

Big Valley Groundwater Sustainability Plan Advisory Committee (GSPAC)

Virtual Meeting

May 20, 2022, 11:00 a.m.–1:30 p.m.

Meeting Summary

The Big Valley Groundwater Sustainability Plan Advisory Committee (GSPAC) met on May 20, 2022, via Zoom videoconference. Below is a summary of key items discussed during the meeting. This document is not intended to be a meeting transcript; it focuses on the main points of the group’s discussion and highlights action items and recommendations that arise from the meeting. The agenda and full recording of the videoconference meeting is available on the Lake County Water Resources website at:

http://www.lakecountyca.gov/Government/Directory/WaterResources/Programs_P/Advisory_Committee_Documents.htm

ACTION ITEMS

- For all GSPAC meetings and related topics, comments may be submitted to the committee via email at water.resources@lakecountyca.gov. Please include “GSPAC” in the subject line of all related emails.
- GSPAC committee members should encourage potential candidates for open seats to join us during upcoming GSPAC meetings.
- Individuals interested in filling the empty GSPAC seats should send Marina Deligiannis an email at Marina.Deligiannis@lakecountyca.gov indicating which open seat they are interested in filling and to provide comments as to why they are suitable for the role.
- Sarah Ryan will send Deligiannis a list of recommended locations to post hard-copy event notices of the Prop 68 Workshop on June 15.
- Deligiannis will distribute a brief description of roles and characteristics for the vacant GSPAC seats.
- GSPAC members should send recommendations for prospective GSPAC members to Deligiannis.

GSPAC RECOMMENDATIONS

- During this meeting, the GSPAC offered a consensus recommendation to the Big Valley Groundwater Sustainability Agency (GSA) Board of Directors to add an additional Private User seat to the GSPAC (see notes under agenda item 8.1.2).

1. ROLL CALL

GSPAC Attendee Name	Member	Status
David Weiss	Bella Vista Farming Company	Present
Marina Deligiannis	Lake County Watershed Protection District	Present
Pat Scully	Scully Packing Company	Absent
Peter Windrem	Chi Council for the Clear Lake Hitch	Present
Rebecca Harper	Lake County Farm Bureau	Present
Sarah Ryan	Big Valley Band of Pomo Indians	Present
Scott Hornung	Lake County Special Districts	Present
Valerie Nixon	Lake County Land Trust	Present
Vacant	Disadvantaged Community Representative	N/A
Vacant	Private User – Domestic Well Owner	N/A

2. REVIEW AND APPROVE FEBRUARY 18, 2022 MEETING MINUTES

The GSPAC was offered the opportunity to provide comments on the February 18, 2022 GSPAC Meeting Minutes. GSPAC Lead, Marina Deligiannis, asked if there were any questions, clarifications, or comments on the meeting minutes from the previous quarterly GSPAC meeting.

David Weiss provided a correction to the fourth paragraph of page 6. The notes should reflect that he also represents farm workers and their groundwater interests as part of his GSPAC role.

Weiss made a motion to approve the February 18, 2022 meeting minutes. Val Nixon seconded the motion.

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3. BIG VALLEY GROUNDWATER UPDATES

3.1. Brief report of current groundwater conditions and drought-related information

Deligiannis provided an update on groundwater conditions and drought-related information. She shared the *My Dry Well Reporting* website via screenshare. To date, there have been 30 dry wells reported in Lake County overall, and nothing has been recently added. Lake County Water Resources is working closely with the County's Environmental Health and Community Planning & Development departments to develop an internal tracking mechanism for dry wells.

William Fox shared information about current groundwater conditions for each of the eight wells the GSA monitors regularly. Conditions are approximately the same as last year. Fox reflected that despite the drought, conditions in the basin are fairly stable.

Deligiannis shared an update on Executive Order N-7-22 and Senate Bill 552.

3.2. Technical Support Services (TSS) update

Fox provided an update on the TSS General Application process, which includes work toward improving well monitoring, especially in deeper aquifers.

4. Brown Act Overview and GSPAC Compliance

Anita Grant, Lake County's legal counsel, provided background information about the Brown Act for GSPAC members, which sets minimum parameters on legislative bodies' interactions with the public. She provided instruction for preventing violations of the Brown Act, such as serial meetings, adherence to the posted meeting agendas, protocols for special meetings, and offering consistent public comment periods.

Grant also shared information about the applicability of AB 361, which allows for the suspension of certain teleconferencing requirements, if state or local health officials recommend social distancing and the legislating body makes findings to act under AB 361. Grant touched on the difficulty of holding hybrid meetings and the continued uncertainty that exists related to COVID-19. Grant clarified that there is currently no allowance for the use of hybrid meetings for the sake of convenience. There are, however, certain laws under consideration in the legislature that would alter portions of the Brown Act.

5. Information Sharing on California Department of Water Resources (DWR) Technical Assistance (TA) Grant Program

Matt Naftaly and Claudia Flores, from the consulting firm Dudek, provided a presentation on Proposition 68's Technical Assistance Program for Tribal governments and underrepresented communities. Presentation slides for their portion of the meeting are posted on the website along with the recording of the entire GSPAC meeting.

Flores highlighted that there will be an in-person workshop on June 15 in Lake County, to assist in identifying unrepresented communities.

Sarah Ryan emphasized the relevance of the program to the Big Valley Band of Pomo Indians and recommended that the in-person workshop invitation be distributed to disadvantaged community members as soon as possible to ensure engagement. Ryan will provide Deligiannis with a list of recommended locations for posting hard-copy event notices to be distributed.

Naftaly clarified that the heat map shown in the presentation was designed to be adaptable and incorporates groundwater levels into the rubric.

6. Groundwater Sustainability Plan (GSP) and Related Activities' Update

6.1. GSP submission completed by January 31, 2022 deadline

Deligiannis shared that the GSA successfully submitted the Big Valley GSP by the January 31, 2022 deadline. She thanked the GSPAC members and all community members who contributed their time, expertise, and perspectives in the development of the GSP.

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6.2. DWR 75-day public review of Big Valley GSP completed

Deligiannis shared that the 75-day public review period of the Big Valley GSP has closed, and the subbasin received several comments. DWR is in the process of reviewing all comments that were submitted. The public comments are available to review on DWR's SGMA portal.

6.3. Initial Big Valley GSA Annual Report submitted by April 1, 2022 deadline

Deligiannis noted that the first Big Valley GSA Annual Report was submitted by the April 1, 2022 deadline. She highlighted that they were able to use DWR grant funds to prepare the first report.

6.4. GSP grant extension for GSP-related activities through August 2022

Deligiannis shared that the DWR grant was successfully amended for a new expiration date of August 2022.

7. GSPAC Members and Open Seats

7.1. Review returning GSP members, open seats, and open-seat descriptions

Deligiannis reviewed recent changes to the GSPAC's composition. She acknowledged that Peter Windrem is stepping down from GSPAC, and she thanked him for his contributions to the GSPAC. His designated Environmental/Ecosystem seat is now vacant. Deligiannis shared that Brenda Sullivan, who recently filled the Lake County Farm Bureau seat, has left for another opportunity and will be replaced by a new LCFB representative, Rebecca Harper. Deligiannis acknowledged the three vacancies that existed prior to today's meeting: the Private User/Domestic Well Owner seat previously filled by Sky Hoyt, the Private User seat previously filled by a school district representative, and the Disadvantaged Community seat which has never been filled. The following GSPAC members will continue to serve in their current roles: Pat Scully, David Weiss, Val Nixon, Sarah Ryan, Scott Hornung, and Marina Deligiannis.

The plan to fill the vacancies is to call a special meeting of the GSPAC and conduct a consensus seeking discussion. The four open roles include:

- Environmental/Ecosystem
- Disadvantaged Community
- Private Users – Domestic Well Owner
- Private Users

Ryan suggested the Board of Supervisors reconsider the number of seats assigned to each Beneficial User category. Deligiannis confirmed that there is room for that discussion. Peter Windrem commented that of the eight different beneficial user categories, only three of the seats are occupied by agricultural users, so he does not see the representation as unbalanced.

Deligiannis shared descriptions for the four open seats and initiated discussion regarding the vacant Environmental/Ecosystem seat and solicited the GSPAC's input. Ryan has reached out to Lake County CAN and the Sierra Club Water Committee. She noted that the Water Committee includes participants from Lake County, but it is broader in scope. Deligiannis suggested the replacement should have knowledge of the Clear Lake Hitch as a protected species. Val Nixon suggested the Clear Lake Environmental Research Center (CLERC) and the Audubon Society as possible entities for soliciting GSPAC seat holders.

Nixon suggested the GSPAC develop a short description of the level of commitment expected for GSPAC members. Deligiannis shared information on how "GSPAC 2.0" will relate to and rely on the GSPAC members differently during implementation than it did during GSP development. Previously, the GSPAC members were relied upon heavily to contribute to technical details. Moving forward, their activities will be more applied in nature—they will be "boots on the ground." Christy Clark acknowledged that a "job description" could be prepared for GSPAC members to distribute to colleagues, as they seek to identify representatives to fill the vacant GSPAC seats.

Deligiannis opened discussion regarding the vacant Disadvantaged Community seat. Previous discussions among the GSPAC have called attention to different types of disadvantages. Nixon

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noted that she shared lists of businesses in Kelseyville owned by Latinx people with Deligiannis, who confirmed receipt. Ryan observed that aside from domestic well owners, users of surface waters that could be interconnected with and impacted by groundwater levels may also be impacted by groundwater management. Such disadvantaged surface water users may be worth considering as representatives on the GSPAC.

Clark identified the June 15 workshop as a potential venue for facilitating the discussion about how disadvantaged communities could be engaged in GSP implementation.

Deligiannis opened discussion about the vacant Private User – Domestic Well Owner seat and the Private User seat previously filled by Kelseyville Unified School District. Nixon highlighted job vulnerability as a potential metric, if their job relies on a well. Nixon noted that many people who work full-time jobs can't attend meetings at this time of day. Peter Windrem suggested that the reason it could be difficult to find a seat is because there has never been an issue with domestic groundwater wells going dry, with few small historical exceptions. Windrem believes that as of now, it's not an issue for the general public.

Clark noted that drought may push groundwater issues to the forefront of public interest. As the summer advances, we may see more interest from the public.

Nixon noted that some domestic well owners are expressing a growing interest in understanding the impacts of cannabis growing. She shared an anecdote about a domestic well owner she knows whose well went dry when a large vineyard moved next door. Nixon believes some domestic well owners are very concerned about their wells going dry.

Fox suggested using the Domestic Well Owner seat to distribute best management practices on maintenance and operation of domestic wells. Fox also suggested reaching out to the Equestrian Club, as they may know of local domestic well owners or users.

Deligiannis shared that a description of the vacant seat roles will be refined and distributed to the members. Deligiannis asked GSPAC members to send recommendations.

With respect to the Private User description, Deligiannis and Clark clarified that a "trade" may be different than a "business" (the Equestrian Club is an example of a trade).

8. GSPAC Rechartering for GSP Implementation

8.1. Review proposed GSPAC charter document, discussion on updates and changes

Deligiannis shared her screen and provided background on the charter document. She intends to bring this charter to the Board of Supervisors at an upcoming meeting for adoption. The previous charter expired in January 2022, and they need to reestablish this group as an entity as soon as possible.

8.1.1. GSPAC purpose and goals, key tasks, outcomes

Deligiannis called attention to changes to the introduction, purpose and goals, key tasks, and outcomes sections of the charter.

Windrem suggested revising the language from "work toward groundwater sustainability" to "work to ensure groundwater sustainability" since the current phrasing suggests that the basin is not currently sustainable. Ryan disagrees with the statement and pointed to comments received on the GSP, which question whether the basin is currently sustainable. Fox noted that the language in the charter is consistent with language used in the Sustainable Groundwater Management Act itself. Ryan noted that known groundwater-surface water interactions and the presence of dry domestic wells in the basin indicate to her that the basin is not sustainable. Clark suggested that there is room for both perspectives in this document. The charter language could be revised to more accurately reflect where the basin is and where they want to go.

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On the mission, key tasks, and deliverables section, Ryan asked why the last bullet point was removed. Clark noted that the decision log has been replaced by the GSPAC meeting minutes, which achieve the same level of documentation but offer a mechanism for more extensive commentary.

Ryan requested the addition of a bullet related to review of the projects and management actions as a deliverable.

Weiss asked about how the timeline of DWR's evaluation of the GSP relates to how aggressively the GSA will invest in implementing projects and management actions. Deligiannis replied that DWR may take the full two years to release their GSP findings and determination and the GSA will move forward in taking implementation actions in the interim. Weiss clarified that he's concerned that if DWR rejects their GSP that the actions could be seen as a waste. Clark replied that once the charter is in place, the group can work collectively on how to implement the PMAs. Fox acknowledged that they have heard feedback from peers already, so they aren't operating completely in the dark. He also emphasized that implementing actions could be leveraged through grants, not tax-payer funds. The peer-review he referenced can be found in the letters posted to DWR's SGMA portal. Fox suggested reviewing those letters during a future ad hoc meeting. Deligiannis also noted that although DWR is conducting their review, the GSA will continue to work on refining the GSP and its related activities.

8.1.2. GSPAC organizational structure and membership, attendance, open process

Deligiannis spoke about updates to the GSPAC organizational structure and membership. Deligiannis noted that even after the charter is adopted, they may bring an amendment to the Board to update the charter on consensus items.

Nixon observed that while there may be concerns about the balance of agricultural representatives, she suggested that rather than removing seats, the group could add another disadvantaged community seat.

Weiss expressed a desire to ensure that the seats are filled by people that live and work in the Big Valley Basin.

Clark suggested not using "Disadvantaged Community" as a label for the new seat and suggested, instead, defining it as "Underrepresented User" which could be applied more broadly. Ryan expressed support for the suggestion, but she shared that she does not want to see it filled by a small farmer because there are so many ag-related seats already.

Windrem shared concern about the perspective that agriculture representation is seen as a negative, reflecting that the mindset does not generate solutions. Ryan commented on Windrem's statements and expressed regret that Windrem may have felt attacked by her comments in the past. She believes they share many viewpoints, and she is interested in a balance of representation.

Ryan motioned to add an Underrepresented User seat to the GSPAC. Nixon seconded. Windrem voted against the motion, noting that the definition is too vague, and the GSPAC has had a hard enough time filling the first Disadvantaged Community representative seat. Consensus was reached to include another seat on the GSPAC in the final draft of the new GSPAC charter.

8.1.3. Review GSPAC decision-making process

Deligiannis continued through the decision-making process section of the charter and reviewed updates to the charter language.

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8.1.4. GSPAC charter next steps and timing

Nixon noted that they received this document yesterday and requested that materials be provided further in advance in the future, to allow more time for review. Scott Hornung and Ryan expressed support for this viewpoint.

Clark suggested leaning on Grant's recommendation for how to phrase the language in the charter regarding meeting in person versus virtually, and she noted that the GSPAC may want to leave that portion intentionally undefined at this time, due to uncertainties with Covid.

Regarding potential in-person meeting venues: the GSPAC previously met at the Lake County Courthouse, however, that space is located outside the basin. The Kelseyville Unified School District building is a possibility, but the group would want to ensure it is accessible by public transit. Clark noted that additional potential meeting locations are listed in the Stakeholder Communication and Engagement Plan.

Deligiannis solicited additional comments on the charter and was open to receiving any email follow-up if someone would like to add additional thoughts.

9. Public Comments

A call was made for anyone to provide their thoughts, feedback, or perspectives during a public comment period, a feature that is standard during every GSPAC meeting. There were no public comments made during this meeting.

10. Future GSPAC Meeting Dates

10.1. Next quarterly meeting of GSPAC is August 19, 2022 from 11 a.m.–1:30 p.m.

Further meetings will include one on Friday, November 18. Deligiannis noted that the current plan is to continue convening virtually, but they hope to offer a hybrid format or to return to in-person meetings when it is safe to gather.

Deligiannis may call a special meeting to review nominations for seats to the GSPAC and those notices would be distributed 72 hours in advance.

11. Adjournment

With no further business, the meeting was adjourned at 1:35 p.m.