



Vina Groundwater Sustainability Agency

308 Nelson Avenue
Oroville, CA 95965
(530) 552-3592

Agenda Prepared: 5/16/2023

Agenda Posted: 5/16/2023

Prior to: 4:30 p.m.

Board Members:

Evan Tuchinsky, Chair
Jeff Rohwer, Vice-Chair
Raymond Cooper
Tod Kimmelshue
Kasey Reynolds

VINA GROUNDWATER SUSTAINABILITY AGENCY SPECIAL BOARD MEETING

Meeting Agenda

Thursday, May 18, 2023, 4:30 p.m. (Please note change in day and time)

Chico City Council Chamber, 421 Main Street, Chico CA

IN PERSON AND ONLINE MEETING VIA ZOOM FOR VIEWING ONLY

Any materials related to an item on this Agenda are available for public inspection online at <https://www.vinagsa.org/>

PUBLIC PARTICIPATION:

Please use the following information to remotely view the Vina GSA Board meeting online. ***Pursuant to recent changes to the Brown Act Teleconferencing Rules, no public comments or questions will be taken online.***

ZOOM MEETING INFORMATION:

To access the live meeting, you have the following options:

1. Join Zoom Meeting
 - a. <https://us02web.zoom.us/j/86983600705>
2. From a web browser <https://zoom.us/join>
 - a. When prompted, use Meeting ID: 869 8360 0705
3. Directly from your mobile phone you can tap:
 - a. +16699006833, 86983600705# US (San Jose)
4. Dial-in using your landline or mobile phone to:
 - a. 1 669 900 6833
 - b. When prompted, use Meeting ID: 869 8360 0705

Please note when you access the meeting, ***you will be placed into a waiting room and admitted*** into the meeting by the Meeting Host. You will also be placed on mute and will not be able to provide comments in the meeting.

PUBLIC COMMENT INFORMATION:

Public comment will be accepted in-person at the meeting or may be submitted by email prior to the meeting to VINAGSAPUBLICCOMMENTS@CHICOCA.GOV. **If you would like to address the Board at this meeting, you are requested to complete a speaker card and hand it to the Board Clerk prior to the conclusion of the staff presentation for that item.** A time limit of three (3) minutes per speaker on all items and an overall time limit of thirty minutes for agenda items has been established. If more than 10 speaker cards are submitted for agenda items, the time limitation may be reduced to one and a half minutes per speaker.

When submitting public comments via email, please indicate the item number your comment corresponds to in the subject line. Comments submitted will be sent to the full GSA Board members electronically prior to the start of the meeting. Email comments will be acknowledged and read into the record by name only during the public comment period for each agenda item. Emailed comments received prior to the end of the meeting will be made part of the written record but not acknowledged at the meeting.

**VINA GROUNDWATER SUSTAINABILITY AGENCY
SPECIAL BOARD MEETING AGENDA
MAY 18, 2023**

1. VINA GROUNDWATER SUSTAINABILITY AGENCY (GSA) SPECIAL BOARD MEETING.

1.1. Call to Order - Chair Tuchinsky

1.2. Roll Call

2. *SPECIAL AGENDA - Pursuant to Government Code § 54956 (a), the Board is prohibited from considering any other business at this meeting.*

2.1. POTENTIAL RECONSIDERATION OF THE VINA GSA BOARD'S APPROVAL OF THE FINAL FEE REPORT REGARDING LONG-TERM FUNDING FOR THE VINA GSA.

Decision whether to reconsider the Board's approval of the 2023 Final Fee Report on 5/10/23 to implement a Uniform Cost/Acre Per Parcel fee to fund the Vina GSA administration and SGMA compliance requirements. Pursuant to the Vina GSA By-Laws Meetings Section IV k, reconsideration of the approval of the Fee Report requires a motion by a Director who voted in the majority. Directors who voted in the majority at the 5/10/23 meeting on Item 7.1 include: Board Member Cooper, Vice-Chair Rohwer, and Chair Tuchinsky. **(Report – Kamie Loeser).**

Recommendation: That the Board consider the following:

1. Move to Reconsider the Board's approval of the Final Fee Report.
2. Consider the Uniform Cost, Irrigated/Non-Irrigated Cost Option, or variation thereof, in the Final Fee Report.

2.2. POTENTIAL RECONSIDERATION OF THE VINA GSA BOARD'S VOTE ON 4/12/23 TO ONLY INCLUDE THE UNIFORM COST/PER ACRE PER PARCEL FEE OPTION IN THE FINAL FEE REPORT.

If the Board approves Item 6.1, the Board will also reconsider the final vote at its 4/12/23 meeting to only include the Uniform Fee option in the Fee Report. Pursuant to Meetings Section IV k. of the Vina GSA By-Laws if a Director would like to reconsider the final vote on this fee option, a motion by a Director who voted in the majority is required. Directors who voted in the majority on 4/12/23 for Item 7.1 include: Board Members Reynolds, Cooper, and Vice-Chair Rohwer. **(Report – Kamie Loeser).**

Recommendation: That the Board consider the following:

1. Reconsider the approval to develop a Fee Report based on only the Uniform Fee option .
2. Consider developing a Fee Report that includes one or more of the following options 1) the Uniform Cost fee and/or 2) Irrigated/Non-Irrigated Fee option.

2.3. CONSIDERATION OF CHANGES TO THE MEETING CALENDAR FOR APPROVING THE FUNDING MECHANISM FOR THE VINA GSA.

Potential actions taken at tonight's meeting regarding the long-term funding mechanism for the Vina GSA may result in needed changes to the Board's meeting calendar. The Board may consider changes to the meeting calendar .

Recommendation: Review, discuss, and provide direction if needed.

3. ADJOURNMENT: The Vina GSA Board meeting will adjourn to the next Vina GSA Board Meeting on a date to be determined at tonight's meeting to be held at the Chico City Council Chamber Building at 421 Main Street., Chico, CA and online via Zoom for viewing only.



Please contact the City of Chico Public Works Department at (530) 894-4200 if you require an agenda in an alternative format or if you need to request a disability-related modification or accommodation. This request should be received at least three working days prior to the meeting.

Linda Herman

From: Evan Tuchinsky [REDACTED]
Sent: Sunday, May 14, 2023 3:08 PM
To: Jeff Rohwer; Tod Kimmelshue; Kasey Reynolds; RCooper [REDACTED]
Cc: KLoeser [REDACTED]; Erik Gustafson; Linda Herman
Subject: Vina GSA special meeting

Hello, colleagues!

From Kamie's email follow-up to our meeting and receipt of additional information, I wish to reconsider my vote in the majority on the motion that moved forward the funding proposal with the flat-fee option.

Time is tight, so we need a special meeting this week to do so.

We have Chambers reserved at 4 p.m. Thursday (we could start 4:30 or 5); Linda will check on Wednesday evening availability in the morning, before she and Kamie prepare the notice and agenda.

In respect of the Brown Act, I do not think I should elaborate any further, other than to say I feel this is significant enough to merit discussion.

The Management Team will handle the formal notifications. I'm reaching out now as an early advisory.

Thank you!
--Evan

Vina GSA Funding Mechanism Special Board Meeting

Kamie Loeser, Director

Butte County Department of Water and Resource Conservation

May 18, 2023



Special Board Meeting Presentation

1. Review activities to date
2. Review Uniform Fee
3. Provide clarification regarding available data, process needs and costs for the Irrigated/Non-Irrigated Fee Option
4. Updated Cost Estimates for Irrigated/Non-Irrigated Fee Option
5. Comparison with Wyandotte Creek GSA Allocation of GSA Administration and SGMA Compliance
6. Review of State Intervention Fees
7. Review of City of Chico and Durham Irrigation District's Prop 218 participation/payment options
8. Updated Schedule (if applicable)
9. Options for Reconsideration



Review Activities to Date

1. Review of Governance, Structure and Funding for GSA and Consideration of Options for Administration – 2/8/23
2. Special Board Meeting / Strategic Planning – 2/22/23
3. Revenue projections – 3/8/23
 - Identify costs
 - Confirm revenue needs
4. Review of a Technical Memorandum (TM) – 4/12/23
5. Engineer's Report/Fee Study – 5/10/23
6. Special Board Meeting – 5/18/23



Next Steps

Fee Report describes the Fee that can be adopted by the Board (defines the maximum fee that can be adopted in any given year)

1. Send Fee Notice to all parcels subject to the fee
2. Hold public information meeting (June)
3. Hold protest hearing and adopt the Fee for fiscal year 2024-2025 (July)



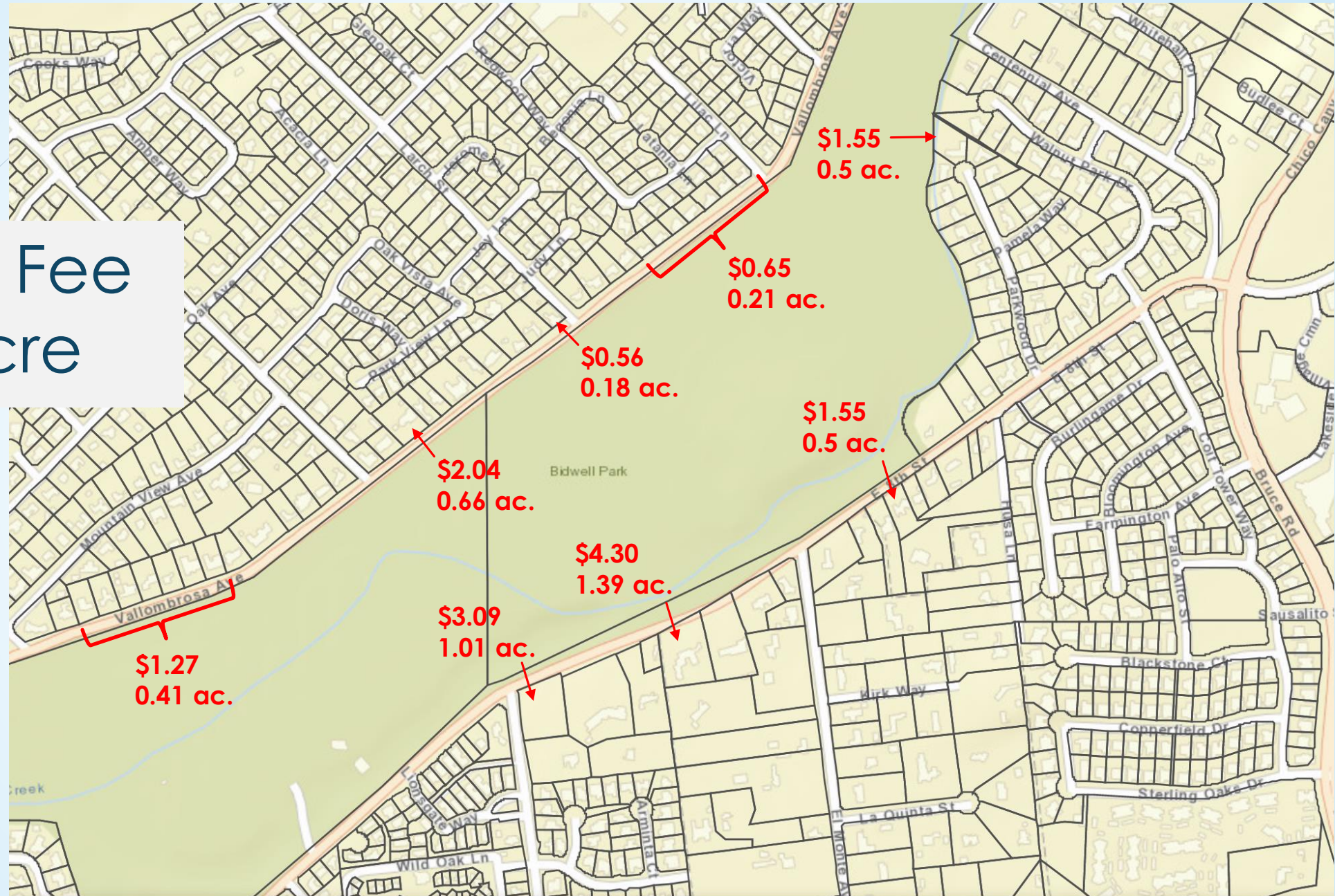
Uniform Fee

- **Fee Report** proposes implementing a Fee of the maximum amount of \$3.09/per acre for all assessable parcels.

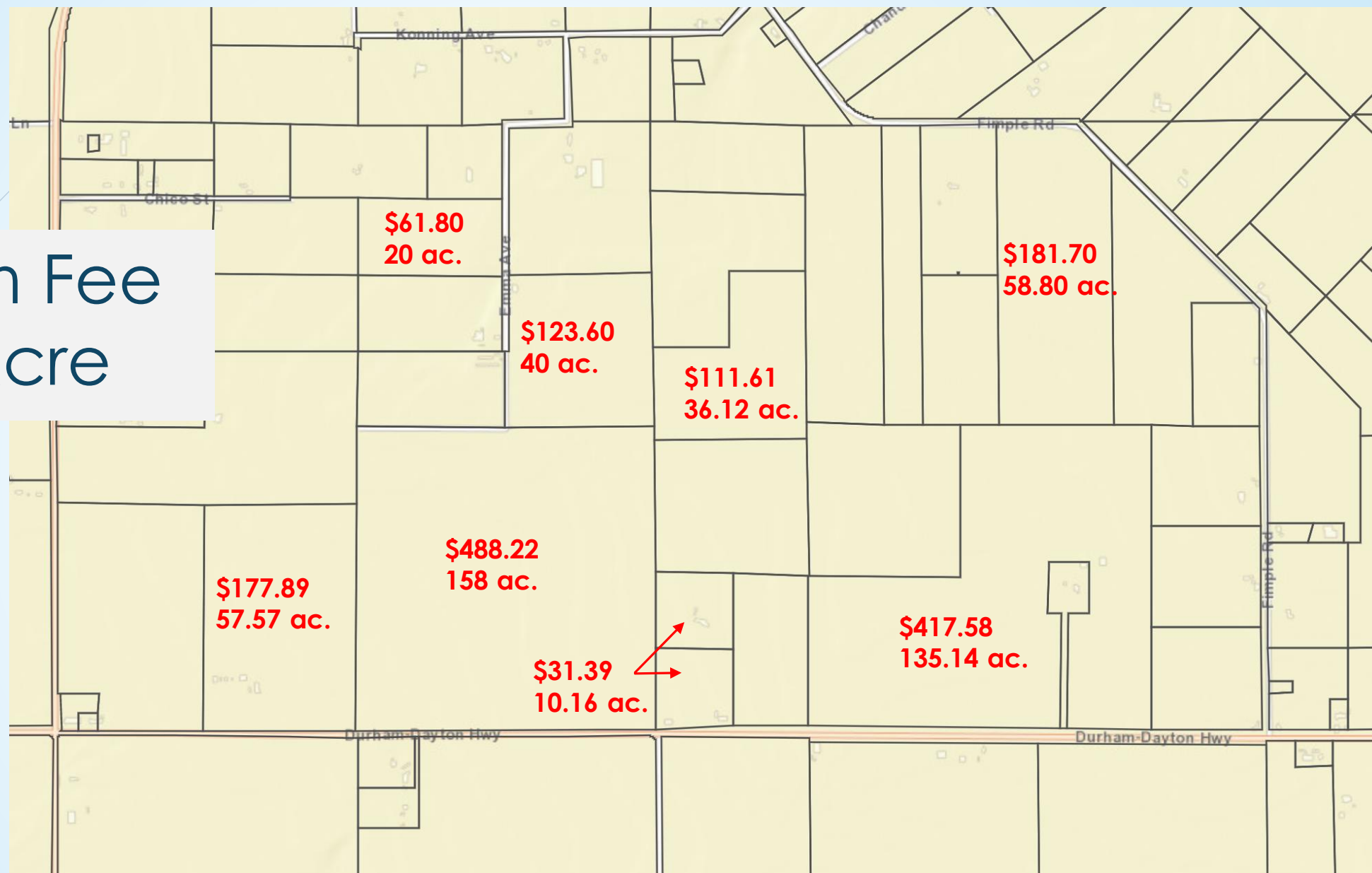
Vina GSA Uniform Cost/Acre Fee					
	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
Operational Budget	\$539,125	\$495,250	\$485,772	\$508,685	\$519,071
Assessable Acreage	174,327	174,327	174,327	174,327	174,327
Uniform Cost/Acre	\$3.09	\$2.84	\$2.79	\$2.92	\$2.98



Uniform Fee Cost/Acre

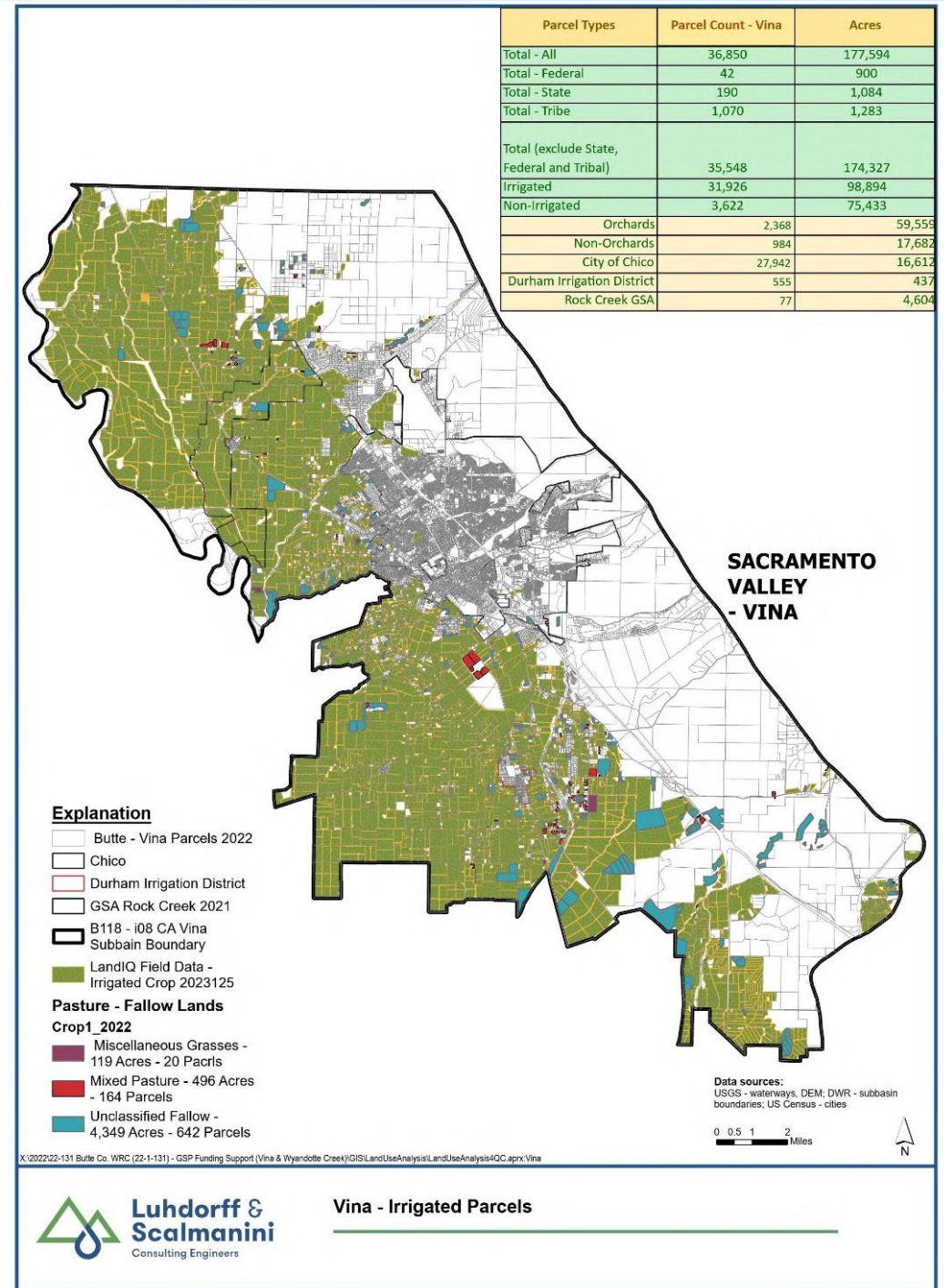


Uniform Fee Cost/Acre



Irrigated / Non-Irrigated Cost Option

- **Have:** Data to differentiate Irrigated and Non-Irrigated Land Uses (also used for Annual Report)
- **Need:** Appeal Process/Policy
 - Ag footprint is relatively stable/built out, not much change expected
 - Land Use (irrigated / non-irrigated) is part of database



Additional Cost Per Acre for Other Funding Options

- **Technical Memo - Table 5** summarizes the additional administration or analysis costs associated with the other funding options that would be added to their respective calculated fee.
- Irrigated / Non-Irrigated option generates \$29,635 - \$33,122 additional revenue per year.

Table 5. VGSA Funding Option Estimated Implementation Cost (\$/ac.)					
Charge Option	FY23-24	FY24-25	FY25-26	FY26-27	FY27-28
Irrigated/Non-Irrigated	\$0.17	\$0.17	\$0.18	\$0.18	\$0.19
Land Use Hybrid Crop Type	\$0.88	\$0.90	\$0.93	\$0.96	\$0.98
Land Use Hybrid Crop ET	\$1.78	\$1.83	\$1.88	\$1.94	\$1.99
Well Registration/Permit System	\$3.03	\$3.12	\$3.21	\$3.30	\$3.40
Metered Groundwater Extraction	\$10.88	\$11.40	\$11.91	\$12.43	\$12.95

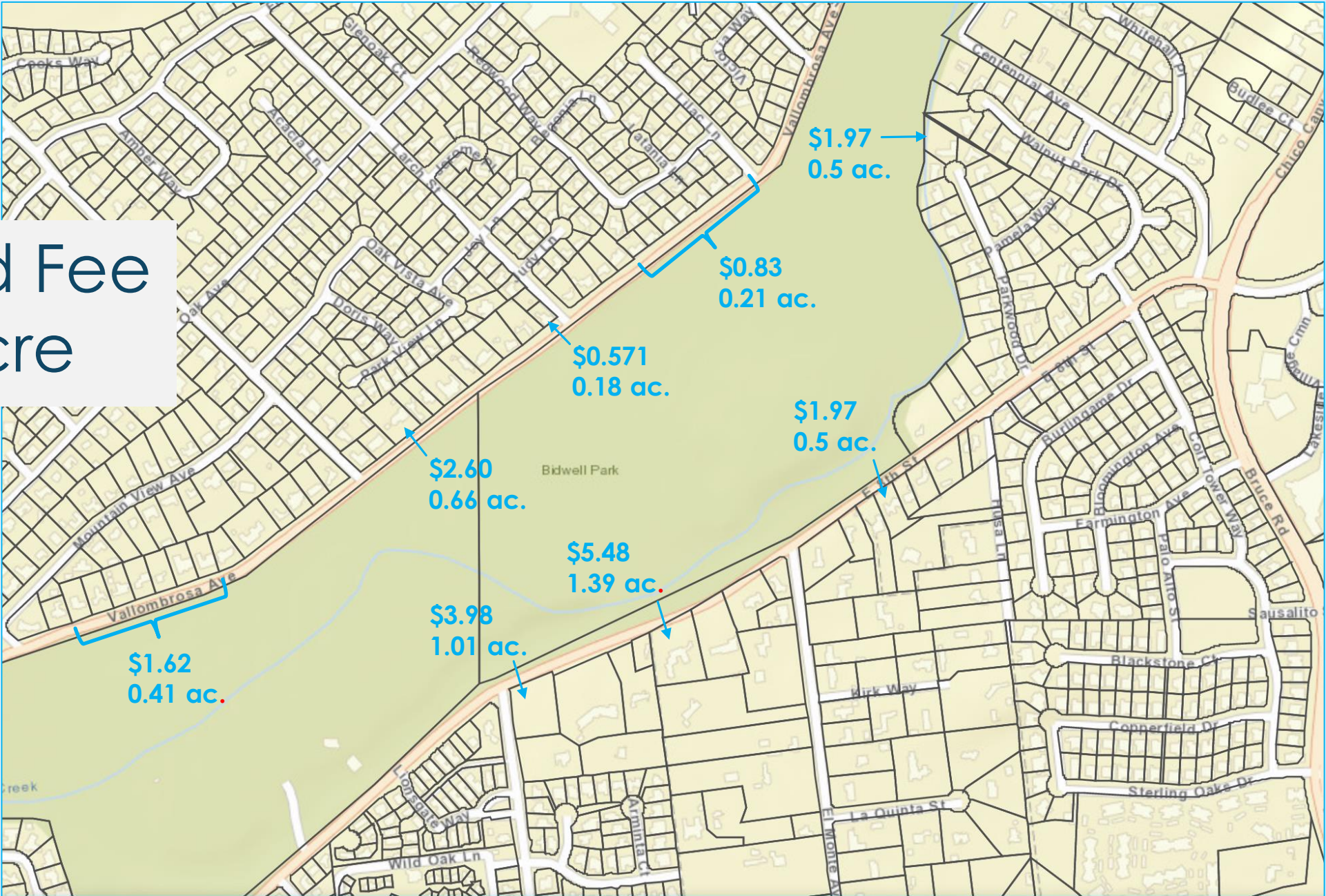


Irrigated Fee / Acre (from TM)

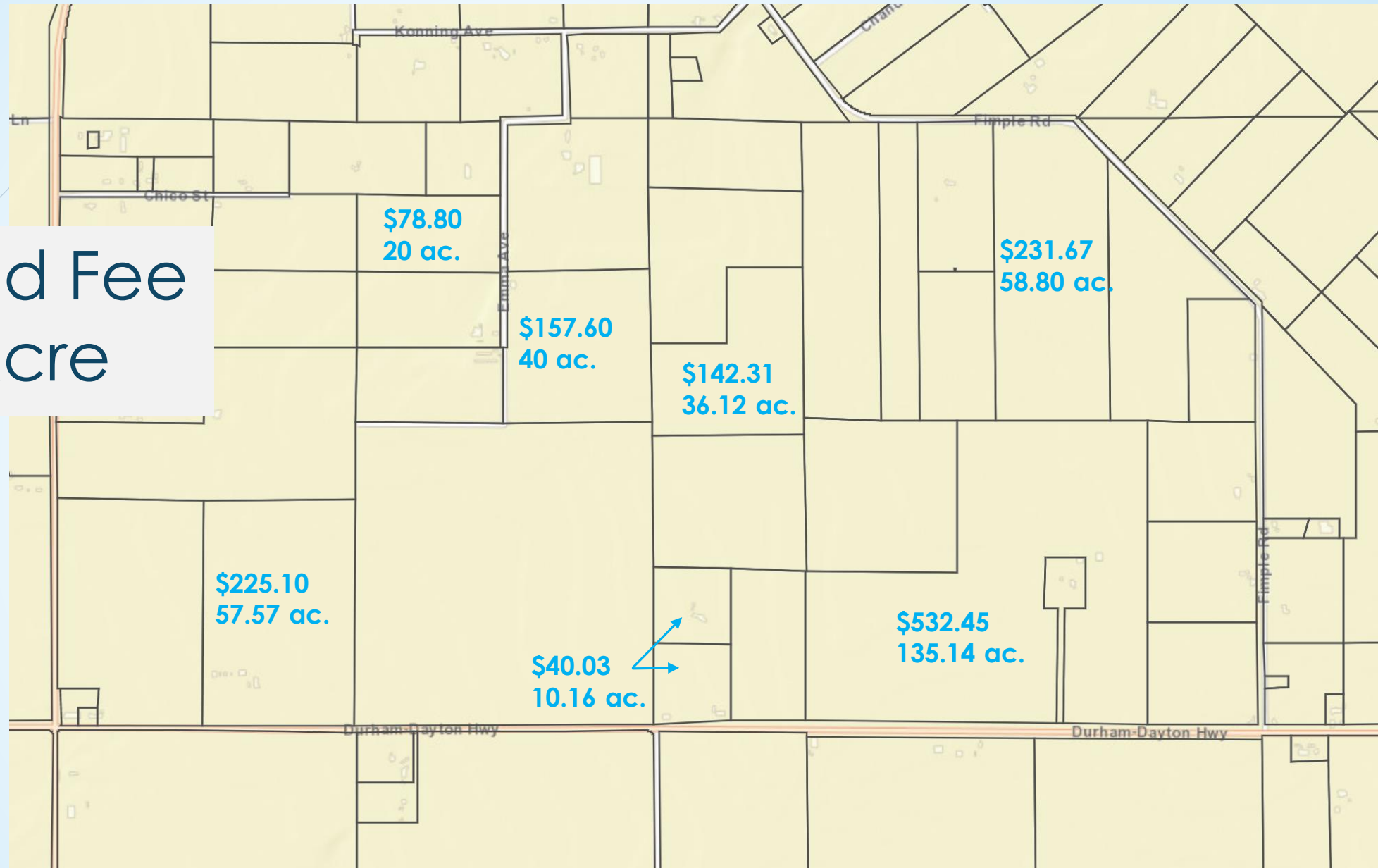
Vina GSA Irrigated and Non-Irrigated Cost/Acre					
IRRIGATED Charge					
	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
Total Irrigated Revenue Needs	\$363,170	\$342,718	\$341,364	\$361,413	\$370,500
Irrigated Assessable Acres	98,894	98,894	98,894	98,894	98,894
Total Irrigated Cost/Acre	\$3.67	\$3.47	\$3.45	\$3.65	\$3.75
Additional Admin Costs/Acre	\$0.17	\$0.17	\$0.18	\$0.18	\$0.19
Total Irrigated Cost/Acre with Additional Cost	\$3.84	\$3.64	\$3.63	\$3.83	\$3.94



Irrigated Fee Cost/Acre



Irrigated Fee Cost/Acre



Non-Irrigated Fee / Acre (from TM)

Vina GSA Irrigated and Non-Irrigated Cost/Acre NON-IRRIGATED Charge					
	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
Total Non-Irrigated Revenue Needs	\$175,955	\$152,532	\$144,408	\$147,272	\$148,571
Non-Irrigated Assessable Acres	75,433	75,433	75,433	75,433	75,433
Total Non-Irrigated Cost/Acre	\$2.33	\$2.02	\$1.91	\$1.95	\$1.97
Additional Admin Costs/Acre	\$0.17	\$0.17	\$0.18	\$0.18	\$0.19
Total Non-Irrigated Cost/Acre with Additional Cost	\$2.50	\$2.19	\$2.09	\$2.13	\$2.16



Alternative Irrigated Fee using 90/10 Allocation

The 90/10 method is being considered by the Wyandotte Creek GSA. It allocated 90% of the cost for GSA Admin and SGMA Compliance to Irrigated land and 10% to Non-Irrigated land.

90/10 Allocation – Vina GSA IRRIGATED Charge					
	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
Operational Budget	\$539,125	\$495,250	\$485,772	\$508,685	\$519,071
Total Irrigated Revenue Needs	\$485,213	\$445,725	\$437,195	\$457,817	\$467,164
Irrigated Assessable Acres	98,894	98,894	98,894	98,894	98,894
Total Irrigated Cost/Acre	\$4.91	\$4.51	\$4.42	\$4.63	\$4.72
Additional Admin Costs/Acre	\$0.17	\$0.17	\$0.18	\$0.18	\$0.19
Total Irrigated Cost/Acre with Additional Admin Cost	\$5.08	\$4.68	\$4.60	\$4.81	\$4.91



Alternative Non-Irrigated Fee using 90/10 Allocation

90/10 Allocation – Vina GSA NON-IRRIGATED Charge					
	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
Operational Budget	\$539,125	\$495,250	\$485,772	\$508,685	\$519,071
Total Non-Irrigated Revenue Needs	\$53,913	\$49,525	\$48,577	\$50,869	\$51,907
Non-Irrigated Assessable Acres	75,433	75,433	75,433	75,433	75,433
Total Non-Irrigated Cost/Acre	\$0.71	\$0.66	\$0.64	\$0.67	\$0.69
Additional Admin Costs/Acre	\$0.17	\$0.17	\$0.18	\$0.18	\$0.19
Total Non-Irrigated Cost/Acre with Additional Admin Cost	\$0.88	\$0.83	\$0.82	\$0.85	\$0.88



Comparison of Uniform Fee and Irrigated / Non-Irrigated Fee

Vina GSA Comparison of Uniform Fee and Irrigated / Non-Irrigated Fee					
	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
Uniform Cost/Acre	\$3.09	\$2.84	\$2.79	\$2.92	\$2.98
Total Irrigated Cost/Acre	\$3.84	\$3.64	\$3.63	\$3.83	\$3.94
Total Non-Irrigated Cost/Acre	\$2.50	\$2.19	\$2.09	\$2.13	\$2.16
Vina ESTIMATES using <i>90/10 Percentage Allocation</i> for GSA Admin and SGMA Compliance between Irrigated and Non-Irrigated Land					
Total Irrigated Cost/Acre	\$5.08	\$4.68	\$4.60	\$4.81	\$4.91
Total Non-Irrigated Cost/Acre	\$0.88	\$0.83	\$0.82	\$0.85	\$0.88



State Water Board Intervention*

Fee Category	Fee Amount	Applicable Parties
Base Filing Fee	\$300 per well	All extractors required to report (excludes *de minimis extractors).
Probationary Rate	\$40 per AF	Extractors in probationary basins (excludes de minimis extractors).
Interim Plan Rate	\$55 per AF	Extractors in probationary basins where the State Water Board determines an interim plan is required (excludes de minimis extractors).
De minimis Fee	\$100 per well	De minimis extractors in probationary basins (if determined by the State Water Board at a public hearing).
Automatic Late Fee	25% per month	Extractors that do not file reports by the due date.



* Triggering Event – No plan in basin, DWR fails GSP or GSP implementation AND basin is in long-term overdraft; becomes probationary basin - fail to implement the plan successfully (includes SGMA compliance)

**Well owner who extracts two acre-feet or less of groundwater per year for domestic purposes

Member Agencies Payment Options

1. April 18, 2023 - Durham Irrigation District (DID) opted to pay the District's per acre cost for lands within their boundaries directly to the Vina GSA through a funding agreement.
 - 555 parcels and 437 acres
 - Uniform Fee = $\$3.09/\text{acre} \times 437 \text{ acres} = \$1,350.33$ member agency contribution
 - Irrigated Fee = $\$3.94/\text{acre} \times 437 \text{ acres} = \$1,721.78$
2. May 2, 2023 - City of Chico voted to have landowners within the city limits will receive the Vina GSA Fee Proposition 218 Notice.
 - 27,942 parcels and 16,612 acres
 - Uniform Fee = $\$3.09/\text{acre}$ landowner fee
 - Irrigated Fee = $\$3.94/\text{acre}$ landowner fee



Potential Revised Schedule

- May 18 - Special Board Meeting
- May 30 or 31- Approve Fee Report
- Week of June 5 - Mailing of Public Notice of Fee
- June 14 – Informational Workshop
- **July 26** – Protest Hearing/Fee Approval
- August 10 – Fee to Assessor's Office for Tax Roll



Options for Reconsideration

1. Reconsideration of the Vina GSA Board's approval of the Fee Report. Consider the Uniform Cost, Irrigated/Non-Irrigated Cost Option, or variation thereof in the Final Fee Report.
2. Reconsideration of the approval to develop a Fee Report based only on the Uniform Fee option.
3. Consideration of changes to the meeting calendar for approving the Funding Mechanism for the Vina GSA (if applicable).

