

JPA Special Board Meeting Minutes
Kern Groundwater Authority
Wednesday, March 21, 2016

JPA DISTRICT REPRESENTATIVES AND ALTERNATES PRESENT

Kevin Pascoe, Arvin-Edison WSD
Dave Fenn, Cawelo WD
Michael James, City of Shafter
Gene Lundquist, ID-4
Royce Fast and Marty Milobar, Kern County Water Agency
Supervisor David Couch, County of Kern
Kevin Antongiovanni, Kern Delta WD
Andrew Pandol, Kern-Tulare WD
Kim Brown, Kern Water Bank Authority
Kevin Andrew, North Kern WSD
Gary Unruh, Rosedale-Rio Bravo WSD
Rick Wegis, Semitropic WSD
Roger Riley, Shafter-Wasco ID
Jim Regan, SSJMUD
Dennis Atkinson, Tejon-Castaic WD
Gary Morris, West Kern WD
George Cappello, Wheeler Ridge-Maricopa WSD

JPA DISTRICT REPRESENTATIVES AND ALTERNATES ABSENT

Jeff Siemens, Olcese WD
Joe MacIlvaine, Westside District Water Authority

OTHERS PRESENT

Steve Collup & Jeevan Muhar, Arvin-Edison WSD
David Ansolabehere, Cawelo WD
Dave Beard, ID-4
Holly Melton, KCWA
Mark Mulkay, Kern Delta WD
Dick Diamond, NKWSD
Lori Honea, Rosedale-Rio Bravo WSD
Eric Averett, Rosedale-Rio Bravo WSD
Jason Gianquinto, Semitropic WSD
Harry Starkey, West Kern WD
Greg Hammett, Westside District Water Authority
Deborah Wordham, Best, Best & Krieger
Brad DeBranch, Bolthouse
Maurice Etchechurry, Buena Vista WSD

Jonathan Lilien, Chevron
Dale Ducharme and Alfonso Noyola, City of Arvin
Art Chianello, City of Bakersfield Water Resources Dept
Rich Zimmer, Clifford & Bradford
Duane Dundies, CRC
Tim Gobler and John Ayres, GEI Consultants
Patty Poire, Grimmway Farms
Greg Fenton, Kern County
Florn Core, Kern County
Mark Smith and Fred Garcia, Kern County Grand Jury
Ravi Patel, Klein Law
Robert Kuhs, Kuhs Parker Law
Robert Hartsock, McMurtrey, Hartsock & Worth
Alex Shafer, Materra Farming
Douglas Nunneley, Oildale Water
Pres Brittian, Pacific Resources
Tracy Leach, Providence Consultants
Dan Bartel, Rosedale-Rio Bravo WSD
Jon McQuiston, Vantage Point Consulting
Ernest Conant, Young Wooldridge
Doug Gosling, Young Wooldridge
Jennifer Pitcher, WSPA
Bret Sill
Scott Kuney

1. **Call to Order** – Director Couch called the meeting to order at 8:00 a.m. after it was confirmed there was a quorum.
2. **Public Comments** – None
3. **Minutes** – A motion was made by Director Fenn and seconded by Director Andrew to approve the February 24, 2016 board meeting minutes. A roll call vote was taken and the motion was unanimously carried.
4. **Treasurer’s Report** –
 - a. **Accounts Payable/Receivable** - Mr. Diamond gave a report to the Authority Board. A motion was made by Director Pascoe and seconded by Director Riley to approve the Treasurer’s Report and authorize disbursements of the accounts payable as of February 29, 2016. The motion was unanimously carried.
5. **Groundwater Management Work Plan**
 - a. **GEI Update** – Mr. Gobler reviewed the Activity Report handout from GEI with the Authority Board. This handout summarized activities performed by GEI

Consultants, Inc. during the month of February, 2016. He reported on the following activities they've been working on:

1. Continued work on the Coordination Committee's White Paper regarding the SGMA coordination efforts.
 - i. Suggested a workshop on the White Papers to make sure ours will mirror the DWR Regulations. Mr. Averett suggested after our April or May board meeting.
2. Made changes to Special Activity Agreement. It will now be based on District boundaries and acreage.
3. Continued work on TO #'s 3-9.
 1. TO #3 – prepared a brief comparison of ITRC evapotranspiration data to simple “water budget” for selected urban service areas. The results were presented to urban committee.
 2. TO #4 – no report
 3. TO #4 – no report
 4. TO #5 – closed out.
 5. TO #6 – no report.
 6. TO #7 – GEI's CY 2016 KGA work
 - i. Project Management
 - ii. KGA Meetings
 - iii. As-Requested Services
 7. TO #8 – Coordination White Papers
 - i. Preparing five white papers and a summary report. Completed drafts of white paper Item B and C and began drafting white paper D and E.
 8. TO #9 – Began drafting a proposed work plan and budget for inclusion in the DWR grant application.

b. **Committee Reports**

1. **Urban Committee Report** – Mr. Beard reported there was no meeting in March. The next meeting is scheduled for 04/21.
2. **Coordination Committee** – Mr. Mulkey reported the committee met on 03/07. The topics for discussion included:
 1. Discussed Draft Regulations from DWR – circulated for comments. The review period has been extended from 03/25 to 04/01.
 2. Had Power Point presentation on regulations from DWR.
 3. Discussed facilitator – title, P/T consultant to F/T salary.
 - i. Further discussion needed before names are presented to the Board.
 4. Discussed two (2) White Papers – D & E (in handout)

5. Discussed Activity Agreement – agreed to get the ITRC ET Study to the Districts for review and approval.
6. Discussed what to apply for in the grant that GEI is working on. Recommended funding for the ITRC study.

The next meeting is scheduled for 04/04/2016.

6. **Discussion on Approach to Implementation of Groundwater Regulations**

- a. **GSA Boundary Map(s)** – Mr. Averett reported that the map showing the overlap entities have been circulated to managers for review.
- b. **Update on Amended and Restated Joint Powers Authority Agreement** – Mr. Averett reported that the Agreement in final version was circulated to each members Boards for approval. There needs to be 75% (14 members) for it to pass. The eleven (11) members who have Board approval thus far are: Rosedale-Rio Bravo WSD, Wheeler Ridge-Maricopa WSD, North Kern WSD, Cawelo WD, Tejon-Castaic WD, Arvin-Edison WSD, Kern-Tulare WD, Semitropic WSD, City of Shafter, Shafter-Wasco ID, South San Joaquin MUD.
- c. **Report on Department of Water Resources Draft Regulations** – Mr. Averett reported that DWR has released their draft regulations on their website. DWR has revised the language regarding the “Coordinating Agent” – this can now be a “Coordination Entity”. This “Entity” will still have **NO** authority or power to act upon its members. It won’t “mute” all the voices in the Basin. Some points in the regulations remain:

- DWR will look at everything at the Basin level – **ONE GSP ONLY!**
If you decide to have your own GSA and your own GSP you will have to do a Hydrologic Model and Water Budget for the WHOLE Basin, not just your own area and it will have to coordinate with the whole basin GSP.

If this can’t be achieved then the WHOLE BASIN becomes Probationary!

- i. **Draft Comment Letter** – Mr. Averett reviewed the handout DRAFT comment letter with the Board. Any additional comments/changes need to be submitted ASAP. We have until 04/01 to send it into DWR. Some highlights Mr. Averett reviewed in the handout included:

1. Flexibility – adaptive management
2. Local Management – Changed Coordinating “Agency” to Coordinating “Entity”. This still remains a distinction without a difference.

There still needs to be a Coordination Agreement for the whole basin no matter what!

When you do your water budget for your GSA plan it still will need to be coordinated and everyone needs to use the same data.

A Coordinating Entity may be identified in and appointed through a coordination agreement among multiple Agencies within a basin. The Coordinating Entity shall have no authority other than to collect, disseminate and report data on behalf of the various Agencies within the basin unless otherwise authorized in the Coordination Agreement.

3. Plan Contents – Water Budget Section 354.18: These will be done within your plan area. There has to be a statement attesting you ARE coordinated with the rest of the basin.
4. Evaluation and Assessment – Department Review of Initial Adopted Plan Section 355.2: Shortening the timeframe to six month or one-year “conditional approval”.

Director Pascoe asked, “What is a coordinated area? What is the plan for areas outside of our areas (undeveloped) i.e. Museums, Parks, etc.? How is it counted?”

Director Couch said these would fall under the County.

Mr. Averett said he would like to send our letter (once completed) to other basins so our message will be consistent.

Mr. Conant reiterated that it is important to send our comment letter in. He said there is a DWR workshop in Visalia tonight at the Convention Center. There is also a webinar available on 03/24.

After discussion, a motion was made by Director Fenn and seconded by Director Wegis to approve the letter, in substantial form pending all additional comments, subject to legal counsel as to form. The motion was unanimously carried.

- d. **Letter of support for Boundary Modification** – Mr. Averett reviewed the letter handout and maps with the Board. The basin boundary modification request is for Devil’s Den WD. It would be jurisdictional only. A motion was made by Director Fenn and seconded by Director Riley to send the letter approving the jurisdictional boundary modification for Devil’s Den WD. The motion was unanimously carried.

7. **Coordination Activities**

- a. **SB4** – No report.
- b. **CASGEM** – No report
- c. **AB1390** – No report

8. **Old or New Business** –Mr. Averett reported that a short list of attorneys have been put together. They are currently working on a scope of work for consideration.

New date for the KGA meeting in May, 2016:

May 18, 2016 @ 8:00 AM in the Kern County Administrative Building, Board Chambers room.

9. **Attorney(s) Report** – No report

10. **Adjournment** – Director Couch adjourned the meeting at 8:50 a.m.