

JPA Special Board Meeting Minutes
Kern Groundwater Authority
Monday, December 19, 2016

JPA DISTRICT REPRESENTATIVES AND ALTERNATES PRESENT

Kevin Pascoe, Arvin-Edison WSD
Dave Fenn, Cawelo, Cawelo WD
Royce Fast & Marty Milobar, KCWA
Andrew Pandol, Kern-Tulare WD
Bill Taube, Kern Water Bank Authority
Kevin Andrew, North Kern Water Storage District
Jeff Siemens, Olcese WD
Jason Selvidge & Gary Unruh, Rosedale-Rio Bravo WSD
Rick Wegis, Semitropic WSD
Roger Riley, Shafter-Wasco ID
Jim Regan, SSMUD
Gary Morris, West Kern WD
Dennis Mullins & Michael Blaine, Wheeler Ridge-Maricopa WSD
Joe MacIrvine, Westside District Water Authority

JPA DISTRICT REPRESENTATIVES AND ALTERNATES ABSENT

Michael James, City of Shafter
Supervisor Couch, County of Kern
Dennis Atkinson, Tejon-Castaic WD

OTHERS PRESENT

Steve Collup, Arvin-Edison WSD
Jeevan Muhar, Arvin-Edison WSD
Anna Dutton, Arvin-Edison WSD, via conference call
Steve Dalke, Kern-Tulare WD
Jon Parker, KWBA
Dick Diamond, North Kern WSD
Eric Averett, Rosedale-Rio Bravo WSD
Dan Bartel, Rosedale-Rio Bravo WSD
Lori Honea, Rosedale-Rio Bravo WSD
Jason Gianquinto, Semitropic WSD
Harry Starkey, West Kern WD
Greg Hammet, Westside District Water Authority
Valerie Kincaid, O'Laughlin, Paris, LLP, via conference call
Maurice Etchechurry, Buena Vista WSD
Larry Rodriguez, GEI Consultants
Patty Poire, Grimmway Farms
Florn Core, Kern County
Phil Hall, Kern County
Alan Christensen, Kern County

Holly Melton, KCWA
Dave Beard, ID4
Gene Lundquist, ID4
Mark Mulkay, Kern Delta WD
Kevin Antongiovanni, Kern Delta WD
Robert Kuhs, Kuhs Parker Law
Robert Hartsock, McMurtrey, Hartsock & Worth
Justin Birch, Materra Farming
Alex Shafer, Materra Farming
Pres Brittan, Pacific Resources
David Halopoff, Provost & Pritchard
Bret Sill, Sill Properties
Todd Turley, South Valley Farms
Angelica Martin, Tejon-Castaic WD
Tim Gobler, Wonderful Orchards
Ernest Conant, Young Wooldridge
Scott Kuney, Young Wooldridge
Don Wright
Julie Bell
Craig Lynch, Lynch & Lynch LLP

1. **Call to Order** – Director MacIvaine called the meeting to order at 8:02 a.m. after it was confirmed there was a quorum. We meet the threshold under the JPA and will be operating under it.
2. **Public Comments** – None
3. **Minutes** – A motion was made by Director Fenn and seconded by Director Regan to approve the November 14, 2016 special board meeting minutes with the change noted. A roll call vote was taken and the motion was unanimously carried.
4. **Treasurer’s Report** –
 - a. **Accounts Payable/Receivable** - Mr. Diamond presented the Accounts Payable/Receivable to the Authority Board. A motion was made by Director Pascoe and seconded by Director Taube to approve the Treasurer’s Report as presented and authorize the disbursements of the accounts payable as of November 30, 2016. The motion was unanimously carried.
 - b. **Consideration of 2017 Budget** - Mr. Averett presented the DRAFT Proposed Budget for the Calendar year 2017 to the Authority Board. After review, a motion was made by Director Selvidge and seconded by Director Wegis to approve the 2017 budget as presented. The motion was unanimously carried.
 - c. **Consideration of 2015 Audit** - Mr. Diamond reviewed the Financial Statements and the Kern Groundwater Authority 2014/2015 audit conducted by Barbich Hooper King Dill Hoffman Accountancy Corporation (BHK) which covers January 1, 2014 through December 31, 2015 with the Authority Board. A BHK

representative reported that there were no significant findings in connection with the audit. A motion was made by Director Wegis and seconded by Director Taube to approve the Financial Statements as presented. The motion was unanimously carried. An additional motion was made by Director Pascoe and seconded by Director Taube to approve the audit as presented. The motion was unanimously carried.

5. **Sustainable Groundwater Management Act – Manager and Committee Reports**

a. **Amended and Restated Joint Powers Authority Agreement** –Mr. Averett

reviewed the JPA Agreements with the proposed modifications with the Authority Board. He stated that he will have Ms. Honea send out the corrected JPA with the modifications incorporated to the whole group so that they can take it to their respective Boards for approval at their next board meeting and final action by this Board in January, 2017.

A motion was made by Director Mullins and seconded by Director Andrew to approve and adopt the amendments as final and circulate to the whole group for execution. A roll call vote was taken and the vote was unanimously carried with the KCWA Abstaining.

b. **Update on Basin Modeling Effort – Agreement with KRGSA** – Mr. Averett

reported that Todd Groundwater is revising their cost allocation and we should have the new allocation before the next meeting. Mr. Mulkey added that the original proposal had items in it that we didn't ask them to do. No action was taken at this meeting.

c. **Urban Committee Report** – No report.

d. **Coordination Committee Report** – Mr. Averett reviewed the GEI Kern Subbasin Boundary map with the Authority Board. He reported that the following have already filed as their own GSA:

Buena Vista WSD
Greenfield County WD
Kern River GSA
West Kern WD

He reported that the following have indicated they are going to be filing as their own GSA:

Semitropic WSD
Olcese WD

In reviewing the map, Tejon, Arvin, and Wheeler have land in a separate Basin outside of Kern and will probably need to develop an inter-basin agreement between them.

The next meeting is scheduled for 01/17/17.

1. **Update on Stakeholder Issue Identification** –CCP is conducting their last workshop tomorrow at 11:00 AM in the Kern County Admin Bldg (1st floor). Ms. Lucero has included a summary of the

themes and specific issues identified in the Stakeholder Assessment Process. CCP will be putting together a detailed report of all the issues soon. Once complete, it will be made available at the board meeting and on the website.

2. **DWR-Best Management Practices & Water Budget** – Mr. Averett reported that it is well written. Due to the size of the file it was placed on the website for review.

He reviewed the DWR website on the water budget -

https://public.tableau.com/profile/publish/RegionalWaterBudget_Published_4/WaterBudgetSchematics#!/publish-confirm with the Authority Board.

DWR is using the same C2VSim modeling that we're using. We will have access to the same data that will be used in the DWR modeling.

The KGA will be sharing our ITRC data.

**** We need to make sure that we all coordinate and report the same information ****

****The Intra and Inter-Basin HAS TO BE Coordinated as well as the Sub-Surface inflow and outflow information.**

3. **DWR – Proposition 1 Funding Opportunities** – Mr. Averett reported that there is \$87mil left in Prop 1 funding. The requirements are coming early, 2017. It was clear that these funds CANNOT be used for infrastructure projects. Some things the funds could be used for:

- a. Planning and Implementing of GSP's (not capital projects)
 - i. Data Base
 - ii. Single point of monitoring and collection

- e. **GEI Update** – Mr. Rodriguez reported that they have been processing the ITRC data along with putting together the GSP Framework for Option 1 & 2. It will be distributed in January, 2017.

6. **Special Activity Reports**

- a. **Cal Poly ET Study** – no report.

- i. **Consideration of Grant Funding** – Mr. Averett reported that when we initially applied for this grant we had 19 members and now we currently have 17 members. He reported that the two that withdrew (ID4 and Kern Delta WD) would like access to this information. Mr. Averett said there are two questions to consider:

1. Should we let the 2 members that withdrew to receive the benefits of the grant funding?
2. Would the Authority Board consider letting Buena Vista WSD to receive the benefit of the grant funding even though they never paid?

Ms. Kincaid (legal counsel) weighed in on the questions and said that for question #2: the KGA would have to do an outside Special Activity Agreement since the existing agreement is for *members only*. Buena Vista WSD will have to sign the agreement and pay their proportionate share

to reap the benefits. For question #1: we will have to come up with an additional Special Activity Agreement for the withdrawn Districts to let them continue getting the benefits since they were originally in and they've paid.

b. **Kern Groundwater Authority Sustainability Agency**

- i. **Special Activity Agreement** – Mr. Averett reported that this was circulated separately to the Boards for individual adoption.
- ii. **GEI Task Order No. 13** – Mr. Rodriguez reviewed the TO with the Authority Board. It will provide support on behalf of the KGA in its ongoing efforts to coordinate with other established GSAs in the Kern Subbasin to ensure that GSAs are formed and coordinated. The specific Tasks will include:
 1. GSA Boundary Tracking and Mapping (ongoing until June, 2017)
 2. Public Outreach & Meetings (January, 2017)
 3. GSA Formation Filing Support (ongoing until June, 2017)
 4. One public hearing, GSA formation meeting, and meeting summaries (2nd qtr 2017)
 5. GSA formation documentation and submittal to DWR (March, 2017)

A motion was made by Director Mullins and seconded by Director Andrew to adopt Task Order No. 13 with GEI Consultants for an amount not to exceed \$30,000. The motion was unanimously carried with the following abstentions: Semitropic WSD, KCWA, Olcese WD, and Cawelo WD.

- iii. **Workshop – Stakeholder Outreach on KGA/GSA Formation** – covered under agenda item 5d.i.

7. **Discussion on Approach to Implementation of Sustainable Groundwater Management Act**

- a. **Coordination Agreement** – Mr. Averett reported that we can't collect data until we establish coordination in the Basin. **ALL** data that goes into the plan has to be coordinated. This is **NOT NEGOTIABLE!** DWR specifies "coordination" within their regulations. Mr. Averett reiterated that this was only needed for those Entities/Districts that are doing their own GSP. Mr. Averett reviewed the GSA/GSP Formation Power Point with the Authority Board. He reviewed the members that will be forming their own GSA and/or GSP and the next steps to coordination within the Basin. The DWR requirements are:
 1. Governance & Coordination – Intra & Inter Basin GSP
Coordination Land Use & County
 2. Basin Setting – State of the Basin

3. SGM Planning – Sustainability Goal (Sustainable Yield, SGM), Measureable Objectives & Undesirable Results, Water Budgets, Data Collection & Monitoring Plan
4. Evaluation – Implementation & Reporting

These requirements will require a Coordination Agreement and a KGA Special Activity Agreement. There will need to be Stakeholder involvement as well.

The KGA/GSA Next Steps include:

Special Activity Agreement (SA) – Establish Organizational Structure under KGA and Enable members to engage consultants to assist in GSA Formation & Implementation of GSPs

“SA-Project” or Memorandum of Agreement – Establish Organizational Structure under KGA and Describes Members duties and responsibilities with respect to GSA and GSP requirements

Coordination Agreement – Draft Coordination Agreement for Basin, Inter & Intrabasin Issues and Water Budgets

8. **Coordination Activities**

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

9. **Correspondence** – Two letters received in regard to AEWS and the Westside Districts KGA GSA intentions.

10. **Old or New Business** – Ms. Honea will send out the 2017 meeting dates to the group.

11. **Attorney(s) Report** – Nothing additional.

12. **Adjournment** – Director MacIlvaine adjourned the board meeting at 9:13 a.m.