a lot of encouragement from Mr. Bramfitt. He expressed his desire to get rid of a couple of exiting Districts. And while Mr. Bramfitt was not supportive, Supervisor Gore expressed strong support for the formation of a new water district.

The second option for district formation is via Legislation. Senator McGuire is supportive, however, wants to ensure there is consensus across all sectors of the community. The landowners who participated in the meeting with Senator McGuire were asked to answer four concerns – those concerns primarily centered on assuaging any opposition to the district. Consensus among landowners, environmental groups and local jurisdictions is important to moving the effort forward.

Regardless of the path: legislative or LAFCO, the same information will be needed if we are to succeed. Advisor Walter Keiser is working hard to collect that information and put into a workable form.

In the Monday meetings with landowners, created specifically to support the needs of district formation, there seems to be a consensus that legislation is the best way to go. It is clear that the only way to have a voice is to form a District.

President Petersen suggested that our challenge was to get the agencies and local communities to provide support. The RRPOA intended to have the Alexander Valley Association represented here today, however they have conflicts with their calendar.

Advisor Martini stated that the people he talks to want to know what it is going to cost?

Trying to understand that is what Advisor Keiser is working on now – his analysis when available will be shared out with the larger group.

Chair Petersen informed the Board that he would provide that information as that document (Keiser) becomes available. Walter is trying to make it as palatable as possible to build broad based support.

The issues that Advisor Keiser is looking at around water supply and district formation include:

1. Changes in long-term weather patterns suggest that a period of increased duration of periodic droughts and more intense storm events has arrived.

2. The Potter Valley Project flows have been reduced to a de minimis amount as the result of PG&E equipment failure and their choosing to abandon the power production project.

3. The continued availability of the inter-basin transfer from the Eel River to the Russian River watershed will cease in the coming years or be modified to allow only diversion of winter flows to be stored in Lake Mendocino due to the delicensing and the planned removal of Scott Dam.

4. The ongoing drought resulted in emergency curtailment order from the State Water Board in the summer of 2021 that substantially reduced diversions of Russian River water underflow surface water rights. This curtailment order was extended in 2022.

5. In a period of reduced water supply urban users, along with federally regulated minimum flows to support anadromous fish species, will typically receive priority over agricultural users given applicable regulations and political reality.

6. Scrutiny regarding pumping of groundwater in Alexander Valley may cause the California Department of Water Resources to reprioritize the Alexander Valley basins as “Medium” or “High” Priority, thus invoking the Sustainable Groundwater Management Act (SGMA) requirements to prepare a management plan that could include restrictions on existing agricultural and residential/urban wells.

7. Given these challenges and the need to participate in solutions, it will be necessary for local agriculture to pay, in one manner or another, for heretofore free irrigation water. However, no government organization exists to represent local growers and to participate in these solutions.

Vice President Black Harry asked is if the district was going to be watered down – or will it have teeth?

Advisor Martini responded that it would have teeth.

Board member Mauritson said that he believes we need to go full throttle on LAFCO for District formation. The State process is not the best choice.

Advisor Martini responded that the key is to be nimble and flexible. The RRPOA needs the work from Advisor Keiser to make an informed decision. Once we have all the information, the intent of the group is to get the district and the voice.

Board member Wasem suggested that in order to gain support for district formation from the environmental, regulatory, and political community, RRPOA needs to be careful about voicing support for keeping Scott Dam in place.

Advisor Garayalde agreed that based on talks with the environmental community, we not take a position on the dam removal. Whatever happens with outcome of dams, is PGE and FERC’s responsibility.

Board member Mauritson asked if redistricting changed representation for the Scott dam?

Advisor Garayalde said no, however Mike Thompson now represents Lake County which has a strong interest in keeping Scott Dam. This is a big issue that we will need to work on. To date the environmental community supports diversions from the Eel and the two-basin solution. That is what we will need to ensure water in the Russian River

Board member Murphy suggested that we need support for water diversion, the winter minimum pool is maintained with diversions from the Eel. Our ask is for funding infrastructure for continued water supply into the Russian in conjunction with support for all the environmental needs.

Guest Dave Taber concurred; support for both have to go together. Locally, our major concern is continued water supply. There are questions as to whether that can occur without water from behind Scott Dam.

Board member Murphy shared that if this group explained that if others who influence the decision around Potter Valley are on board for alternate source for water, we could support the dam removal. That would require that environmental interests fight just as hard for water source dollars as dam removal.

Advisor Keiser told the Board that Sonoma Water has hired a consulting group to discuss a Russian River water management forum. People who own the land should be engaged in those conversations.

Chair Petersen closed the conversation with the comment that water rights will not be impacted by District formation or conversations with the consultant from Sonoma Water.

Advisor Martini shared that the next steps included a sit down with Audrey (McGuire’s office) to discuss the Legislative route for district formation.

Advisor Keiser suggested that the RRPOA review the legislative proposal drafted by Peter Kiel. We will want to pursue that as best we can. In addition to pursuing LAFCO. LAFCO is really a default. There is a cabal in the County that is opposing it.

Chair Petersen will ask Peter Kiel to share his draft with the RRPOA Board.

Board member Fanucchi asked that as the plans for District develop, there will be an opportunity to expand its boundaries.

Advisor Martini responded that this is a critical point that needs to be included in the formation of a District.

1. **Update on Well Ordinance (Advisor Martini)**

Chair Petersen discussed the challenges with the draft well ordinance. The draft required that a potential permittee do the work to prove no impact to public trust, and then a permit would be issued. He is concerned that there is no way to prove a negative. The Board did not adopt the draft ordinance, instead allowed 6 months to work on a new ordinance. During that time, a moratorium on wells will be in place.

Advisor Martini added to the discussion stating that during the hearing the key point being made by the majority of the Supervisors was they (the Supervisors) were trying to massage a bad ordinance. Here are some of the challenges with the draft:

1. Existing information is not sufficient to adopt a comprehensive public trust well regulation covering all navigable waters within the County.
2. The current draft lacks clear, implementable standards and will result in significant delays and costs for applications and County because any person can appeal, and the County must comply with CEQA.
3. A science-based program needs to be developed that: (a) identifies public trust resources, (b) assesses potential impacts to public trust resources from groundwater well permits, and (c) and establishes criteria to ensure that well permits do not cause or exacerbate a substantial adverse impact on public trust resources of navigable waters.
4. In its current form the well program is unduly burdensome for applicants, the ordinance should: (a) retain ministerial permitting approvals for wells meeting objective public trust impact criteria and mitigation and avoidance measures to be developed through the ordinance program; and (b) provide a discretionary permitting option for wells not meeting objective criteria or that decline or are ineligible for mitigation and avoidance measures.

Once County Counsel explained that the adoption of ordinance was exempt from CEQA, but subsequent changes would not be exempt, the idea of passing and revising was no longer viable.

Today, if you lose your well – you are subject to existing ordinance in place.

Based on a request by two of the Supervisors Advisor Martini submitted a work plan to the County to develop an ordinance. It is as follows:

The proposed working group for development of that ordinance/timeline/issues includes:

1. Suggested Membership
   1. Sonoma County Farm Bureau
   2. Sonoma Alliance for Vineyards & Environment
   3. Russian River Property Owners
   4. Consulting Hydrogeologist\* (Matt O’Connor)
   5. Consulting Hydrogeologist\*
   6. Groundwater Sustainability Representative (Sandi Potter)
   7. North Bay Water District
   8. Sonoma Water
   9. North Coast Regional Water Quality Control Board (Matt St John/Climate Specialist)
   10. National Marine Fisheries Service (Dan Wilson)
   11. California Department of Fish &Wildlife (Jessie Maxfield)
   12. Russian River Keepers
   13. The Nature Conservancy
   14. Trout Unlimited
   15. Community Alliance with Family Farmers (CAFF)
   16. Well Company Representative
   17. Permit Sonoma Staff
2. Schedule
   1. October 18th – Appointment by the Board of Supervisors
   2. Meetings Via Zoom 4 PM to 5:30 PM
   3. Regular Meetings 1st and 3rd Thursday
      1. October 20, 2022
      2. November 3, 2022
      3. November 17, 2022
      4. December 1, 2022
      5. December 15, 2022
      6. January 5, 2023
      7. January 19, 2023
      8. February 2, 2023
   4. First Report to Board of Supervisors 2/7/23
3. **Update on Water Sharing Program (Advisor Garayalde and Board Member Murphy)**

Advisor Garayalde updated the Board on the water-sharing program. The program was implemented for a month, prior to the FERC decision in response to the request by PG & E to reduce diversions and therefore flows. The next meeting for the water-sharing group is November 7th. The group that originally developed the program will continue to refine elements of the program.

Board member Murphy discussed what the development of a managerial program would look like. Items such as: How much water should be released from behind the dams, how to inform the flow of information between County, State, and water users, etc. will be part of that program.

Advisor Garayalde shared that the group is still working on defining that allocation. We are also pursuing grants – lots of grants out there, with some focused-on outreach. More next month.

Advisor Keiser suggested that the RRPOA host an informational meeting sometime in November. We will need to build consensus with landowners re: the need for a District. These are the men and women who will pay the bills.

To assist in that we need to speak to Supervisor Gore regarding county dollars to help create a District.

Board member Dave Fanucchi suggested that getting an economic analysis might help make our case re: Eel diversion, keeping the dam in place, etc. Folks in Mendocino got an economic analysis impact report for approximately $15K. Would we consider this?

Advisor Martini suggested that Dr. Eyler with Sonoma State has worked with agriculture in the county before.

Chair Petersen cautioned this group that will all the policies that we are engaging in, we need to understand that Water Rights will not be impacted by this group.

Advisor Keiser shared that Sonoma Water has hired a consulting group to discuss a Russian River Water Management Forum.

Chair Petersen said that the biggest issue that this forum would want to work on is Potter Valley.

Advisor Keiser suggested that people who own the land should be engaged in those conversations.

Chair Petersen shared that he had been interviewed by the consulting group. The biggest concern he expressed was the outcomes associated with PG & E and FERCs decisions and their impacts on diversions to supply the upper Russian River.

Advisor Keiser confirmed that is a large issue and that it will take stakeholders several years to come to any decision.

Board member Murphy restated that if we explain to the other stakeholders that if they are on board for alternate source for water, we could support the dam removal. That means that the environmental groups will have to fight just as hard for securing water source dollars as dam removal.

Board member Fanucchi stated that he had hear that dam removal was going to be more than $150 million. And he agreed that the two issues, removal of dam and a secure source of water for Alexander Valley could not be separated.

Advisor Martini suggested that three different scenarios exist that all need to be funded: dam removal, diversion for Russian River water supply and management of the system

Board member Richard Rued asked how many people took a tour of the Potter Valley project? The reason there are no fish in the Eel River is that non-native fish eat all the native fish.

Board member Fanucchi expressed concerns that once the decision is made regarding diversion, Alexander Valley is going to get silty water.

Board member Murphy responded that there are ways to collect water, even in high flows without sediment concerns.

1. **Update on Pursuing Grants (Advisor Garayalde)**

Advisor Garayalde suggested that there are enormous numbers of grants available. It would be worth our time to review and pursue what is available.

1. **Website Update (Advisor Ginalisa Tamayo)**

Advisor Tamayo was not present. Next update in January 2023.

1. **OTHER BUSINESS**

Seeing no other business, Chair Petersen asked for a motion to adjourn the meeting. Board member Fanucchi made a motion to adjourn. Board member Black seconded the motion. The meeting was adjourned at 5:40 pm.

The next scheduled meeting will be held November 17th, 2022.