

ATASCADERO BASIN

Groundwater
Sustainability Agency



Executive Committee Meeting Agenda

Meeting Date: Wednesday, March 9, 2022
Meeting Time: 4:30 p.m.
Meeting Location: Templeton CSD Board Meeting Room
206 5th Street
Templeton, California 93465

or via Zoom Meeting

<https://us06web.zoom.us/j/85674966566?pwd=VEFHeVkvbVZmcnV0Zy9VeDRieS94Zz09>

Meeting ID: 856 7496 6566

Passcode: 843896

Dial by your location

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1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Remote Meetings, Resolution 2022-04
5. Order of Business
Executive Committee members may request to change the order of business.
6. Introductions
7. General Public Comments
The Executive Committee invites members of the public to address the committee on any subject that is within the purview of the committee and that is not on today's agenda. Comments shall be limited to three minutes.

8. Consent Agenda

The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Executive Committee wishes an item removed. If discussion is desired, the item may be removed from the Consent Agenda by an Executive Committee member and will be considered separately. Questions or clarification may be made by the Executive Committee members without removal from the Consent Agenda. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda unless an item is pulled for separate consideration. Members of the public may comment on the Consent Agenda items.

a. Minutes – January 19, 2022

9. Old Business:

10. New Business:

a. Adopt Annual Report to DWR, Resolution 2022-05

b. Request for Future Items

c. Next Meeting: to be determined

11. Informational Items

12. Adjournment

ATASCADERO BASIN

*Groundwater
Sustainability Agency*



TO: Executive Committee

FROM: GSA Staff/ John Neil, Atascadero Mutual Water Company

DATE: March 9, 2022

SUBJECT: Agenda Item 4, Remote Meetings Resolution

RECOMMENDED ACTION:

Adopt Resolution No. 2022-04 authorizing the Executive Committee to continue the use of remote teleconferencing for Executive Committee meetings.

DISCUSSION:

The Governor's Executive Orders relating to the relaxing of the Brown Act and permitting remote meetings during the COVID 19 Pandemic expired on September 30, 2021. However, in mid-September, the Governor signed AB 361 into law, providing options for local agencies to continue to hold meetings remotely, under certain circumstances.

AB 361 has amended Government Code Section 54953, adding a new subsection (e) that permits legislative bodies, when there is a proclaimed State of Emergency declared by the Governor pursuant to Government Code Section 8625, to decide to authorize meeting remotely via teleconferencing as a result of the emergency. To do so, a resolution would need to be adopted in which the legislative body finds that meeting in person would present imminent risks to the health or safety of attendees, or that State or local officials have imposed or recommended measures to promote social distancing.

Resolution 2022-04 has been drafted for your consideration, and if adopted, would be valid for thirty (30) days. If the State of Emergency remains active after that 30 day period, the Executive Committee may act to renew its resolution authorizing remote teleconferenced meetings by passing another resolution which includes findings that the State of Emergency declaration remains active, the local agency has reconsidered the circumstances of the State of Emergency, and the local agency has either identified: A) ongoing, direct impacts to the ability to meet safely in-person, or B) active social distancing measures as directed by relevant state or local officials.

Resolution 2022-04 has been drafted to include findings based upon a determination that as a result of the proclaimed State of Emergency in California due to the COVID-19

pandemic, and its continued spread in San Luis Obispo County through the Delta and Omnicron variants of SARS-CoV-2, which is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others, holding meetings in person would present imminent risks to the health or safety of attendees.

If the Resolution 2022-04 is not adopted, the Executive Committee should adjourn the meeting immediately after this item, and consideration for the remaining agenda items should be postponed until the next Executive Committee Meeting is held in person, pursuant to the Brown Act.

ATTACHMENTS:

- A. Resolution 2022-04 – Authorizing Remote Teleconference Meetings

RESOLUTION 2022-04

A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE ATASCADERO BASIN GROUNDWATER SUSTAINABILITY AGENCY MAKING FINDINGS IN ACCORDANCE WITH AB 361 AND GOVERNMENT CODE SECTION 54953(e), AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE ATASCADERO BASIN GROUNDWATER SUSTAINABILITY AGENCY

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency in the State of California pursuant to Government Code Section 8625 as a result of the threat of the Coronavirus (COVID-19) pandemic; and

WHEREAS, subsequently, in March 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Orders N-25-20 and N-29-20. These orders suspended certain elements of the Brown Act and specifically allowed for legislative bodies as defined by the Brown Act to hold their meetings entirely electronically with no physical meeting place. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which provided that the provisions in Executive Order N-29-20 suspending certain elements of the Brown Act would continue to apply through September 30, 2021; and

WHEREAS on September 16, 2021, Governor Newsom signed AB 361, which added subsection (e) to Government Code section 54953 of the Brown Act, and makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS a required condition of AB 361 is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the State caused by conditions as described in Government Code section 8558; and

WHEREAS there has been a significant increase in COVID-19 cases in San Luis Obispo County due primarily to the Delta and Omnicron variants of SARS-CoV-2, the virus that causes COVID-19. Emerging evidence indicates that the Delta and Omnicron variants are far more transmissible than prior variants of the virus, may cause more severe illness, and can be spread even by fully vaccinated individuals; and

WHEREAS the Executive Committee now desires to adopt a Resolution finding that the requisite conditions exist for the legislative bodies of the Atascadero Basin Groundwater Sustainability Agency, as defined in the Brown Act, to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953.

NOW, THEREFORE, BE IT RESOLVED by the Executive Committee of the Atascadero Basin Groundwater Sustainability Agency as follows:

1. The above recitals are true, correct and are incorporated herein by this reference.
2. The Executive Committee of the Atascadero Basin Groundwater Sustainability Agency hereby determines that as a result of the proclaimed State of Emergency in California due to the COVID-19 pandemic, and its continued spread in San Luis Obispo County and

Templeton through the Delta and Omnicron variants of SARS-CoV-2, which is far more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others, holding meetings in person would present imminent risks to the health or safety of attendees.

- 3. The staff and legislative bodies of the Atascadero Basin Groundwater Sustainability Agency are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public remote teleconferencing meetings in accordance with the requirements of Government Code section 54953(e) and other applicable provisions of the Brown Act.
- 4. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) thirty (30) days after teleconferencing for the first time pursuant to Government Code section 54953(e), or such time that the Executive Committee adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Atascadero Basin Groundwater Sustainability Agency may continue to teleconference without compliance with paragraph (3) of subdivision (b) of Government Code section 54953.

PASSED AND ADOPTED at a meeting of the Executive Committee of the Atascadero Basin GSA on March 9, 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

(signature)

(printed name)

(title)

Secretary's Certification

I, Rob Rossi, Secretary of the Atascadero Basin GSA Executive Committee, do hereby certify that the foregoing Resolution is a true and correct copy entered into the Minutes of the Meeting of March 9, 2022, at which time a quorum was present, and no motion to amend or rescind the above resolution was made.

Rob Rossi, Secretary

ATASCADERO BASIN

Groundwater
Sustainability Agency



Executive Committee Meeting Minutes from Wednesday, January 19, 2022

The Executive Committee (Committee) of the Atascadero Basin Groundwater Sustainability Agency (GSA) held a meeting via teleconference on Wednesday, January 19, 2022, at 4:30 p.m.

Roll Call: Chairperson Grigger Jones called the meeting to order at 4:30 p.m. Present at the Committee meeting were Voting Members Jones, Navid Fardanesh, Susan Funk, Debbie Arnold, John Hamon. A quorum (minimum of 4 voting representatives) of the Committee was established. Voting Member Rob Rossi and Non-voting Member Tom Mora were absent.

Meeting Attendees:

<u>Atascadero Mutual Water Company</u> John Neil	<u>Templeton Community Services District</u> Jeff Britz	<u>City of Atascadero</u> Lara Christensen
<u>County of San Luis Obispo</u> Angela Ford Blain Reely J. Steil	<u>Walnut Hill Mutual Water Company</u> Mark Gabler	<u>GEI Consultants</u> Mike Cornelius Lydia Holland
<u>GSI Water Solutions</u> Paul Sorensen Nate Page	<u>Other</u> John Hollenbeck James Patterson	

Remote Meeting Resolution: Chairperson Jones introduced a Resolution No. 2022-01 authorizing the Executive Committee to continue the use of remote teleconferencing for Executive Committee meetings for the next 30 days.

A motion was made by Member Funk to adopt Resolution No. 2022-01 authorizing the Executive Committee to continue the use of remote teleconferencing for Executive Committee meetings for the next 30 days, seconded by Member Hamon. Voice vote of Voting Members: Ayes – Jones, Fardanesh, Funk, Arnold, Hamon. Nays – none. Motion carried.

Order of Business: The Committee Members reviewed the order of the meeting's agenda and confirmed to conduct the meeting as presented in the agenda.

Introductions: None

General Public Comments: Chairperson Jones opened public comment and, seeing none, closed public comment.

Consent Agenda:

Agenda 8.a: November 3, 2021, Meeting Minutes – The Committee reviewed the minutes from the November 3, 2021, meeting.

A motion was made by Member Funk to approve the minutes, seconded by Member Fardanesh. Voice vote of Voting Members: Ayes – Jones, Fardanesh, Funk, Arnold, Hamon. Nays – none. Motion carried.

Old Business Agenda: (None)

New Business Agenda:

Agenda 10.a: Appointment of Officers – The Committee elected members to serve as Chair, Vice Chair, Secretary, and Treasurer for 2022.

A motion was made by Member Funk to elect Member Jones as Chair for 2022, seconded by Member Hamon. Voice vote of Voting Members: Ayes – Jones, Fardanesh, Funk, Arnold, Hamon. Nays – none. Motion carried.

A motion was made by Member Arnold to elect Member Hamon as Vice Chair for 2022, seconded by Susan Funk. Voice vote of Voting Members: Ayes – Jones, Fardanesh, Funk, Arnold, Hamon. Nays – none. Motion carried.

A motion was made by Member Hamon to elect Member Rossi as Secretary for 2022, seconded by Member Arnold. Voice vote of Voting Members: Ayes – Jones, Fardanesh, Funk, Arnold, Hamon. Nays – none. Motion carried.

A motion was made by Member Hamon to defer election of a Treasurer for 2022 due to the GSA not having any assets or liabilities at this time, seconded by Member Funk. Voice vote of Voting Members: Ayes – Jones, Fardanesh, Funk, Arnold, Hamon. Nays – none. Motion carried.

Agenda 10.b: GSP Draft Resolution of Adoption – GSA staff member Neil introduced the item. Michael Cornelius of GEI provided the Committee with an overview of the work that went into preparing the final draft of the GSP including a summary of the costs associated with GSP preparation. A resolution was presented to the Committee to approve the GSP for the Atascadero Basin and authorize its filing with the California Department of Water Resources.

A motion was made by Member Hamon to adopt Resolution 2022-02 approving the GSP and authorizing its filing with the California Department of Water Resources, seconded by Member Arnold. Roll-call vote of Voting Members: Fardanesh - AYE, Funk - AYE, Arnold - AYE, Hamon – AYE, Jones - AYE. Nays – none. Motion carried.

Agenda 10.c: Amendment to Appendix A of the GSA Conflict of Interest Code – GSA staff member Ford introduced the item. She informed the Committee that the amendment to the GSA conflict of interest code was needed to add the newly created County of San Luis Obispo Groundwater Sustainability Director position to the designated position list.

A motion was made by Member Fardanesh to adopt Resolution No. 2022-03 amending the Atascadero Basin Groundwater Sustainability Agency conflict of interest code, seconded by

Member Funk. Voice vote of Voting Members: Ayes – Jones, Fardanesh, Funk, Arnold, Hamon. Nays – none. Motion carried.

Agenda 10.d: Request for Future Items – The Committee did not offer any suggestions for future agenda items.

Agenda 10.e: Next Meeting: March 9, 2022, at 4:30 p.m.

Informational Items:

Agenda 11.a: DWR Prop 1 Grant Progress Report, Q4 2021 – The Committee received the progress report.

Adjournment:

There being no further business to discuss, Chairperson Jones adjourned the meeting at 4:55 p.m.

Navid Fardanesh, Acting Secretary

ATASCADERO BASIN

*Groundwater
Sustainability Agency*

TO: Executive Committee

FROM: GSA Staff/ John Neil, Atascadero Mutual Water Company

DATE: March 9, 2022

SUBJECT: Agenda Item 10.a, Annual Report Approval

RECOMMENDED ACTION:

Adopt Resolution 2022-05 approving the Atascadero Basin Groundwater Sustainability Plan Annual Report and authorize staff to submit the report to the Department of Water Resources.

DISCUSSION:

Groundwater Sustainability Agencies (GSAs) are required to prepare annual reports before April 1 of each year following submittal of their Groundwater Sustainability Plans (GSPs) to the Department of Water Resources (DWR). The DWR will be reviewing annual reports and GSPs to ensure that they are in conformance with Sustainable Groundwater Management Act, regulations, and likely to achieve the sustainability goal of the basin.

The annual report includes data and information used in the development of the GSP updated to reflect the most recent hydrologic data, and maps representing current conditions with narrative describing the progress made toward implementing the GSP.

On February 15, 2022, a public draft of the annual report for the water year ending September 30, 2021, was made available on the Atascadero Basin communication portal (<https://portal.atascaderobasin.com/>) for a 15-day public review and comment period. An email notice was sent to interested parties who have registered on the portal.

The annual report concludes, in general, that the groundwater elevations observed in the Basin during water years (WYs) 2017 through 2021 are stable in both the Alluvial Aquifer and Paso Robles Formation Aquifer. Positive and negative changes in groundwater elevations from year to year are observed in response to climatic variability and changes in pumping, but water levels at all representative monitoring site locations were maintained above minimum thresholds. The Alluvial Aquifer continues to show an ability to recharge rapidly after significant rainfall.

ATTACHMENTS:

- A. Resolution 2022-05
- B. Annual Report for the Groundwater Sustainability Plan for the Atascadero Basin (via weblink - <https://portal.atascaderobasin.com/>)

RESOLUTION 2022-05
APPROVING THE ANNUAL REPORT FOR THE GROUNDWATER SUSTAINABILITY PLAN
FOR THE ATASCADERO BASIN, AND AUTHORIZING AND DIRECTING ITS FILING WITH
THE CALIFORNIA DEPARTMENT OF WATER RESOURCES

WHEREAS in August 2014, the California Legislature passed, and in September 2014 the Governor signed, legislation creating the Sustainable Groundwater Management Act (“SGMA”) “to provide local groundwater sustainability agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater” (Wat. Code, § 10720, (d)); and

WHEREAS SGMA requires sustainable management through the development of groundwater sustainability plans (“GSPs”), which can be a single plan developed by one or more groundwater sustainability agency (“GSA”) or multiple coordinated plans within a basin or subbasin (Wat. Code, § 10727); and

WHEREAS the Atascadero Basin GSA Executive Committee approved submittal of a GSP for the Atascadero Basin (3-004.11 Salinas Valley Atascadero Area) to the Department of Water Resources (DWR) on January 19, 2022; and

WHEREAS the Atascadero Basin GSA submitted the GSP for the Atascadero Basin to the DWR on January 30, 2022; and

WHEREAS GSAs are required to prepare annual reports before April 1 of each year following submittal of their GSP to the DWR; and

WHEREAS a public draft of the annual report for the water year ending September 30, 2021, was made available for review and comment on the Atascadero Basin communication portal (<https://portal.atascaderobasin.com/>) for a 15-day public review on February 15, 2022; and

WHEREAS an email was sent to all interested parties who have registered on the communications portal notifying them that the annual report was available for review and comment on February 15, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Executive Committee of the Atascadero Basin GSA hereby approves and authorizes the filing of the Atascadero Basin Groundwater Sustainability Plan Annual Report for the water year ending September 30, 2021, with the California Department of Water Resources.

PASSED AND ADOPTED at a meeting of the Executive Committee of the Atascadero Basin GSA on March 9, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert Jones, Chairperson

Secretary's Certification

I, Rob Rossi, Secretary of the Atascadero Basin GSA Executive Committee, do hereby certify that the foregoing Resolution is a true and correct copy entered into the Minutes of the Meeting of March 9, 2022, at which time a quorum was present, and no motion to amend or rescind the above resolution was made.

Rob Rossi, Secretary