

JPA Board Meeting Minutes
Kern Groundwater Authority
Wednesday, September 23, 2015

JPA DISTRICT REPRESENTATIVES AND ALTERNATES PRESENT

Kevin Pascoe, Arvin-Edison WSD
Dave Fenn, Cawelo WD
Gene Lundquist, ID-4
Michael James, City of Shafter
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
Jason Selvidge and Gary Unruh, Rosedale-Rio Bravo WSD
Jim Regan, SSJMUD
Roger Riley, Shafter-Wasco ID
Dennis Atkinson, Tejon-Castaic WD
Gary Morris, West Kern WD
Joe MacIlvaine, Westside District Water Authority
Michael Blaine and George Cappello, Wheeler Ridge-Maricopa WSD

JPA DISTRICT REPRESENTATIVES AND ALTERNATES ABSENT

Jeff Siemens, Olcese WD
Rick Wegis, Semitropic WSD

OTHERS PRESENT

Steve Collup & Jeevan Muhar, Arvin-Edison WSD
Dave Ansolabehere, Cawelo WD
Dave Beard, ID-4
Jim Beck, KCWA
Jon Parker, KWBA
Mark Mulkay, KDWD
Steve Dalke, Kern-Tulare WD
Dick Diamond, NKWSD
Lori Honea, Rosedale-Rio Bravo WSD
Eric Averett, Rosedale-Rio Bravo WSD
Jason Gianquinto, Semitropic WSD
Roland Gross, SSJMUD
Dana Munn, Shafter-Wasco ID

Harry Starkey, West Kern WD
Greg Hammett, Westside District Water Authority
Troy Carrington, Bolthouse
Brad DeBranch, Bolthouse
Maurice Etchechurry, Buena Vista WSD
Dave Hampton, Cawelo WD
Steve Teglin, COB
Dee Jasper, Dee Jasper & Assoc
Larry Rodriguez & Tim Gobler, GEI Consultants
Patty Poire, Grimmway Farms
Alan Christensen, Kern County
Greg Fenton, Kern County
Holly King
Holly Melton, KCWA
Joe Hughes, Klein Law
Nick Turner, Lamont Public Utilities
Robert Hartsock, McMurtrey, Hartsock & Worth
Doug Nunneley, Oildale Mutual
Dan Bartel, Rosedale-Rio Bravo WSD
Rob Goff, Wonderful Orchards
Todd Turley, South Valley Farms
Angelica Martin, Tejon-Castaic Water District
Van Grayer, Vaughn Water
Ernest Conant, Young Wooldridge
T. Mark Smith, Clifford-Brown Law
Rich Zimmer, Clifford-Brown Law
Josh Schroeder, Materra Farming
Chabelo Lomeli, Materra Farming
Kristen Dobbin, Community Water Center
Clark Farr, Lamont Stormwater District
Eric Garner, County of Kern, BB&K
Jeff Eklund, Provost & Pritchard
David James

1. **Call to Order** – Director MacIlvaine called the meeting to order at 8:02 a.m. after it was confirmed there was a quorum.
2. **Public Comments** – None
3. **Minutes** – A motion was made by Director Andrew and seconded by Director Couch to approve the August 26, 2015 regular board meeting minutes as presented. 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 Board on the August 31, 2015 Accounts Payable. A motion was made by Director Couch and seconded by Director Riley to approve the August 31, 2015 accounts payable as presented. A roll call vote was taken and the motion was unanimously carried.

5. **Groundwater Management Work Plan**

- a. **GEI Update** – Mr. Rodriguez reported that they are supporting both committees and providing a summary from the DWR worksheet to both committees.

b. **Committee Reports**

- i. **Urban Committee Report – Consumptive Use Analysis** – Mr. Beard reported they have received the well owner data from the County. GEI is incorporating this data into the map that was shown at last month's meeting.

The map(s) will have the following layers:

- San Joaquin Valley Groundwater Basin-Kern County subbasin boundaries
- Water district boundaries
- City boundaries
- City spheres of influence
- Locations of registered domestic groundwater wells, municipal wells and public water systems within the KGA area of interest subject to Sustainable Groundwater Management Act provisions
- Proposed commercial/residential developments expected to be constructed by 2020

Each District can request a map copy from GEI.

Mr. Beard reported that they have received Task Order #5 – *Consumptive Use Analysis*. The committee will review it at their 10/15 meeting and bring it to the Board for approval at the October meeting.

Mr. Averett reported on the letter from the State Water Resources Control Board regarding *Disclosure of Water Supply Well Location Information on Geotracker* (in packet). He reported that this is a comment letter only and there hasn't been any additional information received on the comments thus far.

- ii. **Surface Supply Workgroup Report-Yield Analysis** - Mr. Mulkay reported that the committee met on 09/14 with GEI. GEI did a presentation on:

- Groundwater elevations
- Groundwater extractions
- Surface water supply
- Total water use
- Change in groundwater storage

- Water budget (defined in SGMA)
- Sustainable yield (defined in SGMA)

The emphasis was that we all have to coordinate not matter what structure we end up taking.

GEI will do a report in the next couple months on this Task Order.

Director MacIlvaine requested a white paper on the seven (7) tasks showing the *what's* and *how's* from this committee and GEI.

The new committee name will be – Coordination Committee on all future agendas.

6. Discussion on Approach to Implementation of Groundwater Regulations

a. Report on Legislative/Regulatory Developments – Mr. Averett reviewed the ITRC letter (hand-out) on historical approach. Discussion points included:

- Significance – we need to establish baseline for requirements
- Data (Consumptive Use) – images will be one time per month for a year (1993-2012). Director Riley spoke about needing good analysis (broader picture) of consumptive use. He said a broader look will make it easier to agree on as a whole. He emphasized we needed to look at multiple years: high flow vs. low flow vs. no flow years.
- Coordination Efforts – One approach for data is beneficial and helps everyone coordinate
- Methodology - We ALL have to agree. Mr. Averett emphasized that methodology must be coordinated. The data analysis can change if we all agree. We are not locked into one (1) study for the whole twenty (20) years.
- Costs - We could split costs by special project and split by acreage. The Coordination Committee will work on how to allocate costs

i. SB 13 – “Clean-up” Bill

1. GSA overlap – explicit in the regulations now
2. More flexibility for a GW Sustainability Agency in regard to withdrawing BUT can't leave the basin where an area is not covered

Mr. Conant addressed both 6a.ii & 6a.iii. Both Bills are the first approach to fast-track adjudication.

ii. AB 1390 -Amendment with code of procedure regarding adjudication handling

iii. SB 226 – Water code to coordinate SIGMA

Mr. Averett stressed that the Authority acts on behalf of the members not upon its members unless they are asked to.

We won't lose autonomy in each of our service areas. The authority still has to get an acceptable plan to the State for a GSA. We could do special activities agreement within our GSA.

- b. **Review/Discussion of proposed amendments to JPA** – Mr. Averett reported that the managers and their attorneys met to discuss the amendment and comments. Discussion points at this meeting included:

- SIGMA is the new law – not AB 3030
- GSP Coordination
- Power to implement 1A
 - i. Allows adopting GSP
 - ii. Allows delegation power to members to implement
 - iii. Precludes Authority from taking action without permission
 - iv. Let's the JPA be the Authority – can't over reach
- Provision – can't impact water supplies
- Dispute Resolution

Chairman MacIvaine, Director Fast, Director Wegis, and Mr. Collup gave an account of the manager/attorney meeting and stressed that this decision needed to be made sooner than later. The sooner we can make this decision the sooner we can move forward.

Mr. Averett reviewed the hand-out entitled: *Kern County Options for Appointment of a Groundwater Sustainability Agency* with the Authority Board. The hand-out is a Pro/Con list regarding Option 1A versus Option 1B approach. Authority discussion today included:

- GSP has to be COORDINATED no matter how many GSA's are formed. If we can't coordinate, the entire basin goes probationary versus single areas. If we can't agree all authority goes back to the State.
- Nobody can do a plan until the basin is coordinated
- Option 1A has a greater chance of minimalizing evasiveness from the State
 - i. There is a benefit starting off as a single agency
- DWR is currently developing guidance documents – will be put on their website after completion

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We won't lose autonomy in each of our service areas. The authority still has to get an acceptable plan to the State for a GSA. We could do special activities agreement within our GSA.

After a lengthy discussion a motion was made by Director Fast and seconded by Director Andrew to complete the drafting of the JPA Amendments consistent with the principles outlined in Option 1A. The motion was unanimously passed.

- c. **Consideration of Coordination Requirements – Formation of Committee(s)** – No report
 - d. **Report on Department of Water Resources Practitioner Advisory Panel(s)**
 - i. **Water Budget Coordination** – Mr. Averett gave a report to the Authority Board.
 - 1. What needs to be done to coordinate the intra-basin and inter-basin?
 - DWR knows and recognizes this is difficult
 - ii. **Data Collection, Management & Reporting** – Mr. Averett gave a report to the Authority Board.
 - 1. **Standardization** – Every basin would have one (1) standard for collection for one (1) year
 - iii. **Adaptive Management & Focus Areas** – Mr. Averett gave a report to the Authority Board. We might need to amend our plan as actualities become real. Some areas need focus areas and these can be carved out.
7. **Coordination Activities**
- a. **SB4** – Mr. Averett reported they are working with Senator Pavley’s office currently on this bill. This bill focuses on fracking. The oil industry is moving forward with requirements – partnering with Districts on monitoring efforts; minimizing surface water impacts and costs
 - b. **CASGEM** – No report
 - c. **AB1390** – No report
8. **Old or New Business** – None
9. **Attorney(s) Report** – None
10. **Adjournment** – Director Couch made a motion and Director Lindquist seconded the motion to adjourn the meeting at 9:15 a.m.