

JPA Special Board Meeting Minutes
Kern Groundwater Authority
Monday, December 21, 2015

JPA DISTRICT REPRESENTATIVES AND ALTERNATES PRESENT

Kevin Pascoe, Arvin-Edison WSD
Dave Fenn, Cawelo WD
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
Bill Taube, Kern Water Bank Authority
Jeff Siemens, Olcese WD
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
Joe MacIrvine, Westside District Water Authority
Michael Blaine and George Cappello, Wheeler Ridge-Maricopa WSD

JPA DISTRICT REPRESENTATIVES AND ALTERNATES ABSENT

Michael James, City of Shafter

OTHERS PRESENT

Gary Sawyers, Bolen, Fransen, Sawyers, LLP (via conference call)
Mr. O'Brien (via conference call)
Steve Collup & Jeevan Muhar, Arvin-Edison WSD
Dave Beard, ID-4
Mark Mulkay, Kern Delta WD
Dick Diamond, NKWSD
Lori Honea, Rosedale-Rio Bravo WSD
Eric Averett, Rosedale-Rio Bravo WSD
Dan Bartel, Rosedale-Rio Bravo WSD
Jason Gianquinto, Semitropic WSD
Dana Munn, Shafter-Wasco ID
Harry Starkey, West Kern WD
Phil Nixon, Westside District Water Authority

Maurice Etchechurry, Buena Vista WSD
Dave Hampton, Cawelo WD
Ron Eid & Tim Gobler, GEI Consultants
Patty Poire, Grimmway Farms
Alan Christensen, Kern County
Greg Fenton, Kern County
Phil Hall, Kern County
Florn Core, Kern County
Beatris Sanders & Jeff Rasmussen, Kern County Farm Bureau
Joe Hughes, Klein Law
Robert Kuhs, Kuhs Parker Law
Robert Hartsock, McMurtrey, Hartsock & Worth
Josh Schroeder, Mattera Farming
Bob Hartnack, Miller Haggin Group
Doug Nunneley, Oildale Water
Preston Brittan, Pacific Resources
Tracy Leach, Providence Consultants
Todd Turley, South Valley Farms
Ernest Conant & Doug Gosling, Young Wooldridge
Melissa Poole, Wonderful Orchards
David James
Deborah Wordham, Best, Best & Krieger
Christine Zimmerman, Valley Water Mgmt Co

1. **Call to Order** – Director MacIlvaine called the meeting to order at 8:01 a.m. after it was confirmed there was a quorum.
2. **Public Comments** – None
3. **Minutes** – A motion was made by Director Taube and seconded by Director Couch to approve the November 16, 2015 special 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 on the November 30, 2015 Accounts Payable. A motion was made by Director Morris and seconded by Director Fenn to approve the November, 2015 accounts payable as presented. A roll call vote was taken and the motion was unanimously carried.
 - b. **Consideration of 2016 Budget** – Mr. Diamond and Mr. Averett reviewed the 2016 budget with the Authority Board. After discussion, each board member will

bring to their respective Districts/Boards for review. This will be adopted at the January, 2016 board meeting.

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 November, 2015. He reported on the following activities they've been working on:

1. Continued work on the Coordination Committee's White Paper regarding the seven (7) SGMA coordination efforts.
2. Data collection and analysis work for the Urban Committee was substantially completed.
3. Assist with the development of a draft FY 2016 budget.
4. Continued work on TO #'s 2-6.

b. **Committee Reports**

1. **Urban Committee Report** – Mr. Beard reported the committee met on 12/17 to review the data from the City of Shafter regarding waste water metering - urban consumptive use. The next meeting is scheduled for 01/21/2016.
2. **Coordination Committee** – Mr. Mulkay reported the committee met on 12/07. The three (3) topics for discussion included:
 1. Basin Boundary Modification – i.e.
 - i. Kern-Tulare Rag Gulf – come into County
 - ii. Delano Earlimart ID – going out of County
 2. Cost Agreement – Special Activity
 - i. Acreage
 - ii. Evapotranspiration
 - iii. Irrigated Acreage
 3. White Paper
 - i. Groundwater Elevation
 - ii. Groundwater Extraction
 - iii. Surface Water Data

The next meeting is scheduled for 01/04/2016.

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

- a. **GSA Boundary Map(s)** – Mr. Averett reported that SB13 passed. Since it passed this leave approximately six (6) months to work out our issues in regard to GSA/GSP for the Kern Subbasin.

If we can't agree by 06/30/2017 DWR will declare the entire basin probationary on 07/01/2017.

Discussion points included:

1. DWR needs the whole basin covered no matter if we “carve out islands” in the overlap areas. Separate GSA’s will cause long-term issues!!
 2. DWR looks at the basin as a whole!!
 3. State Board will come in and decide for us if we all can’t agree!!
 4. DWR will NOT make a decision on whose GSA in the overlap areas is the correct one. If we can’t coordinate the WHOLE BASIN will go probationary NOT just the specific overlap area.
 5. A probationary basin has a higher level of reporting versus a basin in compliance.
 6. We need to get the Cities involved ASAP!! The Water Districts need to be in discussion with overlap city(s)/mutual(s) within their respective Districts.
 1. We need to send a letter from the Kern Groundwater Authority to encourage them to work with us before any preemptive filing occurs.
 2. All Kern Groundwater Authority members need to send a shape file of your area so we can put together and discuss the overlap areas so we can avoid probationary status.
 - i. We need to put together a map so we can have a discussion in regard to the overlap areas to avoid conflicts.
 7. Buena Vista WSD & City already opted out of the Authority. If Buena Vista and the City don’t coordinate on the GSP it shows that we are all not coordinated. They need to agree on what studies we use, etc. The whole point is to avoid the State from coming in if we can’t coordinate. DWR will go with the majority when looking at GSP’s.
- b. **Review/Discussion of proposed amendments to JPA** – Mr. Sawyers reported that there are weekly conference call meetings every Friday to discuss the JPA with the attorneys. He reported that this document creates more flexibility and the driver here is that we have a “unified plan”. He reported that there are a few issues that need to be worked through but they should have a final version by January, 2016.
- Director MacIlvaine had concerns with Section 7.02(g) and would like it revisited. He said this excludes any current banking programs in place.
- Director Couch proposed that the attorneys put together an “objection” list showing what they’ve done to address the issue.
- It was suggested to put together a white paper and bring back to the Authority Board for review/discussion. Mr. Couch said that the County will put this together.
- Mr. Averett reiterated that this JPA DOES NOT have any authority over existing water rights.

Mr. Averett stressed once again the following under the Option 1A approach:

1. The Authority acts on behalf of the members not upon its members unless they are asked to.
 2. 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.
 3. 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.
 4. Nobody can do a plan until the basin is coordinated.
 5. There is a benefit starting off as a single agency.
 6. DWR is currently developing guidance documents – will be put on their website after completion.
- c. **Report on Department of Water Resources Practitioner Advisory Panel(s)** – Mr. Averett stressed the importance of reviewing what is on the DWR website.
 - d. **Draft Administrative Procedure(s) for Board of Directors** – This has been incorporated into the JPA.
 - e. **Draft Kern Groundwater Authority Activity Agreement** – Mr. Averett reviewed the DRAFT handout with the Authority Board. Discussion topics included:
 1. Changing Section 2(d) regarding the quorum and voting.
 2. Exhibit A
 - i. Each District needs to look at the acreage and give the correct number to the Coordination Committee. Everyone needs to decide what acreage will they “manage” versus “monitor”.
 - f. **Proposal from Agralogs** – Mr. Averett reviewed the letter from Agralogs with the Authority Board. After discussion, it was decided to give this to the Coordination Committee to review and do a comparison of the Agralogs proposal versus the ITRC study proposal. The committee will bring it back to the Board for discussion/decision.
7. **ACWA Water Storage Integration Workgroup** –Mr. Averett and Mr. Gianquinto participate in the discussions on Groundwater Storage Projects (development of new water supplies).
 8. **Coordination Activities**
 - a. **SB4** – No report
 - b. **CASGEM** – No report
 - c. **AB1390** – No report
 9. **Old or New Business** –Mr. Averett discussed the letter from Lorraine Unger that was included in the packet. Ms. Unger has been added to the distribution list for the Kern Groundwater Authority.

The board packets will be added to a Drop Box for the Authority Board as well as continue to be put on the website.

10. **Attorney(s) Report** – No report

11. **Adjournment** – Director Couch made a motion and Director Morris seconded the motion to adjourn the meeting at 9:25 a.m.