

VALLEY OF THE MOON WATER DISTRICT
REGULAR MEETING AGENDA
September 16, 2003

A regular meeting of the Board of Directors of the Valley of the Moon Water District was held on Tuesday, September 16, 2003, in the Board Chambers of the District Office at 19039 Bay Street, El Verano, California.

1. CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL

President Ron Prushko called the meeting to order at 6:30 P.M. Roll Call by **Deputy Secretary Shari Walk** noted the following present:

Directors Present:	Mark Bramfitt Ed Kenny Sanford Smith Michael Woods Ron Prushko
Directors Absent:	None
District Personnel:	Shari Walk, Office Supervisor
General Manager:	Lee Harry
Board Secretary:	Shari Walk
Public Present:	Ellen Adamson, William Adamson, Richard Allard, Patrick Arend, Joseph Arietta, Martin Bajuk, Scott Bauer, Gabby Beale, Robert Collin, Brian Eagle, Manuel Franco, Tom Healy, Thomas Hoeft, John Holden, Gail Hutchinson, David Johnson, Jim Kemp, Doris Kilchherr, Scott Langdon, Don Lewis, Bernard Matthews, Mario Pasquini, Steve Perry, Eric Perkins, Glenn Peterson, Jana Peterson, Diane Rawicz, Claire Ryan, Marty Ryan, Philip Sales, Bernard Wetzell, Linda Young, several other unidentified members of the audience, and Patricia Henley, Sonoma Index-Tribune (40+/- People)

2. PUBLIC COMMENTS

There were no public comments.

3. CONSENT CALENDAR

A. Receive and Approve Minutes of September 2, 2003

Motion by **Director Kenny**, seconded by **Director Woods** and carried unanimously by a voice vote to adopt the Consent Calendar, as shown.

Given that the public hearing had been scheduled for 6:45 P.M. the remainder of the agenda was considered prior to the commencement of the public hearing.

5. OPERATIONAL & COMMITTEE REPORTS

There were no Operational and Committee Reports.

6. RECEIVE & FILE PRESIDENT'S AND DIRECTOR'S REPORTS OR COMMENTS

There were no reports or comments from the President or Directors at this time.

7. GENERAL MANAGER'S AND DISTRICT COUNSEL'S REPORTS

General Manager Reports:

A. WAC Regular Meeting of September 8, 2003

General Manager Lee Harry reported that the major focus of the Water Advisory Commission (WAC) meeting on September 8 had to do with the Sonoma County Water Agency (SCWA) and the other water agencies related to the lawsuit with respect to the Eleventh Amended Agreement and the issues raised with respect to the Potter Valley Diversion Project from the Eel River. He noted that the SCWA felt it would be some time before it could go beyond the 75,000 acre foot annual entitlement under water rights to the 101,000 allowed by the Eleventh Amended Agreement.

In the meantime, **Mr. Harry** noted that the VOMWD had entered into a Memorandum of Temporary Impairment because of constraints on the water system. This agreement will be in effect until September 2005. He stated that the SCWA had asked to extend the provisions of Temporary Impairment for several years. He commented that this issue would have to be addressed by the SCWA Board of Directors.

Specifically with respect to the VOMWD and its summertime flows, **Mr. Harry** stated that the VOMWD entitlement this year was a monthly average of 4.7 million gallons a day (mgd) during the peak summertime months. In August the VOMWD averaged 4.71 mgd and in July it had been at 4.72 mgd. These figures included the well production, and because the VOMWD's wells were either leased or in the fractured volcanic area of the District, the amount of water available in future years is uncertain.

Mr. Harry also reported that although he had initially indicated that there was no penalty for exceeding the Memorandum of Temporary Impairment, he stated that there were liquidated damages of 25 percent of the O & M charges for each amount exceeded. He also noted that the entitlements would have to be considered to consider adjustments to ensure that if the Memorandum of Temporary Impairment was extended, the VOMWD would be able to remain within its limitations.

In response to Director Woods, **Mr. Harry** stated that a vote of the VOMWD Board of Directors was required to enable the VOMWD WAC representative to agree to extend the Memorandum of Temporary Impairment.

B. Information Regarding Meeting with Randy Poole and Al Bandur

Mr. Harry stated with respect to his meeting with SCWA General Manger and Chief Engineer Randy Poole and Al Bandur of the City of Sonoma on the status of the feasibility study of the Recycled Water Project and the status of the overall Groundwater Study of the Sonoma Valley that the VOMWD would be provided updated information on both projects. When received, that information would be provided to the Board.

Other Informational Items Not Listed on the Agenda

Mr. Harry reported that Pam Nicolai, the General Manager of the Marin Municipal Water District would be retiring in December of this year.

Mr. Harry also reported that staff had met with the VOMWD Legal Counsel and with the General Manager of North Marin Water District regarding a number of issues. North Marin was uneasy regarding the potential delay in facilities that the SCWA had indicated in their letters of August 11 and August 28, 2003 that stated because of the delay in the lawsuit it might be some time before the system additions required from the Eleventh Amendment Agreement could be authorized in order to meet the 101 mgd a day delivery necessary to meet the entitlements of all contractors. He stated that North Marin had asked legal counsel to request the County of Sonoma to present some type of a schedule and contingencies on what would occur with the Section VII Consultations in order to allow the addition of necessary facilities to proceed.

Mr. Harry explained that it had been pointed out that when all of the contractors had cooperated in the construction of the dams to create Lake Sonoma and Lake Mendocino, 350 acre feet of water was authorized to be retained for water supply. He described the challenges in not being able to deliver that amount, and stated that the water contractors had asked for some contingency plans from the SCWA as to how all of the contractors would be able to meet their supplies in the future.

8. OLD/NEW BUSINESS

- A. Discuss/Direct Staff:** Information Concerning Letter Transmitted to Sonoma County Permits and Resource Management Responding to Requests From the Sonoma County Water Agency for the Water Supply Needs of All Approved and Proposed New Development Projects

Mr. Harry stated that the item had been submitted to the Board, with a copy of the transmittal letter to the County Permits and Resource Management Department (PRMD) in an attempt to identify those projects that had been approved and proposed in the VOMWD service area. The letter had been sent only to the PRMD at this time since it was the planning agency responsible for growth issues, new development and building permits.

Mr. Harry referred to the letter that had listed all of the projects that had building permits and will serve letters as well as residential and commercial projects that had been proposed. Currently, an additional 171 equivalent single family dwelling units had been proposed for the near future, representing .08 mgd per day. He stated that he was waiting for information from the County Planning Department, which information had been requested by October 1, 2003. He noted that this was the first time the District had been asked to supply growth information to the SCWA to ensure adequate water to meet the VOMWD's needs.

Director Woods asked for a copy of the response from PRMD when received to allow the VOMWD to determine the adequacy of its current information.

By consensus, the Board authorized the General Manager to gather the requested information and to submit that information to the SCWA.

Since it was 6:45 P.M., **President Prushko** moved to the scheduled public hearing at this time.

4. PUBLIC HEARING

A. Arnold Drive/Felder Road Proposed Well Project

President Prushko advised that the Board would conduct a public hearing on the proposed Negative Declaration for the Arnold Drive/Felder Road Well Project. He reported that the Initial Study and Proposed Negative Declaration had been released to the State Clearinghouse on August 21, 2003 consistent with the California Environmental Quality Act (CEQA) and that the public review period would end on September 22, 2003.

President Prushko stated that the public hearing was intended to allow the Board to receive testimony from interested parties concerning the project. All comments would be incorporated into the public record concerning the Initial Study and the proposed Negative Declaration. He stated that the Board would respond to no issues raised at the hearing. On September 22, the Board would consider all comments provided orally and in writing and the Responses to the Comments prepared by the environmental consultant, Brelje & Race, prior to considering action regarding the project.

Sue Nelson with Brelje & Race Engineers offered a brief description of the project, the purpose, a brief overview of the Initial Study document, and a review of the process for the completion of the CEQA process and how the public could ensure that his/her issues had been raised and that there had been a response to those issues.

Ms. Nelson stated that the 0.3 acre site located at the corner of Arnold Drive and Felder Road was the subject of a proposed 99 year lease between the VOMWD and the Valley of the Moon Fire District (VOMFD) for use of that site to drill a well approximately 400 to 600 feet in depth with a pumping rate of 160 gallons per minute (gpm) and an expected annual production volume of 64 acre feet.

The use of the well would only occur during a three month period when peak water demands occurred. A small concrete block building would be constructed around the well and pump, which would then be fenced and landscaped. In the event of a power outage, power to the site would be provided by a portable generator. While soils had previously been stockpiled on the site, those soils had been removed and that practice would not occur in the future. Existing trees along the perimeter of the site would be retained.

With respect to the project, **Ms. Nelson** stated that the purpose of the project was that the SCWA had contractually obligated water districts, including the VOMWD, to pursue additional water sources and to firm up its water sources for supply during peak periods. This proposed project had been in response to that contractual obligation that the VOMWD find other sources to use during peak demand periods.

Ms. Nelson stated that Brelje & Race had been retained to prepare an Initial Study, copies of which had been prepared and provided by Brelje & Race and had been available in VOMWD offices at the beginning of the

review period in August 2003. The document included an environmental checklist of topics to be addressed, including specific and more detailed information provided with respect to aesthetics, cultural resources, and hazardous materials. With respect to hazardous materials, she reported that the VOMWD had retained CKG Environmental to conduct a drinking water source assessment at the project site based on the test well, the results of which had been included in the Initial Study.

Another section was hydrology and water quality and the information included in the Initial Study had been based on a report prepared by a consultant retained by the VOMWD, Gene Boudreau. A copy of his report was also available at this time along with the Initial Study for the public.

Ms. Nelson explained that at the Board's meeting in mid-August, Brelje & Race had been directed to proceed with the public notice process for the document and to prepare a proposed Negative Declaration notice, which had been done. The public comment period stated in that notice was from August 21 through the end of the business day on September 22, 2003.

Ms. Nelson stated that to distribute the information of notice of proposed Negative Declaration, copies of the notice had been mailed to property owners within 300 feet of the site and the notice had been posted throughout the vicinity of the project site. A notice had also been published in its entirety one time in the Sonoma Index-Tribune. She added that members of the public could hand deliver, submit or mail written comments to the VOMWD prior to the deadline on September 22 at the close of the business day. The current public hearing would also allow the public to submit public comments, each comment of which would receive a response. For those not comfortable with making public comments, she noted that if anyone would like to make a comment in writing that could be done and submitted to her or to Mr. Harry at this meeting.

Ms. Nelson commented that it had been reported that no responses would be made to the comments received at this time, which would allow Brelje & Race and Mr. Boudreau an opportunity to provide thoughtful comments in response. Written responses to the comments received would be compiled in an Addendum document submitted to the Board, to include comments from everything received in writing as well as a summary of the current meeting, with written responses to each.

Ms. Nelson added that it was not necessary to repeat a comment in its entirety in that once made, there would be comments to everything offered. She added that Ron Foster, Sr. of the firm of Groundwater Pump and Well, Inc. which had drilled the test well at the site, was also present to respond to comments. Gene Boudreau was also present to present an overview of the methodology he had used in the preparation of his report.

Gene Boudreau, Registered Geologist, reported that he had been given a study area extending on a radius of a thousand feet from the test hole site, which he noted had not quite reached Felder Creek. He noted that there were few wells within that area. He had consulted old geologic and groundwater studies conducted in the area by the U.S. Geological Survey (USGS) and the State of California's Department of Water Resources, which information had been included in his report.

Mr. Boudreau explained that in order to identify the conditions involved, a number of factors would have to be considered to create a picture of the situation. He clarified that the situation could be more complete if he had more cooperation from adjacent well owners, which had not been the case.

Mr. Boudreau explained that he had attempted to make his report understandable and simplified given that there were a number of complicated formulas involved. He stated that precise calculations could not be

made, although the report would be changed to include more information as it became available.

Mr. Boudreau described the aquifers, a body of rock containing and yielding sufficient amounts of water to a well and the aquicludes, a body of rock, like clay, that while holding water did not release it at any usable rate, and explained that one well could not necessarily be connected to another well given that each well would likely involve different bodies of water.

PUBLIC HEARING OPENED

Philip Sales, 1355 Felder Road, Sonoma, whose home was located just west of the project site, thanked Mr. Harry for making copies of the report available and Director Woods for meeting with residents to hear some of his/her concerns.

Acknowledging the Board's restrictions with respect to the SCWA, **Mr. Sales** noted that in the last ten years residents had seen major changes occur around his/her properties and wells. He suggested that the additional well would exacerbate that situation. He noted that the information presented in the Initial Study and the report from Mr. Boudreau were inaccurate and included errors and omissions offering an incomplete picture of the situation.

Mr. Sales displayed a map entitled Felder Creek Watershed Existing Wells and pointed out an administrative error in the posting of the Initial Study. He stated that the notice that had been posted at the end of Felder Road indicated that the project was a Mitigated Negative Declaration while the document stated that it was a Negative Declaration. He described the differences and explained that the project did not include mitigations to offset any impacts that might occur. He suggested that the posting error might have discouraged public input and comment on the project.

Mr. Sales also pointed out that the Initial Study project description understated the amount of water that could be produced by the well. While Brelje & Race had identified an annual production volume of 64 acre feet from the well for a three month period, he suggested that at some future date the VOMWD Board might want to pump that well all year round, which could produce 250 acre feet of water. Once approved, he suggested that the VOMWD would be under no obligation to revisit the issue or to prepare an additional Initial Study to address the impacts of any higher use. He stated that the Initial Study had also failed to address any cumulative impacts created by the project.

Mr. Sales stated that the Initial Study had also indicated that there was no impact on anything, a situation that he characterized as an understatement. He referenced recent historical information and past correspondence from the State Water Resources Control Board that concerns with upstream diversions and the agricultural wells that Beringer had drilled on the adjoining property had adversely affected the flows of Felder Creek. He suggested that the proposed well would exacerbate that situation.

While **Mr. Sales** acknowledged that he was limited to speaking for five minutes, many members of the audience deferred his/her five minutes to Mr. Sales.

Mr. Sales stated that the Initial Study relied primarily on Mr. Boudreau's study. He suggested that there were significant inadequacies, assumptions, omissions and lack of data in the Boudreau report. He noted, for instance, that the study appeared to be undefined or arbitrary and he commented that the report had not indicated, as had Mr. Boudreau, that he was asked to remain within a thousand feet of the proposed site.

Mr. Sales suggested that the study area did not adequately analyze existing agricultural groundwater and surface water diversions already occurring upstream of the proposed well and already impacting the existing

groundwater.

Mr. Sales also referenced a comment in the Boudreau report referencing 70 acres of vineyards, which he suggested was more in the nature of 200 acres, along with others on the other side of Felder Road.

Mr. Sales took this opportunity to verify with Mr. Harry that the VOMWD consultants had received a copy of his letter and that the Board would receive a copy of the letter with the responses after the public review process. **Director Woods** noted that he had received the letter at the time of his visit to the site.

Mr. Sales also stated that the Boudreau report failed to adequately analyze the impact on domestic wells. He pointed out that 50 domestic wells had been confirmed in the Felder, Mocabee and Sperring Road areas, primarily in the 100 to 200 foot range, which was why the adjacent residents were so concerned since the proposal could be drawing water off of the same level as that of those domestic wells.

With respect to the existing groundwater use from agricultural wells, **Mr. Sales** pointed out the agricultural wells in the Felder Creek Watershed Area. He stated that the information on the watershed area had been provided to residents by the Department of Water Resources when a petition had been filed on Felder Creek diversions a few years ago. He stated that he would enter the letter involved in that case into the public record.

Mr. Sales emphasized that there were large agricultural wells in the area depleting the groundwater and he suggested that those wells should be addressed by Mr. Boudreau's further study. He urged the Board to ask Mr. Boudreau to perform an additional study. He noted, for instance that the wells on the Beringer property were capable of pumping up to 372 acre feet a year if pumped for just 12 hours a day during the summer months. If that were the case, he suggested there appeared to be a huge excess capacity in the Beringer wells and that information affecting the total groundwater availability had not been included in Mr. Boudreau's report.

Mr. Sales also suggested that there had been a total lack of analysis on the impacts of the riparian areas of Felder Creek, which ran just to the north of the subject site. Referring again to the Boudreau report, he noted the statement that based on 28 inches of rainfall a year in the study area of 100 acres would result in 233 acre feet of water, and that 800 acre feet of water was available for recharge from the Felder Creek Watershed. He suggested that ignored the fact that since 1999 Felder Creek had stopped flowing between Mocabee Road and the Felder Bridge for the first time and during the five summer months between May through October, which had occurred after the planting of the Beringer Vineyard. He emphasized that the report failed to account for the effects on Felder Creek over the existing vineyard wells and permitted upstream diversions.

Mr. Sales also pointed out in the Boudreau report that there was a mathematical error on Page 2 where 30 homes would use 15 acre feet of water per year and 70 acres of vineyards would use 35 acre feet, for a total of 85 acre feet. He stated that the report should have shown a total of 50 acre feet. He stated that the error had been carried forward into the Initial Study and had raised concerns with the neighbors. He requested that the Board direct the consultant to return with a revised report.

Mr. Sales further suggested that the VOMWD failed to share information with Mr. Boudreau in that since February 2000 the VOMWD had asked residents in the Sonoma Valley for permission to monitor wells to identify recharge rates.

Since that time, the VOMWD had been regularly testing wells belonging to Felder Road residents, specifically at 1288, 1333, 1347, 1460, and 1469 Felder Road. He emphasized that information should have been provided to Mr. Boudreau to allow him to provide a more detailed analysis.

Mr. Sales referred to the reference in the Boudreau report that there was 28 inches of rainfall in the Sonoma Valley based on an average throughout the Valley, and the assumption that all 28 inches would be available for groundwater recharge. He stated that was not necessarily the case and that there were surface water drainage models that could predict the actual retained water. He requested that the consultant be directed to develop a model to calculate the actual amount of water penetrating the ground to recharge the groundwater.

Referencing major problems with domestic wells in 1999, **Mr. Sales** stated that Fowler Creek just to the north of the subject site had led to the preparation of a report by Rudolph & Scalmonini for the VOMWD, which report had identified substantial declines in groundwater elevations in the area appearing to represent localized aquifers with inadequate groundwater recharge.

Mr. Sales explained that the County was conducting a groundwater study and had contracted with Kleinfelder, Inc. to perform the study, preliminary findings of which had been presented to the County Board of Supervisors. Those findings had indicated that data existing on groundwater was often out of date and unreliable, primarily since the County had only been collecting information on wells since the 1970's and there were no records of actual water use and groundwater quality, quantity, availability and direction of flow could not be predicted. As such, decisions were being made on inadequate information and the maps used to determine local geology were based on large scale USGS maps prepared in the 1940's and 1950's that could not reflect the geological complexity of the subject area.

For all those reasons, **Mr. Sales** requested that the Negative Declaration be withdrawn and be resubmitted after addressing all the issues. He suggested that additional studies were needed and that corrections needed to be made to the reports.

Mr. Sales displayed other photographs, acknowledged that the VOMWD was dealing with groundwater issues, but suggested that Felder Creek was also an issue. He noted that the intermittent flows of Felder Creek had been tracked because of the diversions proposed upstream. He offered a photographic document of the creek to show that the creek today was totally dry up to Felder Ranch, and that the photograph taken in the 1960's by Jerry Felder showed that a 24 inch steelhead was being pulled out of Lewis Creek, a tributary to Felder Creek, a situation that no longer existed. He stated that the watershed was in crises and that one more drill in the watershed was a bad move.

Manuel Franco, 1905 Felder Road, Sonoma, reported that he had worked on 80 percent of the wells in the Valley and the pumping systems thereafter. He commented that he was more familiar with what was going on with the water because of his experience. He stated that none of the wells in the neighborhood were high producers. He commented that in 1972 the average well might have been 200 feet deep, while currently the average well was 600 feet deep. Through his experience he had seen a steady decline in well production. The same scenario occurred at the Golf Course on Carriger Road where wells were now being extended from 600 to 800 feet.

Having lived in the neighborhood all his life, **Mr. Franco** added that the creek was now going dry. He also commented that the irrigation of the adjacent Beringer vineyard affected the water availability of adjacent domestic wells. He emphasized that wells in the area were yielding less and less. He expressed his hope that the Board would consider another site. He suggested that there were better sites in the Valley. While he recognized the geology, he suggested it was geology of convenience.

Mr. Franco referenced a number of residents of the area who had been unaware of the project and who would be impacted by the proposal. He stated that not only would the well take the water but it could eliminate the potential of residents drilling down deeper to attempt to get more water. Given his experience,

he characterized the proposal as a wrong move. He otherwise acknowledged that the proposal represented a big investment for the VOMWD but he urged the VOMWD to consider other sites.

Don Lewis, a Carriger Road resident, noted that the VOMWD had commissioned a master plan in 1999 although Mr. Boudreau was not aware of that plan when conducting his study. He suggested that the master plan should have been provided to Mr. Boudreau and all those dealing with the proposal for a well. He otherwise acknowledged that people in the area were having trouble with his/her wells and he noted that the SCWA was taking water from those areas. He suggested that residents were being picked on to supply water out of already meager resources.

Robert Collin, 147 Temelec Circle, speaking on behalf of the Board of Directors of the Temelec Homeowners Association (HOA), requested to go on record through a letter he read into the record to show the HOA's serious concern for the construction of a 600 foot well at Arnold Drive and Felder Road adjacent to the Temelec property. He stated that the entire irrigated landscaped area of the 325 home community was irrigated with its own well water and that no VOMWD supplied water was used for that purpose. He stated that two of the HOA's wells were within 300 feet of the proposed project and posed a threat to its private water supply.

Mr. Collin stated that the subterranean water source that charged its wells and provided Temelec with the year round visual asset of Rogers Creek had been depleted, possibly by the intrusion of additional neighboring wells of the 600 acre vineyard surrounding the Temelec community. Since the establishment of that vineyard three years ago, Rogers Creek had run dry for the past two summers. He stated that the 450 to 500 residents of Temelec objected to more well drilling in its immediate vicinity and joined with the residents of the Felder Road area in opposition to the proposal. The letter read by Mr. Collin was signed by the President of the Temelec HOA Board, Paul Rosenthal.

Diane Rawicz, 1288 Felder Road, Sonoma, the owner of one of the two wells nearest the proposed site, stated that she had the privilege of living on Felder Road for ten years. She expected to remain in her home for many more years and expressed her hope that water would be available throughout the time and beyond. She asked the Board to take the residents' petition seriously, to review the information and to identify what the Board would propose to mitigate the project and to offer residents some confidence and assurances that residents could continue to live in his/her homes with adequate water.

Tom Healy, 1345 Felder Road, Sonoma, the owner of three parcels in the area and two wells stated that because Felder Creek was dry a number of Indian artifacts could easily be found in the dry creek bed. In reading the Initial Study, he questioned who had the appropriate water rights to use the water. He noted that the VOMWD was a middle man and not a consumer of water and he stated that the VOMWD had a right to transport water to consumers. He stated that Felder Road residents apparently had no recourse in that situation.

Merlin Mathews, 51 Temelec Circle, Sonoma, a five year resident, stated that he lived most of his life in Colorado where if a new well impinged on a neighbor, by law it could be shut down. He noted that there was no recourse here but he suggested that there should be.

Steve Perry, 13975 Arnold Drive, Glen Ellen, pointed out that the issue of groundwater was a big issue in the Valley.

Not being an expert in any way in the process, **Mr. Perry** stated that he had been struck that people did not know a lot about what was going on with respect to groundwater in general. He stated that the impacts the proposal would potentially be very strong and very long term in nature. He asked the Board to listen to the

citizen comments, to be diligent and to slow the process down if necessary. He suggested that Mr. Boudreau update his study. While recognizing that water was needed, he suggested that there was no need to rush it at this point.

Brian Eagle, 1327 Felder Road, Sonoma, a five year resident stated that his well was 110 feet in depth. He inquired whether or not the Board had considered any other location and he questioned what recourse residents would have if his/her well ran dry.

Glenn Peterson, 1460 Felder Road, asked the Board when it would make a decision.

Director Woods stated that it would take the consultants time to respond to the comments. Since the public comment period would be open until September 22, 2003, he stated that the date of any decision was currently unknown but would be identified when known.

Pat Arend, 19276 Wyatt Road, Sonoma, stated that he had been at the site for six years, had a 100 foot well, had experienced the well running dry two years ago and noted the significant vineyard development between Carrigar and Wyatt Roads. He reported that he had spent \$30,000 to build a new well and he had no assurance of how long that well would provide water before needing to go deeper. He emphasized that the issue of groundwater was a serious and costly one. He urged the Board to remember that fact. He also noted that the more wells in the aquifers the less water availability. Additionally, he had heard nothing that would change his opinion that there was no one who could predict or offer concrete evidence that tapping into the water table would not affect adjacent wells.

Jim Kemp, 1281 Felder Road, Sonoma, stated that he had lived in his home since 1967. He stated that for the first time in the 36 years since he had lived at the site, his water supply had diminished. He had his well checked and there was no question that the well was not adequately recharging to keep up with the use. He noted that the use of his well had diminished since his five children no longer lived in the home. He suggested that the VOMWD proposal could exacerbate the situation. He also noted that the creek was a beautiful amenity to the property although the water had diminished and was not offering what it had previously offered.

Mr. Kemp stated that a significant feature of the VOMWD proposal was that it would remove water in capacities that paralleled a large vineyard, although that water would be transported elsewhere.

Mr. Kemp also noted that another resident, Jack Beaseley had given him a letter to submit for the record. He verified with the Board that letters submitted on the proposal would be made a part of the public record.

PUBLIC HEARING CLOSED

Director Woods expressed his appreciation for an opportunity to meet with some of the neighbors who had provided him with a folder of information. He verified that information was to be made a part of the public record and he made that information available to Mr. Harry for that purpose. He added that he had also spoken with a representative of Beringer, who was willing to provide information to the VOMWD. He would make that contact available to the VOMWD's consultants. He expressed his appreciation for the testimony offered by the residents.

Regarding the levels on some of the neighboring wells, **Mr. Harry** stated that was part of an overall study being conducted in conjunction with the City of Sonoma. He emphasized that the property owners at that time had been told that the information offered would be confidential. He would ask those residents whose

wells had been measured in the fall and in the spring for the last three years whether or not that information could be made public. If permission was received, he would provide that information to the VOMWD's consultants.

Director Woods suggested that anyone interested in joining in that monitoring program should do so. He noted that approximately five of the 50 domestic wells in the area were currently participating and he encouraged anyone else willing to do so to participate in that well study.

Director Bramfitt emphasized that the Board was appreciative of the comments and sympathetic to the concerns. Acknowledging the frustration of the residents, he stated it was also frustrating to the Board not to be able to respond at this time. He stated that there would be more opportunities for participation in the future.

President Prushko noted that the Temelec area had been watering and mowing for some time and he questioned whether or not that area would be willing to participate in the well monitoring study. He otherwise expressed his appreciation to the residents who had offered his/her comments.

Mr. Harry reported that no closed session would be held at this time.

9. CLOSED SESSION

- A. Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8; Negotiate Price and Terms of Payment. Agency Negotiator: Lee J. Harry; Negotiating Parties: N/A. District Declared Surplus Properties: APN 056-583-017, Alberca Road.

There was no closed session.

10. REQUEST FOR FUTURE AGENDA ITEMS

There was no request for future agenda items.

11. ADJOURNMENT

Motion by **Director Woods**, seconded by **Director Bramfitt** and carried unanimously to adjourn the meeting at 7:55 P.M. The next scheduled meeting is a Regular Meeting on October 7, 2003 at 6:30 P.M.

Shari Walk, Deputy Board Secretary