

READ AND CONSIDERED

DATE 9.8.17 Ballinger

City of Cotati  
Sonoma County, California



FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA

SEP 18 2017

BY [Signature]  
Deputy Clerk

August 8, 2017

Sonoma County Civil Grand Jury  
ATTN: Honorable Raima Ballinger  
Hall of Justice  
600 Administration Drive  
Santa Rosa, CA 95403

Dear Honorable Judge Ballinger,

In accordance with Section 933(c) of the California Penal Code, the City Council of the City of Cotati reviewed the 2016-2017 Civil Grand Jury report titled "Planning Groundwater Sustainability, To Meter or Not to Meter?" at our regularly scheduled City Council meeting on August 8, 2017.

As required under California Penal Code Section 933.05(a), the following are the City Council's response to the ten (10) findings:

We agree with Findings F1 through F9, with the following clarifications:

- 1) On F2, the JPAs were finalized and approved prior to the June 30, 2017 deadline.
- 2) On F3, the exemption from metering applies to wells that pump less than two acre-feet per year for domestic purposes. Also, while this translates to an average of about 1,785 gallons per day, the key factor is an annual, rather than a daily, total.
- 3) On F8, in addition to the two time periods listed, there will be a review of each Basin's JPA following submission of its Groundwater Sustainability Plan to the Department of Water Resources.
- 4) We also agree with the second part of F10 in that the groundwater sustainability agencies will need to have independence and maintain transparency when implementing their authority. We withhold comment on the initial part of F10, "*Influence by groundwater users, both large and small, may impede the goal of developing an accountability system on an aquifer's many users ...*".

As required under California Penal Code Section 933.05(b), the following are the City Council's response to the recommendations:

# City of Cotati

Sonoma County, California



**R1. Continue to work cooperatively in order to finalize and approve the JPA's by the State mandated June 30, 2017 deadline.**

**Response:** Recommendation R1 has been implemented. The member agencies approved the joint powers agreements to form the new groundwater sustainability agencies for each basin in April and May 2017. As required by the Sustainable Groundwater Management Act (SGMA), each groundwater sustainability agency held public hearings on the following dates in June 2017: June 1 (Santa Rosa Plain); June 7 (Sonoma Valley); and June 22 (Petaluma Valley). At these meetings, each of the boards of directors approved filing of the required documents with the State to become GSAs under SGMA. Staff filed these documents prior to the June 30, 2017 deadline.

**R2. Specifically instruct, through their JPA agreements that the three Groundwater Agencies pool technical resources and staff in order to avoid costly duplication.**

**Response:** Recommendation R2 has been implemented. The JPAs contain the following provisions regarding coordination:

“**WHEREAS**, in order to promote efficiency and sharing of resources, the Members individually and collectively, encourage coordination between GSAs in Sonoma County”.

“Section 4.05 – Coordination between Basins.

In order to maintain consistency and the efficient use of resources, to the extent feasible, the Agency shall endeavor to coordinate between and among the other Sonoma County GSAs for administration, matters involving public communication and outreach, and for developing frameworks to support groundwater management, which may include agreement to certain areas of coordination, provided that the Agency retain its own authority and that such recommendations are ratified by the Board. The Agency may clarify and acknowledge coordination among the other GSAs through a document or agreement if deemed appropriate.”

As the GSAs are beginning their activities, the desired coordination is being implemented. Technical, grant writing and outreach services are being conducted by the same staff for each of the basins to ensure efficiency and consistency. In support of this, a single data management system is being created for all three basins, utilizing State grant funding. In addition, the three interim administrators are meeting regularly to coordinate work and share information.

## **OTHER COMMENTS**

We also note that “Oversight” portion of the Grand Jury Report, it states that advisory panels for each basin will have five interest-based panel members. The description in the Grand Jury Report is for the Petaluma Valley advisory body.

For Santa Rosa Plain, there will be seven interest-based panel members appointed by the GSA board in the following categories:

# City of Cotati

Sonoma County, California



- 2 environmental representatives
- 2 rural residential well owners
- 2 agricultural interest representatives (surface water or GW user)
- Business community representative

Thank you for the opportunity to comment on the 2016-2017 Civil Grand Jury findings and recommendations regarding groundwater sustainability in Sonoma County. Should you have any questions, or need further information, please contact our City Manager, Damien O'Bid, at 707.665.3622 or [dobid@cotaticity.org](mailto:dobid@cotaticity.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Harvey". The signature is fluid and cursive, with a large loop at the end of the last name.

Susan Harvey  
Mayor

Cc:

Matthew Stone, Foreperson, Sonoma County Civil Grand Jury, P.O. Box 5109, Santa Rosa, CA 95402