**Russian River Property Owners Association (RRPOA)**

**Board of Directors Meetin**g

Date: November 16, 2022

Time: 4:00 pm

Location: Oriental Community Hall, Geyserville, California

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

President Brad Petersen called the meeting to order at 4:10 pm. Board members Harry Black, Richard Rued, David Fanucchi, Rickie Pina, Carolyn Wasem, David Fanucchi, Al Nelson, Cam Mauritson, Justin Miller, Pat Burns, Paul Foppiano, and Denny Murphy were present.

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

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

Chair Petersen dispensed with approval of the October Minutes. He stated that the October Minutes would be reviewed and approved at the next meeting of the RRPOA that will be held on December 14th.

1. **APPROVAL OF FINANCIAL REPORT**

Chair Petersen dispensed with approval of the Financial Report. He stated that the Financial Report would be reviewed and approved at the next meeting of the RRPOA that will be held on December 14th.

1. **DISTRICT FORMATION PUBLIC DISCUSSION**

Chair Petersen set the stage for the meeting regarding water and long-term water solutions. He thanked the Board for attending and thanked the guests. He suggested that the proposals provided are meant to be a primer on the issues that Alexander Valley faces and a basis for discussions around the need to form a District.

He acknowledged that he is hearing concerns around water use restrictions, and the lack of understanding by policy makers about the plentiful water table in Alexander Valley.

He further suggested that much of the Alexander Valley problems, and future concerns, are related to the Potter Valley project. PG & E has abandoned their electric generation project. Without the P G & E abandoned water supply, the Russian River is likely to see little to no water in eight of ten years going forward. In addition, we do not know what the water supply will look like given climate change scenarios.

We are seeing Groundwater Sustainability Agencies take hold in other regions of Sonoma County. This will likely impact Alexander Valley farmers’ ability to access groundwater in the future. It is fair to assume that the Alexander Valley will be scrutinized by the State Water Board as they consider their next round of designations for priority groundwater basins.

The fact is that many decisions are being made around water: groundwater, surface water, requirements for fishery and biology purposes and human health. As these decisions are being made, it is important that agriculture have a seat at the table. We cannot have a seat at the table without a Water District or a similar recognized entity. The way a new District is run will be up to agriculture water users in Alexander Valley and the RRPOA. We are considering limiting District landowners to those own more than 5 acres. That means that efforts would be centered on agriculture.

I am here today to share the proposal for an Alexander Valley based Agriculture Water District. For those of you who want more information, you can find information about the impacts of water in Alexander Valley on the RRPOA website.

RRPOA Advisor Adriane Garayalde shared that she has been working on river projects for nearly 20 years. What is transpiring in Alexander Valley is very similar to what happened in the Klamath basin. As Brad pointed out we need an entity so that agencies and governments have someone to work with. This is true not only for Potter Valley but for a potentially looming Groundwater Sustainability Agency.

Many of us are working on a number of different projects: innovation in water sharing, groundwater recharge, flood and erosion control, stream restoration and water management. The Water Sharing program is approved by the State of California. The intent of the program as to allow water users in the Russian River the opportunity to share their water and potentially avoid water right curtailments. That program is in the process of refinement now. Important to note, those who participated in the Water Sharing Program were allotted partial use of the 10,000 AF reserve. Those who chose not to participate, were not offered access to that water which provided relief from the curtailment orders.

Executing on these ongoing and new efforts will be difficult if we do not have a legally recognized entity. The cities, counties, agencies, and NGOs all have standing as these decisions are being made. The group most impacted: agriculture, does not.

Chair Petersen concluded his comments by sharing his concerns about the status of groundwater in Alexander Valley. It is likely that the Alexander Valley will be elevated to a medium priority basin. That designation will necessitate the formation of a district unless agriculture wants the county and local jurisdictions to make decisions about groundwater. Again, minus a district, agriculture will have no say.

Finally, we have issues with water rights that will need to be resolved. Water rights – who have water rights, who does not have water rights and who should have water rights are all under consideration as the Water Board anticipates that ongoing droughts and curtailments are a part of our future in the Russian River.

RRPOA Advisor Walter Keiser stated that he has a great deal of experiences in formation of government organizations/agencies/districts. Based upon that expertise, I have been working with the RRPOA to explore options to provide agriculture a voice. I want to talk about what we are proposing:

1. Formation of a “new” special district
2. Districts are regulated by State laws and exist all over the state with a high concentration in central valley agricultural regions.
3. District creation occurs via State legislation or through the LAFCO process.
4. Identify what the district will do (partial list)
5. Channel maintenance
6. Ecosystem health
7. Water management
8. Water conservation
9. Flood control
10. Groundwater recharge
11. District leadership
12. Leadership will be elected my members of the district
13. Limit membership to agriculture (those with over 5 acres of land) is one consideration
14. Include other interests: small water suppliers, rural residential, and wineries could be considered
15. Determine Board size and how elected (district/at large)
16. Identify who qualifies to hold a seat on the district board
17. Assessment to members
18. Identify what assessments will be used for
19. Identify priorities
20. Access to Potter Valley water
21. Management of water during drought to comply with curtailment orders
22. Groundwater recharge to provide water for the future and mitigation against upcoming regulations
23. Secure water associated with the Potter Valley project - we have no seat at the table because we have no entity

Chair Petersen asked for public comments/questions.

1. A member of the general public asked: “Who is legal representation for the district”?
2. Chair Petersen responded, Peter Kiel.
3. A member of the general public asked: “Has the Raines Creek Water District been contacted? The Raines Water District serves parts of Cloverdale and other agriculture communities.”
4. Chair Petersen responded no, but he will put on the list of water districts that we might collaborate with. Note, they would not be part of this proposed District.
5. A member of the general public asked: “There are a lot of lumber companies – would they be involved as they use water?”
6. Chair Petersen stated that is likely commercial water use, so probably not.
7. Board member David Fanucchi expressed concerns around water rights and groundwater. “We have plenty of water in our aquifer. Even in drought years we are at 19-22 feet. My concern is our water rights. Your draft program says that we will cooperate with agencies including Sonoma Water. The County of Sonoma needs to control growth….as smaller farmers will eventually be forced out due to cost of water. I am worried about my family and the next generation. I would like to see any statement state that the RRPOA use “may” work with Sonoma Water. And while they can offer recycled water – I do not necessarily want to use wastewater.”
8. Chair Petersen stated that the RRPOA is a champion of property rights. Based upon the draft support document for a district formation: we cannot take water rights from existing landowners. We can work to secure water from behind the dam. We have not intention of taking your rights away.
9. RRPOA Advisor Garayalde commented that for those with water rights, those rights are controlled by the State Water Board. They are not controlled by local entities. However, there is an allocation of 10,000 AF behind the dam that we need to collectively pursue.
10. Palomino Lakes Mutual Water Company President, David Taber, suggested that if we organize as a water district, we have a lot more say. “If we try to challenge policy as an individual, we have no ability.”
11. Chair Peterson responded that the RRPOA will have to work with the County, environmental agencies, Sonoma Water, the jurisdictions, and other growers. That is why we frequently refer to our effort as collaboration.
12. A member of the general public commented and asked: “I understand the different Groundwater Sustainability Agencies (GSA) have a different value for groundwater pumping assigned. How do you see that working out?”
13. Chair Petersen responded that the costs were set up by a governmental agency – they had very little concern for how much it would cost and how it would impact growers. This demonstrates one of the many reasons to have a locally controlled water district. If we decide to do nothing, the State will come in and do what the other GSAs have done.
14. Board Member Al Nelson restated the question from Board member Fanucchi: “Couldn’t we, in our draft statement supporting a District, instead of saying will – say may in terms of working with Sonoma Water?”
15. Chair Petersen suggested that would be fine.
16. Treasurer Ricki Pina stated that “If we do not collaborate, we won’t come to any solutions.”
17. Chair Petersen shared that the language will be reviewed by the RRPOA’s legal representation before it is sent.
18. Board member Nelson shared that his understanding is the special districts are by and large created at the local level. “90% of the districts are formed by LAFCO.”
19. Chair Petersen agreed that 90% are established by LAFCO and 10% the State.
20. Board member Nelson asked: “Would the district be considered an independent or dependent district?”
21. Chair Petersen stated that the district would be independent – The RRPOA has no interest in being beholding to another agency.
22. Guest Taber asked: “Will the entity be an agency or a corporation?”
23. Advisor Keiser responded that the current recommendation is an independent district with bylaws, not a corporation. As the district is formed, part of the tasks to be completed will include writing a charter and bylaws. As the district is enacted, it will operate within those charter conditions and bylaws.

12. A member of the general public asked: “Any idea of the annual operating cost?”

1. Advisor Keiser responded that at this moment is no…but we need to determine that so that we do not have an overinflated budget. The district will have a budget perhaps in the range of a half a million. A believable budget will be required to get approval. The potential members of the district will all have an opportunity to comment on this as the effort moves forward.
2. Chair Petersen suggested that costs will come down to what the water district intends to do. Groundwater monitoring to show a healthy water basin would be a good start. If we are successful at getting water from Potter Valley, that will present another action that could be undertaken by the district.
3. A member of the general public asked: “Will the assessment be based upon five acres in total or combined?”
4. Chair Petersen responded that the current plan is that the assessment of parcels over 5 acres would apply to a single parcel.
5. A member of the general public asked: “I assume that not everyone in the Alexander Valley with more than 5 acres, is now currently a member of the RRPOA. If we are a member, will we be affected by the district budget?
6. Advisor Keiser shared that once all the work occurs for the formation of a district, here will be a boundary for who is in and who is out. Also a vote will be taken by those affected by the district formation.
7. Board member Richard Rued asked: “How much water is within the district?”
8. Chair Petersen responded that number is unknown.
9. Board member Rued said: “I believe that there is more water in the ground than we know. We need to know how much water there is before we form a district.”
10. Chair Petersen asked: “Do you want to fund all the programs to understand how much groundwater is available?
11. A member of the public shared his experience from this last year: “I got inspected by the State Board for water usage. Any well that is under 50 feet-deep is not considered ground water within a quarter of mile of the RR itself is considered underflow. So that is not our water.”
12. Guest Taber stated: “Since Lake Mendocino was constructed, the Russian River has not run dry. Before access to that water from behind the dam, the Russian River did dry up in the summer months. We do not know how long groundwater will last without flow from Lake Mendocino.”
13. Chair Peterson responded: “That is correct, we do not know what the case will be.”
14. A member of the public asked: “How would these district fees be assessed?”
15. Advisor Keiser responded that this will be decided by the group as the effort progresses. Water use, well fees, acre-based fees – all are options. As an example: “the summer bridge assessment was based upon property size and how far away you are from the bridge”. The RRPOA will have to come up with assessment-logic that is based on a legal test. It will be the water district board that will decide this.
16. Treasurer Pina asked: “Regardless of how the fee is determined is it billed on your property taxes?”
17. Advisor Keiser responded that would likely be the case, the assessments would be collected by the County Controller. There are other options but collected as part of property taxes is common.
18. A member of the public asked: “Sonoma County uses the same amount of water as it did in 1994. Is that correct?”
19. Advisor Keiser responded that there have been major increases in water efficiency. Water conservation has dramatically reduced water use associated with development. The City of Santa Rosa is having difficulty meeting waste-water reuse commitment to the Geysers because of reduced water use in the communities.
20. Advisor Mike Martini shared that the Sonoma Water allocation has not increased whatsoever. Per use by contractor has dropped dramatically. Additionally, each of the cities have some groundwater emergency wells.
21. A member of the public suggested that to get urban support: “We need to share the benefits of agriculture to fire reduction”. This is not represented solely by grapes, but livestock and grazing are beneficial to fire zone management.
22. Guest Taber shared that as President of a small usage water company that even before rationing water use was down 50% in urban uses.
23. A member of the public asked: “What is the timeline for district formation?”
24. Chair Petersen responded that the current timeline with legislative process – is likely 2024. If we go the LAFCO route – it could be sooner or later?
25. A member of the public asked: “Is there any opposition to this water district forming?”
26. Chair Petersen Brad responded that he had not heard any, but that does not mean that there is not.
27. Advisor Martini said that to understand support and/or opposition is what today’s meeting is about. The RRPOA wants to answer any concerns so that we can speak in a single voice. It only works if we are clear in the message that we are here to deliver reliable water to landowners in Alexander Valley.
28. Board member Harry Black asked: “Where are the boundaries of the North Bay Water District (NBWD)?”
29. Advisor Martini responded that the NBWD would need to expand their sphere of influence to accommodate Alexander Valley needs. NBWD will have to do a review of service. There is an opportunity to utilize out of service agencies, such as NBWD as a stop-gap option.
30. A member of the public asked: “Right now are we assuming no one is representing Alexander Valley?”

A: Advisor Martini responded that over the last 30 years agencies and jurisdictions have wanted an entity to represent a collection of voices. Small, non-entity represented working groups do not have a voice. In GSA discussions, NBWD represented agriculture. There was no other option.

A: Chair Petersen shared that the work that has been put into this effort has been by the farmers.

A: Board Member Denny Murphy suggested that as far as the government is concerned, they do not care how are we are run. Today, we are all operating in an administrative-driven world. If we form the district, we can save enormous dollars…the local GSAs are a good example. We need a seat at the table. Other organizations have strong voices and want the tunnel taken out. Our goal is to figure out how to get water and the solutions include fish and people.

We need to present a project that supports long-term viability of the river, we want all efforts, dam removal and diversion to be combined as one effort. That is the only way to ensure that we get access to the water we need in the future.

Landowners have shown some success…. we have the groundwater recharge projects and I can assure you that no one engaged is in it for themselves. But for the group.

Chair Petersen expressed gratitude for all those who participated in the conversation and called for adjournment of the meeting.

A motion was made by Secretary Carolyn Wasem to adjourn. The motion was seconded by board member Harry Black. The motion was unanimously approved, and the meeting was adjourned at 5:20 pm.

Advisor Garayalde announced that for those participating in the Water Sharing Program, a survey needed to be filled out.

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