

Indian Wells Valley Groundwater Basin

GSA-Eligible Agencies Group

MEETING SUMMARY NOTES | April 7, 2016 | 1:15 PM – 3:00 PM
(Via Telecom)

ATTENDEES

GSA-Eligible Agency Representative Participants:

- *City of Ridgecrest*
 - Peggy Breeden, Mayor
 - Keith Lemieux, City Attorney
- *Inyo County*
 - Bob Harrington, Water Resources Director
- *Indian Wells Valley Water District (IWWVD)*
 - Don Zdeba, General Manager
 - Peter Brown, Board Member
 - Chuck Griffin, Board Member
- *Naval Weapons Air Station*
 - Mike Stoner, Naval Civilian Contractor
 - John O’Gara
 - Tim Fox, Community Plans & Liaison Officer
 - Marykay Faryan, Counsel
 - Jared Markley
- *Kern County*
 - Leigh Ann Cook, Chief of Staff
 - Mick Gleason, County Supervisor
 - Roger Moore, Outside Counsel
 - Tony Rossmann, Outside Counsel
 - Phil Hall, County Counsel
- *San Bernardino County*
 - Bob Page, Principal Management Analyst

Supporting Staff

- Dale Schafer, DWR Facilitator
- Alan Christensen, Kern County
- Tim Parker, Technical Consultant

MEETING INTRODUCTIONS

- The meeting began with an overview of the meeting agenda and ground rules by Facilitator
- GSA eligible agency meeting representatives introduced themselves

REVIEW OF MEETING SUMMARY NOTES

- March 18th summary notes -- Approved unanimously

SGMA STATEWIDE UPDATE

- DWR issued new adjudicated reporting system
- State Board posted “Triggering Stated Intervention”
- GSA Notifications (149 total, but 2/3 have overlapping boundaries so they do not qualify)
- 118 Basin Boundaries
- Draft GSP, 67 comments posted
- DWR looking at significant revisions to GSP regs and is required to adopt emergency regulations by June 1, 2016
- Statewide Hydrologic Conditions
 - Climate, 16 inches of rainfall in March in Northern California
 - Snowpack is at 87% average
 - State water project to 45% allocation to most participants

JPA AGREEMENT DISCUSSION

- JPA Agreement Overview – three outstanding issues
 - Initial funding
 - Withdrawal time
 - Voting
- Voting: Section 7.07
 - IWVWD in general agreement with JPA
 - Some concern on impact of 2 of 3 majority vote on IWVWD
 - Water district is the only public water purveyor on the board as the section is written, the County and City are concerned with land use issues and could have an impact on policies, funding, without the consent of the water district
 - Water district should be one of the big two votes or all three must approve
 - Not acceptable as it is written in section 7.07
 - Could County and City who have land use management alternate or unite?
 - City favors 2 of 3
 - Because there should be a veto option, because it is practical - It allows decisions to be made
 - City has interest in water banking which would be a water interest
 - City also has limited police powers
 - County has highest police powers and can stop drilling of wells and pumping
 - County pointed out that if all three have to agree, no one will be able to symbolically vote no. IWVWD – looking at this from financial and operations perspective – they will most likely be the largest funder because they charge rates to ratepayers - County and City have to raise taxes – IWVWD would probably fund much of this through a pumping charge

- City noted that if an agency was not in agreement, it could withdraw from the JPA
- IWVWD – withdrawal from the JPA is not what the district would want to do. But what happens if an agency decides to withdraw?
- County - SGMA anticipates this and assumes if an agency leaves, there has to be an agreement with the agency as an outsider - If someone backs out, the remaining members will continue to act as GSA. Best guess is that when the state reviews a GSA application, it will look at constituents. The state might be critical if the water district left a GSA.
- City – Can understand both perspectives. All should be working together to reach a mutually acceptable outcome – reach by consensus
- IWVWD – Is there a way to give the Board assurances?
- County – sensitive to IWVWD position – suggest have something in the JPA that triggers a period of reconsideration when you have a 2-3 vote of the big three
- Action – County, City and IWVWD policy representatives and attorneys will meet to try to come up with an agreement on voting. Both Inyo and San Bernardino Counties would also like to be included in that conversation.
- San Bernardino – not sure why the group moved from 1 vote per representative – diminishes SB County vote – SB will still participate and will take the JPA to the Board once it is finalized and contains funding.
- JPA Powers
- City - Numerous powers it might look like overreaching? Need to look at the powers that are enabled to see if they can perform.
- County – JPA covers everything - can be used when and if needed
- Issues with JPA, 9.02
 - Initial Funding Payments There is a funding level that reflects a lesser voting power.
 - Peggy: As this GSA moves forward, all of the public agencies could decide to continue funding through GSA agencies contributions Future funding will largely come from fees and prop 218 vote
 - IWVWD – suggest it would be cleaner with each agency \$100,000 and one vote
 - Inyo: Initial contribution, \$100,000 will not be acceptable to the Inyo board.
 - Options for funding: Include grants and fees - Associate members can contribute direct funding but can also contribute with in-kind donations, etc.
 - Navy (Intend to do MOA) there would be in-kind opportunities in that specific agreement.
 - Budget not reflected in JPA? Not actually incorporated.
 - Stress Counties Grant (Kern County (Indian Wells Valley), \$250,000)

LETTER FROM EAST KERN COUNTY RESOURCE CONSERVATION DISTRICT

- Response regarding RCD request to join the GSA Group – it was decided that the RCD is not a GSA-eligible agency and therefore should instead be on the GSP Development Committee

- IWVWD and City - Okay to send back to EKCRC

APRIL 15, 2016 IN-PERSON MEETING IN RIDGECREST

- DWR – David Gutierrez and Tim Ross will attend and give update on statewide SGMA progress and remind the community about IWV status and what is required to be done here
- State Water Resources Control Board – Erik Ekdahl will attend and he and staff will provide an overview of state intervention under SGMA
- GSA Eligible agencies – go over draft JPA progress and options being considered - point out to the public to the meeting notes that are posted online - emphasize progress on JPA and making decisions using consensus-seeking approach
- Funding and Financing at the in-person meeting on 15th
- Just talk about the JPA in general on April 15th

TWO DRAFTS TO REVIEW: FAQs & FACT SHEET

- Agencies review – provide feedback and the goal is to include logos of all agencies
- Main objective is provide good information on SGMA and process and also to help correct misinformation that is circulating in the community

UPDATED MEETING SCHEDULE AND MILESTONES:

- New in- person meeting added in July because of the submittal of GSA
- City Council meetings on 1st and 3rd Wednesday
- Agreed to change the May 15 Deadline to May 20
- Remove May 20 & June 2 meetings.

NEXT IN PERSON MEETING APRIL 15, 2016 – 5:00PM-7:00PM

- Ridgecrest City Hall Chambers