

Calaveras Local Agency Formation Commission

Regular Meeting Minutes - Monday October 20, 2014

1. **Call to Order/Pledge of Allegiance/Roll Call** – Order was called by Chair Callaway at 6:02 p.m. on Monday September 15, 2014 in the Calaveras County Board of Supervisors Chambers, County Administrative Center, and San Andreas California.

Commissioners Present

Merita Callaway, Chair County Member
Anita Paque, Vice-Chair Public Member
John Lavaroni, Special District Member
Tony Tyrrell, Special District Member
Bert Sobon, City Member
Jack Lynch, City Member

Commissioners Absent

Darren Spellman, County Member

Staff Present

John Benoit, Executive Officer

2. **Approval of Agenda:** Item #7 - *Workshop regarding the Mokelumne Hill Sanitary District Sphere of Influence Update* will be continued to a later date. **MOTION** by Commissioner Lynch to approve the Agenda as amended, second by Commissioner Sobon. Motion passed 4 yes, 0 no, 3 absent.
3. **Public Comment:** Comment by Joe Pacheli wishing to know whether or not the Valley Springs PUD Sphere of Influence was adopted and the Public was not informed. Benoit explained the requirements for a Sphere of Influence notice distribution.
4. **Consent Agenda:** **MOTION** by Commissioner Paque to Authorize Claims for September and October 2014, second by Commissioner Lunch. Motion passed 6 yes, 0 no, 1 absent.
5. **Brian Moss, Director of the Environmental Management Agency, will present and discuss Groundwater Legislation (AB 1739, SB 1168 and SB 1319) recently signed by the Governor and county activities regarding implementation of the legislation.**

Brian Moss, Director of the Environmental Management Agency, presented the Commission the Groundwater Legislation, which is embodied in AB 1739, SB 1168 and SB 1319 recently signed by the Governor; and, county activities regarding implementation of the legislation known as the Sustainable Groundwater Management Act. These bills provide tools for local agencies to manage groundwater in a sustainable manner.

The Act establishes definitions of sustainability, local agencies (Local Groundwater Sustainability Agencies (GSA's)) to manage and planning, and prioritizes basins with the most problems. Will impact groundwater management in the Central Valley and sets a timeline for implementation. The bill will go into effect on Jan 1, 2015. Groundwater sustainability plans must be prepared in areas of overdraft and areas with seawater intrusion or subsidence or degradation of groundwater quality.

The CVP project (surface water) was designed for agriculture in the Central Valley. Groundwater at present is not regulated excepting in adjudicated basins. Any basin can establish a GSA. Calaveras is part of a large critical water basin (East San Joaquin Water Basin) Can a sub-basin have a GSA? The East San Joaquin sub-basin is in a state of overdraft per DWR Bulletin 118. Will impact part of the Central Valley. It incorporates 70 Square miles of Calaveras County.

Brian showed some slides regarding groundwater levels in primary agricultural areas.

A GSA must consider the interests of a broad range of stakeholders and has new authority to manage groundwater, new tools to determine sustainable yield even though some of this does not work in Calaveras County. In Calaveras County there is a wide diversity of groundwater conditions. The legislation recognizes that rather than a one-size fits all. Each basin can be managed by one plan or multiple plans. These plans are exempt from CEQA requirements. DWR will adopt regulations by 2016 regarding coordination agreements and alternate plans of documentation. Ensures privacy information regarding wells.

A GSA will be required to submit annual reports to DWR.

The Act also provides for financial assistance through grant funding. In Calaveras County is hoping to receive funds for its groundwater management program, if available.

There is a portion of the legislation that the state will do the management if the local GSA does not do it or does not meet established timelines. The SWRCB can assess costs incurred if the locals do not do it.

The Act increases coordination between the GSA and local Planning Agencies. RCRC and CSAC made sure this was included in the legislation not wanting a repeat of what happened with AB 303 and AB 3030 in the past, where there was no local agency eligibility for grant funding. In terms of land use planning, the County or local jurisdiction has to be involved to be successful.

As for Calaveras County over the years. In 1998 Calaveras County adopted the well construction and destruction regulations in 1999 proof of groundwater related to land development, Through a grant program the County created a local agency groundwater protection program began regulating groundwater exports out of the county in 2002, which the County has never been required to enforce. The idea of transfer ordinances is also mentioned in the Legislation, which recognizes this.

Brian explained the concept of “Conjunctive Use”. Surface water used for groundwater recharge does not become groundwater and it does not mean the same amount could later be extracted due to factors such as drift and evaporation, for example.

Merita Callaway asked if there were any questions from Commissioners.

John Lavaroni asked who would be the Lead Agency to put this together for Calaveras County being that the only impacted area is around the Campo Seco Area? CCWD or the County? Brian Moss said it is undetermined at this time.

Merita Callaway asked how the GSA be developed? Brian Moss believes a meeting needs to take place between CCWD and put together a plan of how this is to occur and then take it to the local agencies. What about the other water agencies if they are in the area of the sub-basin? The reality is this applies to only one sub-basin in Calaveras County but the other agencies would still have an input and should be at the table.

Jack Lynch has a question regarding surface water being put into the groundwater and how is it not groundwater? The answer is because it is in the law.

Merita Callaway asked if there were any adjudicated wells in Calaveras County. Brian said no and explained the types of water in Calaveras County.

Merita Callaway asked if any member of the public wish to spoke.

A member of the public asked the status and flow of groundwater in Calaveras County?

Donna Leatherman, asked to be invited to these discussions and other water agencies be invited. Who is responsible or is in charge of regulating groundwater and the water agencies should be invited to participate in all discussions. Brian explained that the legislation allows for participation of anyone.

Merita Callaway stated, the only basin, which is impacted, is the East San Joaquin Co. Groundwater Sub-Basin.

Anita asked if each County has its own GSA or is there only one GSA per basin. Brian answered saying that several GSA’s can come together for example in the East San Joaquin Co Water sub-basin.

Peter Reice asked about issues with the Feds and California Environmental Act requirements and discussed sustainability issues and the upcoming water bond and a limited knowledge base on the subject. There are a lot of unknowns.

Merita Callaway asked if Calaveras County would participate in the Eastern San Joaquin sub-basin and it would be possible that Calaveras County could be part of that GSA.

Brian stated the legislation is still shaking out and not settled at this time. Merita asked how does this look like in terms of zoning and the general plan. Brian responded that zoning and the general plan would have a say.

Donna Leatherman asked if there would be a water element in the General Plan.

Merita replied saying there will be no water element but water will be incorporated elsewhere in the General Plan.

A power point presentation will be posted on the LAFCo website.

6. Executive Officer's report

- a. **CaLAFCo Conference:** October in Orange County was discussed by Commissioners Tyrell and Vice-Chair Paque and Executive Officer Benoit who attended.
- b. **Benoit reminded the Commissioners regarding the November 21st Ethics Training at 2:00 PM at the County Board of Supervisor's chambers.**

7. Commissioners Reports: None

8. Adjourn to LAFCo's next regular meeting: The meeting was adjourned at 7:13 p.m. The next regular meeting will be held on December 15, 2014 at 6:00 p.m. in the Calaveras County Board of Supervisors Chambers.

Minutes submitted by John Benoit.

DATED: _____

APPROVED: _____

Merita Callaway, Chair or, Anita Paque, Vice Chair
Calaveras Local Agency Formation