

**REGIONAL WATER AUTHORITY
REGULAR MEETING OF THE BOARD OF DIRECTORS
Thursday, March 11, 2021, 9:00 a.m.**

AGENDA

The public shall have the opportunity to directly address the Board on any item of interest before or during the Board's consideration of that item. Public comment on items within the jurisdiction of the Board is welcomed, subject to reasonable time limitations for each speaker. Public documents relating to any open session item listed on this agenda that are distributed to all or a majority of the members of the Board of Directors less than 72 hours before the meeting are available for public inspection in the customer service area of the Authority's Administrative Office at the address listed above. In compliance with the Americans with Disabilities Act, if you have a disability and need a disability-related modification or accommodation to participate in this meeting, please contact the Executive Director of the Authority at (916) 847-7589. Requests must be made as early as possible, and at least one full business day before the start of the meeting. The Executive Committee may consider any agenda item at any time during the meeting.

Note: Pursuant to the Governor's Executive Order N-29-20 and given the state of emergency regarding the threat of COVID-19, the meeting will be held via teleconference.

We encourage Committee members and participants to join the meeting 10 minutes early. Note that we will use GoToMeeting to share slides and other information during the meeting. Use the link below to join GoToMeeting. If you have a microphone that you can use with your computer, it should be possible to both listen to, and participate in, the meeting through GoToMeeting. If you do not have a microphone, or a headset with a microphone, that plugs into your computer via USB port, you will need to call into the conference line to listen and comment, although you still should be able to view the meeting materials on GoToMeeting. Please do not simultaneously use a microphone through GoToMeeting and the telephone conference line. That combination results in audio problems for all participants.

Meeting Information:

RWA Board meeting
Thu, Mar 11, 2021 9:00 AM - 11:00 AM (PST)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/287747405>

You can also dial in using your phone.

United States: [+1 \(571\) 317-3112](tel:+15713173112)

Access Code: 287-747-405

- 1. CALL TO ORDER AND ROLL CALL**
- 2. PUBLIC COMMENT:** Members of the public who wish to address the board may do so at this time. Please keep your comments to less than three minutes.

**3. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL –
ANTICIPATED LITIGATION**

Initiation of litigation pursuant to Government Code § 54956.9, subdivision (d)(4): One case, concerning Bay-Delta water quality control plan.

4. REPORT FROM CLOSED SESSION

5. CONSENT CALENDAR: All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request an item be removed for separate consideration.

a. Minutes of the January 14, 2021 Board of Directors Meeting

b. Adopt the revised RWA Board Meetings Schedule for 2021

Action: Approve Consent Calendar Items

6. RWA DUES STRUCTURE AND ALLOCATION

Information and Presentation: Jim Peifer, Executive Director

Action: Approve the Recommended Dues Structure and Allocation

7. SACRAMENTO CENTRAL GROUNDWATER AUTHORITY STAFFING

Discussion: Jim Peifer, Executive Director

8. LEGISLATIVE/REGULATORY UPDATE

Information and Presentation: Ryan Ojakian, Legislative and Regulatory Affairs Manager

9. SPACE PLANNING AD HOC COMMITTEE

Discussion: Sean Bigley, Chair

10. EXECUTIVE DIRECTOR'S REPORT

11. DIRECTORS' COMMENTS

ADJOURNMENT

Upcoming Meetings:

Executive Committee Meetings: Wednesday, March 24, 2021, 8:30 a.m. and April 28, 2021, 8:30 a.m. at the RWA Office, the location is subject to change depending on the COVID-19 emergency.

Regular Board Meeting: Thursday, May 6, 2021, 9:00 a.m., at the RWA Office, the location is subject to change depending on the COVID-19 emergency.

The RWA Board Meeting electronic packet is available on the RWA website at <https://rwah2o.org/meetings/board-meetings/> to access and print the packet.

RWA Board of Directors

2021 Chair: Sean Bigley

2021 Vice Chair: Dan York

S. Audie Foster, General Manager, California American Water

Evan Jacobs, Operations Manager, California American Water

Ron Greenwood, Board Member, Carmichael Water District

Cathy Lee, General Manager, Carmichael Water District

David Wheaton, Director, Citrus Heights Water District

Hilary Straus, General Manager, Citrus Heights Water District

Raymond Riehle, Director, Citrus Heights Water District (alternate)

Rebecca Scott, Principal Operations Specialist (alternate)

Kerri Howell, Councilmember, City of Folsom

Marcus Yasutake, Environmental/Water Resources Director, City of Folsom

William Lauritsen, Councilmember, City of Lincoln

Ray Leftwich, Public Works Director/City Engineer, City of Lincoln

Bruce Houdesheldt, Councilmember, City of Roseville

Sean Bigley, Assistant Environment Utilities Director, City of Roseville, Chair

Rich Plecker, Director of Utilities, City of Roseville (alternate)

Dale Olson, City of Roseville (alternate)

Pauline Roccucci, Councilmember, City of Roseville (alternate)

Jeff S. Harris, Councilmember, City of Sacramento

Michelle Carrey, Supervising Engineer, City of Sacramento

Bill Busath, Director of Utilities, City of Sacramento (alternate)

Anne Sanger, Policy and Legislative Specialist, City of Sacramento (alternate)

Martha Guerrero, Council Member, City of West Sacramento

Bill Roberts, Director of Public Works and Operations, City of West Sacramento

Grace Espindola, Councilmember, City of Yuba City

Diana Langley, Public Works Director/City Manager, City of Yuba City

Robert Matteoli, Board Member, Del Paso Manor Water District

John Lenahan, Board President, Del Paso Manor Water District

Pat Dwyer, Director/Board President, El Dorado Irrigation District

Jim Abercrombie, General Manager, El Dorado Irrigation District

Brian Mueller, Engineering Director, El Dorado Irrigation District (alternate)

Sophia Scherman, Board Chair, Elk Grove Water District

Bruce Kamilos, Assistant General Manager, Elk Grove Water District

Elliot Mulberg, Director, Elk Grove Water District (alternate)

Randy Marx, Board Member, Fair Oaks Water District

Tom Gray, General Manager, Fair Oaks Water District

<i>Paul Schubert</i> , General Manager, Golden State Water Company <i>Ernie Gisler</i> , Capital Program Manager, Golden State Water Company
<i>Robert Hunter</i> , Board Member, Orange Vale Water Company <i>Joe Duran</i> , General Manager, Orange Vale Water Company
<i>Robert Dugan</i> , Board Member, Placer County Water Agency <i>Tony Firenzi</i> , Director of Strategic Affairs, Placer County Water Agency <i>Andy Fecko</i> , General Manager, Placer County Water Agency (alternate) <i>Mike Lee</i> , Board Member, Placer County Water Agency (alternate)
<i>Les Clark</i> , Director, Rancho Murieta Community Services District <i>Tom Hennig</i> , Interim General Manager, Rancho Murieta Community Services District
<i>Patrick Kennedy</i> , Supervisor, Sacramento County Water Agency <i>Kerry Schmitz</i> , Division Chief, Water Supply, Sacramento County Water Agency
<i>Dave Jones</i> , Board Member, Sacramento Suburban Water District <i>Dan York</i> , General Manager, Sacramento Suburban Water District, Vice Chair <i>Kevin Thomas</i> , Board Member, Sacramento Suburban Water District (alternate)
<i>Dan Rich</i> , Director, San Juan Water District <i>Greg Zlotnick</i> , Water Resources and Strategic Affairs, San Juan Water District <i>Ted Costa</i> , Director, San Juan Water District (alternate)

RWA ASSOCIATES

Organization	Representatives
El Dorado County Water Agency	Brian Veerkamp , Director Ken Payne , General Manager
Placer County	Ken Grehm , Director Public Works and Facilities Brett Storey , Principal Management Analyst
Sacramento Municipal Utility District (SMUD)	Arlen Orchard , General Manager/CEO Damien Waples , Strategic Account Advisor Ansel Lundberg , Energy Commodity Contracts Specialist
Sacramento Regional County Sanitation District (SRCSD)	Christoph Dobson , Director Policy and Planning Terrie Mitchell , Manager Legislative and Regulatory Affairs Jose Ramirez , Policy and Planning David Ocenosak , Principal Engineer
Sacramento Area Flood Control Agency (SAFCA)	Richard Johnson , Executive Director

RWA AFFILIATE MEMBERS

Organization	Representatives
Brown & Caldwell	Paul Selsky , Water Supply Planning, Vice President LaSandra Edwards , Civil Engineer May Huang , Engineer David Zuber , Vice President
California Pool & Spa Association	John Norwood , Executive Director
Cosumnes CSD	Steve Sims , Park Superintendent
Forsgren Associates, Inc.	Alan Driscoll , Division Manager Sergio Guillen , Division Manager, Sacramento
GEI Consultants	John Woodling , Vice President, Branch Manager Chris Petersen , Principal Hydrogeologist Richard Shatz , Principal Hydrogeologist
HDR, Inc.	Jafar Faghieh , Water Resources Engineer Ed Winkler , Client Development Lead
Sacramento Association of Realtors	David Tanner , Chief Executive Officer Christopher Ly , Chief Operations Officer
Sacramento Nevada GCSA	Kurtis Wolford , GCSAA Class A Superintendent Matt Dillon , CGCS
Stantec	Kari Shively , Vice President Vanessa Nishikawa , Principal Water Resources Engineer Yung-Hsin Sun , Principal Engineer Rebecca Guo , Senior Associate Water Resources Engineer Kirsten Pringle , Associate Public Affairs Specialist Ibrahim Khadam , Principal Engineer
West Yost Associates	Charles Duncan , President Abigail Madrone , Business Development Director Kelye McKinney , Engineering Manager I Jim Mulligan , Principal Engineer
Woodard & Curran (formerly RMC Water and Environment)	Ali Taghavi , Principal Jim Graydon , Senior Client Service Manager

**AGENDA ITEM 3. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL
– ANTICIPATED LITIGATION**

Initiation of litigation pursuant to Government Code § 54956.9, subdivision (d)(4):
One case, concerning Bay-Delta water quality control plan.

AGENDA ITEM 4. REPORT FROM CLOSED SESSION

AGENDA ITEM 5: CONSENT CALENDAR

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request an item be removed for separate consideration.

Action: Approve Consent Calendar Items

Attachments for each item follow in this order:

- 5a. Draft January 14, 2021 Board of Directors Meeting minutes
- 5b. Revised 2021 RWA Board Meetings Schedule

AGENDA ITEM 5a: MINUTES

Minutes of the January 14, 2021 Board of Directors Meeting

1. CALL TO ORDER

Chair Schmitz called the meeting of the Board of Directors to order at 9:00 a.m. as a teleconference meeting. Individuals who participated are listed below:

RWA Board Members

Evan Jacobs, California American Water
Ron Greenwood, Carmichael Water District
Cathy Lee, Carmichael Water District
David Wheaton, Citrus Heights Water District
Hilary Straus, Citrus Heights Water District
Marcus Yasutake, City of Folsom
Ray Leftwich, City of Lincoln
Bruce Houdesheldt, City of Roseville
Sean Bigley, City of Roseville
Bill Roberts, City of West Sacramento
Michelle Carrey, City of Sacramento
Grace Espindola, City of Yuba City
Diana Langle, City of Yuba City
Jim Abercrombie, El Dorado Irrigation District
Tom Nelson, Elk Grove Water District
Mark Madison, Elk Grove Water District
Randy Marx, Fair Oaks Water District
Tom Gray, Fair Oaks Water District
Paul Schubert, Golden State Water Company
Robert Hunter, Orange Vale Water Company
Robert Dugan, Placer County Water Agency
Tony Firenzi, Placer County Water Agency
Kerry Schmitz, Sacramento County Water Agency
Kevin Thomas, Sacramento Suburban Water District
Dan York, Sacramento Suburban Water District
Dan Rich, San Juan Water District
Greg Zlotnick, San Juan Water District

RWA Associate Members

Brett Storey, Placer County, José Ramirez, Sacramento Regional County Sanitation, and Ken Payne, El Dorado Water Agency

RWA Affiliate Members

Kelye McKinney, Charles Duncan and Abigail Madrone, West Yost Associates

Staff Members

Jim Peifer, Rob Swartz, Ryan Ojakian, Josette Reina-Luken, Amy Talbot, Cecilia Partridge, Monica Garcia and Ryan Bezerra, Legal Counsel

Others in Attendance:

Raymond Riehle, Rich Plecker, Pauline Roccucci, Pam Tobin, John Woodling, Peggy Vande Vooren, Paul Helliker, and Bruce Kamilos

2. PUBLIC COMMENT

Chair Schmitz reported that Tom Gohring, longtime Executive Director at the Water Forum, has announced his retirement. His replacement is Jessica Law.

3. CONSENT CALENDAR

- a.** Minutes from the November 12, 2020 Regular Board meeting
- b.** Adopt proposed RWA Board Meetings Scheduled for 2021
- c.** Accept the 2020 RWA Financial Audit Report

Motion/Second/Carried (M/S/C) Mr. Dugan moved, with a second by Mr. York, to approve the Consent Calendar Items. Evan Jacobs, California American Water, Cathy Lee, Carmichael Water District, David Wheaton, Citrus Heights Water District, Marcus Yasutake, City of Folsom, Ray Leftwich, City of Lincoln, Bruce Houdesheldt, City of Roseville, Michelle Carrey, City of Sacramento, Bill Roberts, City of West Sacramento, Grace Espindola, City of Yuba City, Jim Abercrombie, El Dorado Irrigation District, Tom Nelson, Elk Grove Water District, Randy Marx, Fair Oaks Water District, Paul Schubert, Golden State Water Company, Robert Hunter, Orange Vale Water Company, Robert Dugan, Placer County Water Agency, Kerry Schmitz, Sacramento County Water Agency, Dan York, Sacramento Suburban Water District and Dan Rich, San Juan Water District voted yes. The motion carried.

4. SACRAMENTO CENTRAL GROUNDWATER AUTHORITY STAFFING

Mr. Peifer gave a power point presentation. The Sacramento Central Groundwater Authority approached the RWA to provide staffing services to that organization similar to how staffing services are provided to SGA. The interest is in moving away from having Sacramento County staff the organization. He gave a brief overview of the origins of groundwater sustainability agencies in our region. He provided information on the options that the proposal provides including promoting efficient operation through cost sharing, shared staff, equipment and facilities. After several meetings of the three organizations, an MOU was adopted by the RWA, SGA and SCGA. Any potential changes in either operation or governance need to be financially beneficial and neutral to each authority. Better coordination, successful implementation of SGMA, improved and expanded services including additional financial recordkeeping, board packets and staffing levels continue to be discussed.

There was discussion on the expected timeline to provide additional information to the Board. Mr. Peifer stated that we are pursuing facilitation services to assist in bringing out issues related to the future changes to the organizations. Chair Schmitz indicated feedback would be brought back to the 3 x 3 Committee for consideration.

5. POLICY 500.3 REVISIONS – SUBSCRIPTIONS PROGRAM FEE POLICY

Mr. Peifer said that Policy 500.3 was originally developed to address agencies that were non RWA member water agencies that chose to participate in the Water Use Efficiency Program. The non-member agencies were charged an additional 20% on the subscription program and an additional 20% on what the non-members dues would be. The revisions to Policy 500.3 are to update the policy to encompass all RWA subscription programs for agencies that are not RWA members or associate members.

M/S/C Mr. Houdesheldt moved, with a second by Mr. Wheaton, to approve Policy 500.3 revision to the Board of Directors. Evan Jacobs, California American Water, Cathy Lee, Carmichael Water District, David Wheaton, Citrus Heights Water District, Marcus Yasutake, City of Folsom, Ray Leftwich, City of Lincoln, Bruce Houdesheldt, City of Roseville, Michelle Carrey, City of Sacramento, Bill Roberts, City of West Sacramento, Grace Espindola, City of Yuba City, Jim Abercrombie, El Dorado Irrigation District, Tom Nelson, Elk Grove Water District, Randy Marx, Fair Oaks Water District, Paul Schubert, Golden State Water Company, Robert Hunter, Orange Vale Water Company, Robert Dugan, Placer County Water Agency, Kerry Schmitz, Sacramento County Water Agency, Dan York, Sacramento Suburban Water District and Dan Rich, San Juan Water District voted yes. The motion carried.

6. 2021 POLICY PRINCIPLES

Mr. Peifer said that annually RWA Policy Principles are updated as appropriate. Mr. Ojikian said that there were two changes made to the Policy Principles on the issue of affordability. The Water Board conducted a survey with agencies focused on the impacts of the COVID pandemic on rate payers, delinquency, and debt accumulation. The policy changes are to get in front of the issue as much as possible before there is specific regulatory or legislative action. The Policy Principles allow the Executive Director to take an action on a legislative or regulatory action.

M/S/C Mr. Wheaton moved, with a second by Mr. Zlotnick, to approve the 2021 Policy Principles. Evan Jacobs, California American Water, Cathy Lee, Carmichael Water District, David Wheaton, Citrus Heights Water District, Marcus Yasutake, City of Folsom, Ray Leftwich, City of Lincoln, Bruce Houdesheldt, City of Roseville, Michelle Carrey, City of Sacramento, Bill Roberts, City of West Sacramento, Grace Espindola, City of Yuba City, Jim Abercrombie, El Dorado Irrigation District, Tom Nelson, Elk Grove Water District, Randy Marx, Fair Oaks Water District, Paul Schubert, Golden State Water Company, Robert Hunter, Orange Vale Water Company, Robert Dugan, Placer County Water Agency, Kerry Schmitz, Sacramento County Water Agency, Dan York, Sacramento Suburban Water District and Dan Rich, San Juan Water District voted yes. The motion carried.

7. 2021 FEDERAL AFFAIRS PLATFORM

Mr. Peifer said that the proposed updated 2021 Federal Affairs Platform was enclosed in the board packet. The platform was presented to the Federal Affairs Committee and the Executive Committee and is now recommended to the RWA Board of Directors for adoption. After the graphics are complete, the platform will be converted into a brochure that will be attached to election congratulation letters to members of Congress. The brochure will also be utilized to educate members of Congress and the new Administration officials on what our needs are.

M/S/C Mr. Jacobs moved, with a second by Mr. York, to approve the 2021 Federal Legislative Platform. Evan Jacobs, California American Water, Cathy Lee, Carmichael Water District, David Wheaton, Citrus Heights Water District, Marcus Yasutake, City of Folsom, Ray Leftwich, City of Lincoln, Bruce Houdesheldt, City of Roseville, Michelle Carrey, City of Sacramento, Bill Roberts, City of West Sacramento, Grace Espindola, City of Yuba City, Jim Abercrombie, El Dorado Irrigation District, Tom Nelson, Elk Grove Water District, Randy Marx, Fair Oaks Water District, Paul Schubert, Golden State Water Company, Robert Hunter, Orange Vale Water Company, Robert Dugan, Placer County Water Agency, Kerry Schmitz, Sacramento County Water Agency, Dan York, Sacramento Suburban Water District and Dan Rich, San Juan Water District voted yes. The motion carried.

8. ELECT 2021 RWA EXECUTIVE COMMITTEE

The Board of Directors elected the following members to the 2021 Executive Committee:

- Ron Greenwood, Carmichael Water District
- Sean Bigley, City of Roseville
- Michelle Carrey, City of Sacramento
- Bill Roberts, City of West Sacramento
- Paul Schubert, Golden State Water Company
- Tony Firenzi, Placer County Water Agency
- Kerry Schmitz, Sacramento County Water Agency
- Dan York, Sacramento Suburban Water District
- Dan Rich, San Juan Water District

9. ELECT 2021 RWA CHAIR AND VICE-CHAIR

The Board of Directors elected the Chair and Vice-Chair from the membership of the Executive Committee.

Sean Bigley was elected as the 2021 Chair.
Dan York was elected as 2021 Vice-Chair.

M/S/C Mr. Zlotnick moved, with a second by Ms. Espindola, to approve the election of Sean Bigley as Executive Committee Chair and the election of Dan York as Executive Committee Vice-Chair. The motion carried by the unanimous voice vote of all directors present.

10. EXECUTIVE DIRECTOR'S REPORT

Mr. Peifer said that RWA is interested in providing more support to the small and medium sized agencies by creating a list serve for general managers who would like to ask questions of their colleagues. Questions can range from legislative questions to HR policies and can be posted on the RWA website. The question will be distributed to all general managers on the list with a reply directly to the person who asked the question.

Mr. Peifer congratulated RWA 2020 award winners. The awards were presented to Kristin White and Kerry Schmitz for the Water Statesperson of the Year, Tom Gohring and David Underwood for Distinguished Service and Mark Madison was presented a Special 2020 Award. The Regional Water Management Award was presented to the 2020 Regional Groundwater Substitution Water Transfer Team.

11. DIRECTORS' COMMENTS

Mr. Greenwood said that Carmichael Water District continues to try to fill a board member position.

Mr. Yasutake thanked Ms. Schmitz for her work as the 2020 Executive Committee Chair.

Ms. Carrey reported that the City of Sacramento is at 99% metered.

Mr. Roberts reported that the City of West Sacramento is 75% metered. He congratulated all the award winners.

Mr. Madison said that Elk Grove Water District is working to advance legislation to increase fines for water theft.

Mr. Schubert thanked the 2020 Executive Committee for their leadership.

Mr. Smith said that although he is stepping down as an Executive Committee member, he plans to continue to be engaged in RWA activities. He feels that the RWA is becoming more relevant and important.

Chair Schmitz thanked everyone for their work and support in 2020. She congratulated the award recipients.

Mr. York congratulated the award recipients. He said that Mark Madison has been an excellent support sharing his expertise and opinions. He thanked everyone for their continued support for him to remain on the Executive Committee.

Adjournment

With no further business to come before the Board, Chair Schmitz adjourned the meeting at 11:32 a.m.

By:

Chairperson

Attest:

Josette Reina-Luken, Board Secretary / Treasurer

AGENDA ITEM 5b: REVISED MEETING SCHEDULE

BACKGROUND:

RWA Board meetings are normally held on the second Thursday of every other month. The meetings begin at 9:00 a.m. Following is the proposed schedule of meetings for 2021. The second Thursday of May is during the ACWA Spring Conference and staff proposes to hold the May RWA board meeting one week early, on May 6th.

Current RWA Board Meeting Schedule	Meeting Conflict	Proposed 2021 RWA Board Meeting Schedule
March 11, 2021		March 11, 2021
May 13, 2021	ACWA Spring Conference May 12-13	May 6, 2021
July 8, 2021		July 8, 2021
September 9, 2021		September 9, 2021
November 4, 2021		November 4, 2021

AGENDA ITEM 6: RWA DUES STRUCTURE AND ALLOCATION

BACKGROUND:

The RWA dues structure has been largely the same since the formation of the RWA in 2001. Over time, there has been substantial growth by some of the RWA member agencies in the form additional connections. A few members have stated concerns over the existing dues structure. These concerns generally involve potential inequities including paying through two organizations (in the case of receiving water from a wholesale supplier), being a member outside the American River watershed, or other potential concerns.

Past Chair Schmitz formed a Dues Ad Hoc Committee to make a recommendation to the Executive Committee on a revised dues structure. The committee included Tom Gray, Michelle Carrey, Robert Dugan, Paul Schubert, Ron Greenwood, Marcus Yasutake and Kerry Schmitz. RWA staff developed multiple options for determining dues and worked extensively with the committee to refine a preferred option.

The proposed dues structure in general is a declining block structure based on the number of service connections. Discounts are provided to member agencies that are outside the American River watershed. San Juan Water District is recognized within the large agency category, but in a manner that reduces its dues to address the inequity among the San Juan Water District retail agencies.

If approved, this newly proposed dues structure would be incorporated into RWA's fiscal year 2021-2022 budget.

EXECUTIVE COMMITTEE RECOMMENDATION:

During the February 22nd Executive Committee (EC) meeting, the EC unanimously agreed to recommend the newly proposed RWA dues structure to the Board of Directors.

Information and Presentation: Jim Peifer, Executive Director

Action: Approve the Recommended Dues Structure and Allocation

Attachment: Fiscal Year 2021 Dues Scenario (under the recommended structure)

	2020 Retail Connections	First 3,000 Connections	3,001-7,000 Connections							
Small agencies		\$2.20	\$1.10				Proposed Dues	Current Dues	Difference	Percent Change
Del Paso Manor WD	1,799	\$ 3,958					\$ 3,958	\$ 6,386	\$ (2,428)	-38%
Rancho Murrieta CSD	2,712	\$ 5,966					\$ 5,966	\$ 9,628	\$ (3,662)	-38%
Orange Vale WC	5,809	\$ 6,600	\$ 3,090				\$ 9,690	\$ 9,968	\$ (278)	-3%
		Up to 30,000 Connections								
Medium agencies		\$2.20								
Carmichael WD	11,695	\$ 25,729					\$ 25,729	\$ 25,729	\$ -	0%
Elk Grove WD	12,756	\$ 28,063					\$ 28,063	\$ 28,063	\$ 0	0%
Fair Oaks WD	14,241	\$ 31,330					\$ 31,330	\$ 31,330	\$ 0	0%
City of West Sacramento (1)	15,425	\$ 33,935					\$ 30,542	\$ 33,935	\$ (3,394)	-10%
Golden State WC	17,059	\$ 37,530					\$ 37,530	\$ 37,530	\$ (0)	0%
City of Lincoln	18,973	\$ 41,741					\$ 41,741	\$ 41,741	\$ (0)	0%
Yuba City (1)	19,173	\$ 42,181					\$ 37,963	\$ 42,181	\$ (4,218)	-10%
Citrus Heights WD	19,937	\$ 43,861					\$ 43,861	\$ 43,861	\$ 0	0%
City of Folsom	21,990	\$ 48,378					\$ 48,378	\$ 48,378	\$ -	0%
		Up to 30,000 Connections	Up to 40,000	Up to 50,000	Up to 60,000	Over 60,000				
Large agencies		\$2.20	\$1.10	\$0.55	\$0.28	\$0.07				
San Juan WD (2)		\$ 66,000					\$ 66,000	\$ 77,751	\$ (11,751)	-15%
Placer County WA	37,963	\$ 66,000	\$ 8,759				\$ 74,759	\$ 77,751	\$ (2,992)	-4%
El Dorado ID	41,992	\$ 66,000	\$ 11,000	\$ 1,096			\$ 78,096	\$ 77,751	\$ 344	0%
City of Roseville	45,796	\$ 66,000	\$ 11,000	\$ 3,188			\$ 80,188	\$ 77,751	\$ 2,436	3%
Sacramento Suburban WD	47,633	\$ 66,000	\$ 11,000	\$ 4,198			\$ 81,198	\$ 77,751	\$ 3,447	4%
Sacramento County WA	56,939	\$ 66,000	\$ 11,000	\$ 5,500	\$ 1,908		\$ 84,408	\$ 77,751	\$ 6,657	9%
CA American Water	59,803	\$ 66,000	\$ 11,000	\$ 5,500	\$ 2,750		\$ 85,250	\$ 77,751	\$ 7,499	10%
City of Sacramento	141,435	\$ 66,000	\$ 11,000	\$ 5,500	\$ 2,750	\$ 5,375	\$ 90,625	\$ 77,751	\$ 12,873	17%
	593,130	\$ 877,276	\$ 77,850	\$ 24,982	\$ 7,408	\$ 5,375	\$ 985,274	\$ 980,741		
							\$ 4,533			

(1) Agency is outside of core American River Basin region, so it receives a 10% discount on its dues after they are calculated based on the number of connections.

(2) San Juan Water District Wholesale is a community services district that provides drinking water to 160,000 people in portions of Sacramento and Placer Counties, so it is treated as the minimum size of a large member agency.

AGENDA ITEM 7: SACRAMENTO CENTRAL GROUNDWATER AUTHORITY

BACKGROUND:

The purpose of this item is to provide updates to the Board of Directors on developments regarding the RWA providing staffing services to the Sacramento Central Groundwater Authority.

Work continues to obtain facilitation services for exploring issues related to the proposed integration efforts. A copy of the facilitation scope from Consensus Builders Institute is attached.

Discussion: Jim Peifer, Executive Director

Attachment: CBI facilitation scope

Scope of Work

Facilitation Services for Sacramento Central Groundwater Authority and Sacramento Groundwater Authority

Submitted to:

Jim Peifer, RWA/SGA Executive Director, jpeifer@rwah2o.ORG

Jessica Law, Executive Director, Water Forum, JLaw@waterforum.org

John Woodling, SCGA Interim Executive Director, jwoodling@geiconsultants.com

Submitted by:

Gina Bartlett, Senior Mediator

Consensus Building Institute

160 Delmar Street, San Francisco, CA 94117

Tel: 415-271-0049

Gina@CBI.org

8 February 2021

The Consensus Building Institute (CBI) is pleased to present this scope of work for providing facilitation services to consider a strategy for shared operations of the Regional Water Authority (RWA), the Sacramento Groundwater Authority (GSA), and the Sacramento Central Groundwater Authority (SCGA). The work would occur in two phases: Phase 1 would be an assessment to prepare for a joint board meeting and to frame key issues for this effort, including the design of Phase 2. Phase 2 would involve a governance dialogue that would lead to a potential agreement on consolidating SGA and SCGA.

CBI provides impartial facilitation and mediation services. CBI facilitators work in close partnership with staff, yet maintain independence with regard to process and impartiality with regard to outcomes.

Scope

Period of Performance

Phase 1: February to June 2021

Phase 2: July 2021 – July 2022

Cambridge, MA: 100 CambridgePark Drive, Suite 302, Cambridge, MA 02140 | Tel (617) 492-1414

Washington, DC: 1875 Connecticut Ave NW, 10th Floor, Washington, DC 20008 | Tel (202) 499-6882

Other Locations: New York, NY | San Francisco, CA | Denver, CO | Santiago, Chile | Montréal, Canada

cbi.org | inquire@cbi.org

Phase 1: Issue Identification

Task 1: Design and Facilitate Joint Board Meetings

CBI would work with staff to plan and facilitate a joint SCGA-SGA-RWA board meeting to seek input on issues of shared staffing and resources. During this meeting, the board would receive an in-depth presentation on shared staffing scenario. The intent would be to have the SCGA-SGA-RWA to decide on the staffing proposal. Staff may determine that the decision would need to be considered at a subsequent session. The initial joint board meeting would also be an opportunity to meet the facilitator and share any guidance with the facilitator for her work.

This meeting would be followed by a joint SGA-SCGA board meeting that explores issues and concerns related to governance. The meeting would set the stage to frame governance questions that the boards would have to consider under Phase 2. CBI would present the assessment interview findings and recommendations for Phase 2. Board members could discuss and add to the interview findings. The Board could also weigh in on the recommendations for Phase 2, Governance Dialogues.

The goal of this task would be to reach a go / no-go decision on moving to Phase 2. This vote could provide an important threshold of commitment to embark on Phase 2,

- Decision 1: SCGA-SGA-RWA would decide on the staffing proposal.
- Decision 2: SCGA-SGA would decide on whether a feasible governance model exists to move forward with Phase 2 governance discussions.

Activities

- + Meet with staff to understand previous board discussions on this topic and begin to develop an agenda for the joint board meetings.
- + Meet with boards' ad hoc committee to review agenda, vet draft proposals, and plan for joint sessions.
- + Meet with staff up to 3 times per joint board meeting to finalize agendas and plans for joint board meetings, including all logistics for virtual meetings and public comment.
- + Facilitate joint sessions of board. Provide online meeting technical specialist as needed to support smooth virtual engagement.
- + Help prepare proposals for Board consideration re: whether and how to proceed with Phase 2.
- + Document input received to inform future work.
- + Conduct briefing with Stantec and DWR (if Facilitation Support Services funds contract) on work completed and plans for Phase 2.

Task 2: Assessment Interviews

CBI would conduct interviews with key stakeholders reflecting the range of perspectives from SCGA and SGA. These interviews would commence after the SCGA-SGA-RWA board meeting and prior to the SGA-SCGA board meeting. Interviews would be exploratory conversations aiming to understand the range of perspectives on the potential consolidation and to identify key issues and concerns that the Phase 2 Governance Dialogues would need to address. The interviews would be confidential; CBI

would share findings without attribution. CBI could consult with SCGA, SGA, or RWA counsel to ensure interviews were conducted in a manner compliant with the Brown Act.

Activities

- + Meet with staff to identify up to 15 individuals to represent the range of viewpoints on these issues.
- + Identify interview guide to frame interview discussion questions.
- + Coordinate and schedule interviews.
- + Analyze findings and prepare memo detailing key issues and presentation for board meeting.
- + Vet findings with staff.
- + Vet findings with ad hoc committee.
- + Develop recommendations for if and how to proceed with Phase 2, outlining discussion topics and issues for resolution.
- + Vet recommendations with staff for refinement and feasibility.
- + Finalize assessment findings and recommendations for Board presentation.

Phase 2: Governance Dialogue

Based on the assessment findings and recommendations as well as the Joint Boards' feedback and direction, CBI would work with staff to create a sequence of discussion topics aimed to explore and negotiate governance necessary to achieve staffing goals. CBI would envision working closely with staff from all three agencies as well as an ad hoc committee of the SGA and SCGA Boards to design a process to work through a suite of issues related to potential consolidation (board composition, voting, funding, etc.). The goal would be a set of outcomes to clarify the structure of a consolidated agency that enjoy widespread support among board members. CBI would envision that this process would also need to create a road map for implementation should the Boards decide to proceed.

Activities

- + Develop work plan to address key topics associated with governance decisions for staffing and potential consolidation.
- + Identify thresholds for go / no-go decisions and milestones so that the Boards have an opportunity to check in formally to assure they are comfortable proceeding.
- + Work closely with staff to plan ad hoc committee meetings, and agency board meetings. CBI would envision meeting every two weeks with staff during this phase.
- + Meet periodically with ad hoc committee to confirm approach for Board meeting time.
- + Design and facilitate up to 12 ad hoc committee meetings to seek input and guidance on governance decisions.
- + Participate in up to 12 Board meetings to report progress of the ad hoc committee and solicit feedback.
- + Hold periodic conference calls with Board members so the facilitator can understand firsthand any concerns or issues that need to be addressed. These calls would be consistent with the Brown Act: the facilitator would not attempt to build agreement during calls, rather to deepen understanding of perspectives to inform shaping the agenda for public Board meetings.
- + Consult with counsel when ready to document governance agreements in formal document.

- ✦ Depending on the need, organize outreach with the public and stakeholders at key junctures. These might take the form of public workshops or briefings at existing meeting venues.

Budget

Since applying to the FSS program, Stantec typically does the budget estimates for these efforts. CBI is happy to provide an hours estimate for this endeavor if helpful.

About CBI

The Consensus Building Institute (CBI), founded in 1993, improves the way that leaders collaborate to make organizational decisions, achieve agreements, and manage multi-party conflicts and planning efforts. A nationally and internationally recognized not-for-profit organization, CBI provides strategic planning, organizational development and high-skilled facilitation for state and federal agencies, non-profits, and international development agencies around the world. CBI senior staff are affiliated with the MIT-Harvard Public Disputes Program and the MIT Department of Urban Studies and Planning. CBI's Board includes leading theorists and practitioners of dispute resolution.

CBI staff's multi-organizational business and government, U.S. and international experience allows us to deliver seasoned experience and wide-ranging expertise to each organization's unique challenges. CBI brings decades of experience facilitating collaboration, mutual gains negotiation, and consensus building within and across organizations. In every project CBI undertakes, CBI mediators carefully design the process to build and maintain clarity on goals, roles, and outcomes. CBI's unique approach to facilitation results in highly effective consultation, dialogue, and agreement-seeking on complex strategy and governance issues.

CBI Staffing Qualifications

San Francisco-based senior mediator Gina Bartlett would be the lead facilitator working in partnership with the planning team. Ms. Bartlett has more than 20 years of experience and delivers the following value and expertise:

- Outstanding facilitation.
- Extensive experience in helping organizations work together effectively and creating governance structures to achieve their goals.
- Senior-level mediation skill to probe and resolve potential conflict productively.
- Adeptness at balancing expansive, strategic thinking with realistic goal setting, healthy pragmatism, and streamlined, deadline-focused outcomes.

Gina is a senior mediator and director of CBI's practice in the American West. Ms. Bartlett has served as a facilitator and mediator in consensus building and collaborative planning on complex public policy and organizational issues. She has extensive experience facilitating organizational strategy and governance, as well as mediating high-stakes, multi-party negotiations.

She has successfully mediated some of California's most vexing natural resource issues, in several cases helping parties to resolve issues litigated multiple times. Gina has helped leaders with diverse perspectives collaborate on a range of policy areas: water, natural resources, climate adaptation,

land management, scientific and technical issues, energy, and education. In her high-level policy work, she employs citizen engagement and communication tools to strengthen outcomes and build widespread support. She has recently been deeply engaged in building consensus to manage Lake Tahoe's shoreline, addressing nearly 30 years of conflict and litigation, and negotiating governance for newly formed groundwater sustainability agencies in California.

Gina works with organizations on strategic planning and governance, facilitating dialogue among decision makers to craft the strategic direction and focus of the organization and to design the structure necessary for implementation. In the last several years, she has worked on organizational initiatives with the Marin County Wildfire Authority, San Luis Rey groundwater basins in Southern California, Los Angeles Metropolitan Transportation Agency, Cleveland Indians Baseball Team Business Leadership Team, FairTrade USA, and the Western and Central Pacific Fisheries Commission.

AGENDA ITEM 8: LEGISLATIVE/REGULATORY UPDATE

BACKGROUND:

The bill introduction deadline was February 19th. There were just over 2,300 bills introduced. This represents a modest reduction over recent bill introductions in the first year of the two-year legislative session, where there have typically been approximately 3,000 bills introduced.

Policy Committee hearings start in the middle of March, but the majority of bills will be heard in first house policy committees in April. Publicly, the Legislature has maintained that the focus will be on addressing health and economic impacts of COVID, wildfire, and affordability with particular focus on housing and homelessness.

While the Legislature's focus is always potentially subject to change the likely biggest areas of interest for RWA are on water affordability, water efficiency, a resilience bond. At this time, the bills of greatest interest to RWA are:

SB 222 (Dodd D- Napa) related to low-income water rate assistance;
SB 223 (Dodd D- Napa) would expand on existing water shut off restrictions;
AB 1434 (Friedman D- Glendale) would revise the indoor portion of existing water use efficiency requirements;
SB 45 (Portantino D- La Canada Flintridge) \$5.5 billion resilience bond;
AB 1500 (E. Garcia D- Coachella) \$6.7 billion resilience bond.

It should be noted that of the 2,300 introduced bills over 600 of them are "spot" bills and could be amended with substantial content by the latter portion of March. Staff is currently tracking approximately 90 bills, and RWA has taken a position on 11 bills.

The budget is occurring in an ongoing fashion this year, with several issues being addressed early. There are two items that may or may not be addressed early that are relevant to RWA. First, there is some effort to take action on federal funds appropriated for water rate utility assistance. Second, the California Natural Resources Agency has requested appropriation of \$125 million of Prop 1 funds for habitat restoration that is associated with Voluntary Agreements.

AGENDA ITEM 9: SPACE PLANNING AD HOC COMMITTEE

The collective RWA and SGA staff have grown over time to meet the missions of both organizations and no longer has sufficient office space to accommodate new staff. The COVID-19 crisis is requiring much work to be done at home and may put off the immediate need for office space, but this may not be an appropriate long-term solution.

Chair Bigley is appointing a Space Planning Ad Hoc Committee. The scope of the Space Planning committee could be:

1. To provide recommendations to the Executive Committee and the Executive Director for the immediate or near-term office space needs of the RWA.
2. To provide recommendations to the Executive Committee and the Executive Director regarding the procurement of office space for the RWA over the next five years.

Chair Bigley has appointed the following members to the committee:

- Chair Sean Bigley
- Vice Chair Dan York
- Ron Greenwood
- Tony Firenzi

Discussion: Sean Bigley, Chair

AGENDA ITEM 10: EXECUTIVE DIRECTOR'S REPORT

MARCH 11, 2021

TO: RWA BOARD OF DIRECTORS

FROM: JIM PEIFER

RE: EXECUTIVE DIRECTOR'S REPORT

a. Strategic Plan Prioritization Meeting – an RWA Special Board Meeting will be held on March 19th at 3:00 pm to discuss the fiscal year 2021-2022 priorities for the Strategic Plan.

b. Communication and Outreach –

Media Outreach

- An RWA-sponsored article on the Supershed approach to water management (co-authored by Jeff Harris and Bruce Houdesheldt) is scheduled to be published in Maven's Notebook on March 8.
- Next up is an article exploring Forecast Informed Reservoir Operations (FIRO)—what it is and the benefits to the Sacramento region.

Utility and Rent Assistance

The Sacramento Housing and Redevelopment Agency (SHRA) is offering emergency rent and utilities assistance to Sacramento County renters impacted by COVID-19. The deadline for customers to apply is March 19. RWA developed and distributed several tools to help RWA members in Sacramento County communicate with customers who might qualify. These included a sample website/e-blast story, customer message to include with a flyer for direct mail or email, as well as social media posts and images.

Coffee and Conversation Events

- More than 50 attendees joined RWA for its second Coffee and Conversation event on March 5, featuring presentations on Sites Reservoir, SACOG's Green Means Go and RiverArc.

Dry Year/Water Efficiency Outreach

- RWA and the Water Forum held a Drought Planning and Coordination meeting on March 3 to bring together the region's general managers, water efficiency and communication staff to discuss drought planning and coordination at a regional level. Based upon information and feedback presented during the meeting, RWA is working on updating key messages for RWA members.
- RWA's Water Efficiency Program is planning a **special briefing on its 2021 Regional Water Efficiency Outreach program on Thursday, March 18 at 10 a.m.** To receive meeting access information, please RSVP your attendance at the following link: <https://forms.gle/hkirrmxaddwHCzwL6>.

- RWA's Water Efficiency Program is promoting finding and fixing household leaks throughout the month of March, with focused outreach during Fix a Leak Week (March 15-21). Several new tools and graphics are available for RWEPP participants in the Be Water Smart Tool Kit. You can contact Amy Talbot for access information.

Miscellaneous Outreach

- Mr. Swartz briefed the Cosumnes Subbasin groundwater sustainability ad hoc committee on the Regional Water Bank effort.
 - Mr. Peifer served on a panel for the California Water Commission's Northern California workshop on conveyance on January 12th.
- c. Grants Update** – Staff is currently managing five grants totaling \$21.3 million (see enclosed table). Staff is working with DWR on the funding agreement to accept the \$8.74 million Proposition 1 Integrated Regional Water Management (IRWM) Implementation Grant awarded in June 2020. The grant will help fund a suite of 11 projects submitted by RWA that support the American River Basin IRWM Plan that was adopted by RWA in July 2018. The final funding agreement is currently under review by DWR.
- d. Sacramento Regional Water Bank** –Water Bank, Phase 2 planning is getting underway. Program agreements are being executed by participating agencies. Phase 2 technical work will include: computer simulations of proposed operations to account for storage and recovery and ensure that operations are consistent with Sustainable Groundwater Management Act (SGMA) requirements; completion of environmental documentation; establishing governance; and continued outreach activities. Work is estimated to be completed in 2022.
- Mr. Mark Madison from the Elk Grove Water District requested that his email and other associated correspondence be included in the board packet.
- e. State Water Loss Regulation** - The State Water Board has issued a public water loss webinar workshop notice for March 24th from 1-3 pm. The purpose of this stakeholder meeting is to provide a detailed overview of the recently completed peer review of the proposed economic model and underlying assumptions, to explain the adoption or exclusion of peer reviewer suggestions, and to give stakeholders the opportunity to ask questions about the peer review. The meeting will also provide updates on the upcoming formal rulemaking process and timeline. See attached notice for more information.

Staff will provide documents for the workshop through the State Water Resources Control Board's 'Water Conservation Regulations' email list - You can subscribe to this email list at:

https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html.

Once the workshop documents are released, staff will schedule a call to discuss the findings. As a reminder, RWA partnered with David Mitchell on a series of water loss memos for previous workshops. We will be engaging with him again for this workshop in some capacity as well. RWA is also coordinating with the Water Loss Coalition (CMUA, ACWA and CA NV AWWA) on this effort. The formal rulemaking process is supposed to start sometime after this workshop.

- f. **Water Forum Negotiations** – The Water Forum Agreement is in the process of being renegotiated. Most of the work is going into defining the big picture issues that the Water Forum needs to resolve. A committee has been established to provide feedback to the Jessica Law, Water Forum Executive Director, and the facilitators on defining the big picture issues. This committee is called the 2x4 Committee and includes two members from each caucus including:
- a. Paul Schubert and Jim Peifer from the Water Caucus
 - b. Brian Holloway and Jim Ray from the Business Caucus
 - c. Clyde Macdonald and Ted Rauh from the Environmental Caucus
 - d. Inga Olson and Ansel Lundberg from the Public Caucus

Attachments

1. Emergency Financial Assistance Available for Rent and Utility Bills Information
2. Email from Mark Madison on Water Bank Phase 2 with letter from Mr. Madison to John Woodling
3. Water Loss Regulation Notice

**Regional Water Authority
Template Text for SHRA Emergency Assistance Program
February 24, 2021**



Sample Letter/Message to include with the SHRA flyer

Emergency Financial Assistance Available for Rent and Utility Bills

Dear Customer:

If you are a renter who needs help paying for rent and utility bills due to COVID-19, **you may qualify for a new emergency relief program** from the Sacramento Housing and Redevelopment Agency (SHRA).

SHRA is offering rental households **emergency financial assistance for past due rent or utility bills**. This includes funding assistance to qualified applicants for back rent and/or utility bills in arrears from April 1, 2020 through March 1, 2021.

Applications will be accepted only until March 19, 2021.

Enclosed is a flyer with more information, including eligibility requirements. To find out if this program can help your family, learn if you qualify, and submit an application, please visit www.shra.org/sera.

Sample Website/E-blast Story

Emergency Financial Assistance Available for Rent and Utility Bills

The Sacramento Housing and Redevelopment Agency (SHRA) is offering a new program to help Sacramento County renters impacted by COVID-19 catch up on past due rent and utility payments.

The Sacramento Emergency Rental Assistance program provides funding assistance to qualified applications for back rent and/or utility bills in arrears from April 1, 2020 through March 1, 2021.

To be eligible for the assistance, applicants must be renting housing in the City or County of Sacramento; have household gross annual income at or below low-income limits ranging from \$48,350 for a household of one to \$91,150 for a household of 8; and must have at least one household member that is unemployed, or has experienced a reduction in household income, incurred significant costs, or has experienced a financial hardship due to COVID-19. Eligible applicants must also demonstrate a risk of being unhoused or housing instability.

Landlords can apply for assistance on behalf of their tenants and tenants may also apply on their own behalf.

Applications will be accepted online until March 19 at www.shra.org/sera.

Sample Social Media Text

Twitter

EMERGENCY RENT AND UTILITIES RELIEF—please spread the word! @SHRAhousing is offering a new program to help Sacramento County renters who are struggling to make rent or utility payments due to COVID-19. The deadline to apply is March 19. Learn more: shra.org/sera.

Facebook and Instagram

EMERGENCY RENT AND UTILITIES RELIEF—please spread the word!

@SacramentoHousingAndRedevelopmentAgency is offering a new program to help Sacramento County renters who are struggling to make rent or utility payments due to COVID-19. The deadline to apply is March 19. Learn more and apply at shra.org/sera.

Images available to support:



Jim Peifer

From: Mark Madison <MMadison@egwd.org>
Sent: Wednesday, January 27, 2021 3:25 PM
To: Rob Swartz; Jim Peifer
Cc: Woodling, John; Bruce Kamilos; tanelson@citlink.net
Subject: Water Bank Phase 2 Agreement
Attachments: Letter - SCGA Groundwater Substitution Transfers 7-27-20.pdf; Woodling Letter 7-27-20.pdf

Rob & Jim,

Our District has thoroughly discussed your request and we are not comfortable in executing this Phase 2 Agreement at this time. By this email, I request that you provide this response to the other RWA members, perhaps as correspondence during the next RWA meeting. I want everyone to fully understand our concerns and recommendations. I did not want to copy others on this as it could trigger responses that would cause a problem with the Brown Act.

Last June, our District objected to the Groundwater Substitution Transfer (Transfer) as it pertained to the South American Subbasin. The comment letter sent to the State Water Resources Control Board (SWRCB) and the City of Sacramento is attached. In that letter, we recommended that the SWRCB deny the South American portion of the Transfer essentially on the basis that it was premature. Our position in that regard has not changed.

In July, we also sent a letter to John Woodling of the Sacramento Central Groundwater Authority (also attached) further expressing our position on this Transfer, as well as future contemplated transfers, and outlined five actions that must be completed before future transfers occur. Our position in this regard also has not changed.

Having said that, we recognize that to a certain extent the activities proposed as part of the Phase 2 effort comply with the fourth action requested in our letter to John Woodling. However, and as I expressed to you over the phone, we think it is imperative to resolve and agree on the basic principles first. We also believe that we do not have to, nor would it be wise to, expend an additional \$1.2 million dollars before these basic principles are agreed upon, in writing.

These principles should be developed and agreed to by all members of RWA, not just a select set of those participating in the Transfers or development of a Water Bank. These principles should also address a number of fundamental questions, and these questions are as follows:

1. What is the primary purpose of a Water Bank (Bank)?
2. What will be the geographical boundaries of the Bank?
3. Who will manage the Bank? Is SCGA going to allow RWA to manage a Bank in its jurisdictional area?
4. Does RWA have jurisdiction in its present Joint Powers Agreement to operate a Bank? If not, what must be done to provide RWA with that jurisdiction?
5. How will deposits (recharge) actually be made into the Bank? Is in-lieu recharge, which is simply pumping less than what you used to pump, a real and acceptable form of recharge?
6. How much groundwater can be withdrawn from the bank, as a percentage of the withdrawals, over certain prescribed periods of time?

7. What is the baseline condition that must be met before withdrawals can be taken from the Bank?
8. Relative to the South American Subbasin, is it acceptable to take withdrawals when the Basin has a current storage deficiency? What if it has a projected storage deficiency due to planned growth or climate change?
9. Is it acceptable to transfer groundwater withdrawals, either directly or indirectly, out of the South American Subbasin, when that basin has a projected storage deficiency or when certain areas of that basin are not healthy?
10. Who should pay for the development of a Bank and who should reap any monetary benefits garnered by a Bank?

With these ten questions, the Florin Resource Conservation District/Elk Grove Water District requests that the RWA work with all RWA members to prepare and execute a set of principles that addresses each and every question. We also request and recommend that these principles be approved by the RWA Members before proceeding with the Phase 2 efforts.

Thank you.

-Mark

Mark J. Madison
General Manager
Florin Resource Conservation District/
Elk Grove Water District
9257 Elk Grove Blvd.
Elk Grove, CA. 95624
(916) 685-3556



July 27, 2020

John Woodling
Interim Executive Director
Sacramento Central Groundwater Authority
827 7th Street
Sacramento, CA 95814

GROUNDWATER SUBSTITUTION TRANSFERS FROM THE SOUTH AMERICAN SUBBASIN

On July 6, 2020, the City of Sacramento (City) received notice from the State Water Resources Control Board (State Water Board), Division of Water Rights, that the City's application for temporary transfer of up to 14,000 acre-feet of water to State Water Contractor (SWC) agencies was approved. The City proposes to transfer water to SWC agencies by means of groundwater substitution. Of the 14,000 acre-feet of water transferred, 4,000 acre-feet would be groundwater pumped from the South American Subbasin (Basin). The Sacramento Central Groundwater Authority (SCGA) serves as a groundwater sustainability agency (GSA) responsible for sustainably managing the Basin. Therefore, any impacts to the Basin as a result of the approved groundwater substitution transfer will fall on the responsibility of SCGA.

During the comment period provided by the State Water Board, the Florin Resource Conservation District/Elk Grove Water District (FRCD/EGWD) provided comments on this matter in a letter through its attorney at Baker, Manock & Jensen. Our comments contend that there has not been a sufficient study conducted by SCGA to determine if groundwater extractions for water transfers out of the Basin would result in adverse impacts to the Basin. We indicated that there has been no data collected, no environmental review, and no establishment of a groundwater banking program or water accounting framework to assess the viability of a groundwater substitution transfer.

The Sustainable Groundwater Management Act (SGMA) established specific criteria that GSAs must comply with in sustainably managing a groundwater basin. The 2006 Groundwater Management Plan that SCGA currently uses for Basin management is

July 27, 2020
John Woodling

GROUNDWATER SUBSTITUTION TRANSFERS FROM THE SOUTH AMERICAN SUBBASIN

Page 2

outdated and does not meet the criteria of SGMA. As you are aware, SCGA is in the process of developing a groundwater sustainability plan (GSP) that will meet the requirements of SGMA. The development of the GSP should address groundwater substitution transfers out of the Basin and establish policies and procedures to regulate such transfers.

In reviewing the State Water Board Division of Rights' response entitled, "In the Matter of Permit 11360 (Application 12622) Petition for Temporary Change Involving the Transfer of Up to 14,000 Acre-Feet of Water from City of Sacramento to State Water Contractor Agencies" (SWB Response), the State Water Board identifies in its response that GSAs play a primary role in groundwater substitution transfers. On page 9 of the SWB Response, it states:

"SGMA requires GSAs to consider the interests of all beneficial uses and users of groundwater, including groundwater dependent ecosystems (GDEs), during the development and implementation of GSPs pursuant to Water Code section 10723.2. The Sacramento transfer is coordinated with the Sacramento Groundwater Authority (SGA) and SCGA, who are the GSAs for the North American and South American Subbasins, respectively, that cover the transfer. The State Water Board agrees that early coordination with GSAs will help determine whether water transfer activities in a basin have potential impacts on GDEs, and GSPs should consider these impacts in the development of sustainability goals, minimum thresholds, and measurable objectives for comprehensive sustainable management criteria."

In essence, the State Water Board appears to be giving deference to local GSAs to make determinations on water transfer activities relative to potential impacts to the Basin and GDEs. Unfortunately, that did not occur.

The City notified SCGA of the water transfer by letter dated April 28, 2020. On May 1, 2020, three (3) days after the City's notification letter to SCGA, the City filed with the State Water Board the petition for a temporary transfer of up to 14,000 acre-feet. By these actions, the City prevented any early coordination with SCGA. In fact, we believe that the City willfully avoided coordination, as this item was not on the SCGA Board agenda for action, but only as a correspondence item. This left the SCGA Board of Directors unprepared, with inadequate information on this topic, and unable to take action on the matter before them. All three (3) agencies (City of Sacramento, Golden State Water Company and Sacramento County) involved in the water transfer from the Basin, through

July 27, 2020
John Woodling

GROUNDWATER SUBSTITUTION TRANSFERS FROM THE SOUTH AMERICAN SUBBASIN

Page 3

their representatives on the SCGA Board, acted in a manner that utterly lacked transparency. Ironically, not long ago, the SCGA Board overwhelmingly agreed that transparency should be a core value of SCGA's strategic plan.

It is also important to note that Sacramento County, while participating in this groundwater substitution transfer, remains largely in control of the SCGA as it provides staff, legal support, and financial management to the SCGA. This exemplifies the inherent conflict of interest between matters considered by both SCGA and Sacramento County and, in part, why it is vital to convert SCGA into an independent agency. In our opinion, SCGA cannot fulfill its regulatory responsibilities as required by SGMA until this separation occurs.

For this reason, the FRCD/EGWD objects to future groundwater substitution transfers out of the Basin until the following actions are completed:

1. The SCGA completes its Groundwater Sustainability Plan (GSP), which then must be approved by the Department of Water Resources (DWR).
 - a. This GSP must assess in part, not only the overall health of the Basin, but also the specific areas that have problems, providing a 20-year plan to achieve sustainability.
2. The SCGA should merge with the Regional Water Authority (RWA) and the Sacramento Groundwater Authority (SGA).
 - a. This will create an independent agency which will eliminate existing conflicts of interest.
3. The SCGA should codify its authority to establish and manage a regional groundwater bank (Bank) in the Basin, in coordination with the work that is being done by RWA on the Sacramento Regional Water Bank.
4. The SCGA should complete a Technical Feasibility Study, or participate in a regional study, that will supplement the GSP. The study should establish a Water Accounting Framework for the Basin, supported by groundwater modeling to evaluate how a Bank could work and to establish the operating parameters of such a Bank.
 - a. It is our opinion that SCGA should set a policy(ies) and be required to take action on any future groundwater transfers, ideally before an application is submitted to the State Water Board.

July 27, 2020
John Woodling

**GROUNDWATER SUBSTITUTION TRANSFERS FROM THE SOUTH AMERICAN
SUBBASIN**

Page 4

5. The SCGA should execute a cost/profit sharing agreement with any parties requesting to transfer groundwater or do a groundwater substitution. SCGA should receive a portion of the net revenues, since groundwater is a resource that will be managed by the SCGA. SCGA and the transferring parties could jointly find willing buyers and construct and execute the appropriate agreements with the buyer(s) and the State or Federal Agencies involved.

SCGA must assume a regulatory role in governing groundwater substitution transfers. The FRCD/EGWD requests that SCGA incorporate into its developing GSP the actions as listed above. It is refreshing that the State is following their commitment to grant local control, but SCGA must step up and accept that responsibility if that is to continue.

We understand that SCGA has significant technical and public outreach work ahead, in working with the other GSAs to develop a GSP for the Basin. It is also the responsibility of the SCGA to develop policies that will guide development and implementation of a GSP pursuant to SGMA. It is imperative, however, that the GSP address any groundwater substitution transfers out of the Basin in a manner that reflects the concerns above. Once again, until the impact of groundwater substitution transfers on the Basin is comprehensively studied, SCGA should oppose, or perhaps adopt a policy that does not allow, groundwater substitution transfers from the Basin.

Please do not hesitate to call me at (916) 685-3556 if you have any questions or require additional information.



MARK J. MADISON
GENERAL MANAGER

MJM/bk

State Water Resources Control Board

NOTICE OF PROPOSED WEBINAR

Public Stakeholder Workshop to Overview the Peer Review of the Proposed Water Loss Standards

Wednesday, March 24, 2021 – 1:00 p.m. to 3:00 p.m. P.S.T

Remote Participation Only

Meeting Link: [Click here to join the meeting](#)

Audio option via phone: +1 916-562-0861 (Dial-in); [531648876#](#) (Conference ID)

[Link to local Numbers](#)

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) will hold a public stakeholder workshop to receive input prior to initiation of the formal rulemaking process for the development of water loss performance standards. Interested persons can provide input at the meeting. This is an informal stakeholder workshop where a quorum of the State Water Board may be present, but the State Water Board will take no formal action.

BACKGROUND

Water Code [Section 10608.34, subdivision \(i\)](#) (Senate Bill (SB) 555, 2015) requires the State Water Board to adopt volumetric performance standards for water loss for urban retail water suppliers. Pursuant to section 10608.34, urban retail water suppliers are already required to submit annual water loss audit reports to the Department of Water Resources. These standards are structured to integrate seamlessly into future rules to implement Assembly Bill (AB) 1668 and SB 606 (2018). State Water Board Staff have solicited several rounds of comments and modified the proposed economic model to calculate performance standards per stakeholder comments, along with other components of the overall draft regulatory proposal. A peer review of the economic model and its underlying assumptions has been completed, and Staff plan to initiate the formal rulemaking process and associated comment periods soon after this workshop.

PRIOR STAKEHOLDER MEETINGS

The State Water Board has incorporated stakeholder input obtained through [eight public stakeholder workshops](#) and a series of focused group and individual calls with stakeholders in the regulatory proposal.

MEETING PURPOSE

The purpose of this stakeholder meeting is to provide a detailed overview of the recently completed peer review of the proposed economic model and underlying assumptions, to explain the adoption or exclusion of peer reviewer suggestions, and to give

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

stakeholders the opportunity to ask questions about the peer review. The meeting will also provide updates on the upcoming formal rulemaking process and timeline. Staff will provide documents for the workshop through the email list provided below.

- State Water Resources Control Board's 'Water Conservation Regulations' email list - You can subscribe to this email list at https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html

PROCEDURAL MATTERS

Due to ongoing circumstances related to the COVID-19 emergency, all public participation will be remote via an online hosted platform. This workshop will provide opportunities for stakeholder feedback. The presentation slides will be shared via the webinar platform.

NOTICE AND AGENDA

The notice and additional information on the agenda are available at the State Water Board's water loss program webpage:

https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/water_loss_control.html

CONTACT PERSONS

Any inquiries pertaining to this rulemaking should be addressed to:


Name:	Max Gomberg
Address:	State Water Resources Control Board 1001 I Street, 13 th Floor Sacramento, CA 95814
Phone:	(916) 322-3052
Email address:	max.gomberg@waterboards.ca.gov
Name:	Bethany Robinson
Address:	State Water Resources Control Board Division of Drinking Water Building P 850 Marina Bay Parkway Richmond, CA 94804
Phone:	(510) 620-6285
Email address:	Bethany.Robinson@waterboards.ca.gov

Backup contact:

Name: Melissa Hall
Address: State Water Resources Control Board
1001 I Street, 13th Floor
Sacramento, CA 95814
Phone: (916) 323-0373
Email address: melissa.hall@waterboards.ca.gov

March 4, 2021

Date



Jeanine Townsend
Clerk to the Board

AGENDA ITEM 11: DIRECTORS' COMMENTS