

Indian Wells Valley Groundwater Basin

GSA-Eligible Agencies Group

Meeting Summary Notes | June 10, 2016 | 10:00AM-11:40AM (Via Telecom)

MEETING ACTION ITEMS

Name	Task	Timeframe
Kern County Counsel	Finalize JPA per today's discussion and distribute to GSA eligible agencies	June 13
San Bernardino County	Provide letter supporting JPA to be read at June 17 th meeting	June 14
Technical Consultant	Draft one page JPA policy summary and steps for GSA formation and provide for review	June 13
GSA Eligible Agencies	Review one page JPA policy summary and GSA formation steps and provide input	June 15
Supporting Staff	Draft June 10 meeting summary notes and provide for GSA-eligible agency review	June 13
GSA Eligible Agencies	Review June 10 meeting summary notes and provide input	June 15
Kern County	Continue revising and refining preliminary costs-budget estimate	After June 17
Supporting Staff	Prepare Meeting package for distribution	June 15

ATTENDEES

GSA-Eligible Agency Representative Participants:

- *Bureau of Land Management*
 - Robert Pawalek, Supervising Hydrologist
- *City of Ridgecrest*
 - Peggy Breeden, Mayor
 - Keith LeMieux, Outside Counsel
- *Indian Wells Valley Water District (IWWVD)*
 - Peter Brown, Board member
 - Chuck Griffin, Board Member
 - Jim Worth, Outside Counsel
 - Don Zdeba, General Manager
- *Inyo County*
 - Matt Kingsley, County Supervisor
 - Bob Harrington, Water Resources Director
 - Marshall Rudolph, County Counsel
- *Naval Weapons Air Station*
 - Katherine Ostapuk, Navy Counsel
- *Kern County*

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- Mick Gleason, County Supervisor
- Teri Goldner, County Counsel
- Phil Hall, Deputy County Counsel
- Tony Rossmann, Outside Counsel
- *San Bernardino County*
 - Robert Lovingood, County Supervisor
 - Bob Page, Principal Management Analyst

Supporting Staff:

- Dale Schafer, DWR Facilitator
- Tim Parker, Technical Consultant

MEETING INTRODUCTIONS

- The meeting began an overview of the meeting agenda by Dale Schafer
- GSA eligible agency meeting representatives introduced themselves

APPROVAL of May 20th MEETING SUMMARY NOTES

- No comments and all approved posting the May 20th Meeting Summary Notes

SGMA UPDATE

June 3rd Stanford Water in the West Groundwater Data and Tools to Support SGMA Decisions Workshop

- Purpose of this workshop was to provide technical and policy input to Department of Water Resources and State Water Resources Control Board staff as they develop new SGMA data management systems and best management practices as required under SGMA
- Attended by DWR and SWRCB staff, water industry public, private environmental and academic interests
- Focus this workshop on data needs and tools to support SGMA decision-making
- Stanford will prepare a white paper or report to summarize key findings, recommendations and next steps
- DWR is also preparing a White Paper on their new Data Framework which will be available to the public in the coming weeks

June 8-9 Groundwater Resources Association of California Symposium on Developing Successful Groundwater Sustainability Plans

- Attended of about 150 by broad groundwater industry interests and included a total of about 15 combined DWR, SWRCB and Department of Fish and Wildlife staff
- Purpose of the GSP Symposium was to have a public groundwater industry forum to hear about the final GSP emergency regulations and what goes into a new GSP
- Some key points include:
- SGMA is all new and we will be learning and adapting as we go

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- The water budgets will never be quite right and we have to be able to communicate the uncertainty to stakeholders and the public and understand that we will improve understanding over time
- This is a lot to get done in a pretty short period of time

GSA Formation

- Still a large number of overlapping GSA notifications in the Central Valley and Imperial Valleys – overlapping proposed GSAs will not legally become GSAs – no overlaps are allowed
- Kern County – Three local agencies have filed notification to be GSA in the Kern County subbasin including Buena Vista Water Storage District, Kern River, and Greenfield County Water District - At a Kern County Board hearing earlier this week, the Board of Supervisors elected to take action to become an overlapping GSA with the Buena Vista Water Storage District – Kern County has taken this action to encourage more collaborative thinking and joint GSA formation in the Kern county subbasin – there are two other GSA notices that Kern may consider in the future in the Kern County subbasin

Facilitation Services Available

- DWR is continuing to offer facilitation support services for GSA formation and GSDP preparation
- To date one project has been completed, 14 are underway, and another 6 projects are in various levels of development

Basin Boundary Modifications

- There have been 54 proposed basin boundary modification requests submitted
- DWR is in the process of reviewing the proposed modifications and will be holding a series of public meetings in July to review the proposals at the following locations:
Red Bluff, Clovis, Santa Ana, and West Sacramento

Adjudicated Basin Reporting

- DWR has developed online adjudicated basin reporting system that allows the watermaster or local agencies to report the required information and allows the public to review the submitted information
- Reported information, where available, includes groundwater elevation, groundwater extraction, surface water available for groundwater recharge, total water use, and change in groundwater storage
<http://www.water.ca.gov/groundwater/sgm/adjudicated.cfm>

Groundwater Sustainability Plan Final Emergency Regulations

- Approved by California Water Commission on May 18, 2016
- Included numerous revisions based on public input and comments
- DWR has submitted the final regulations and notice of proposed rule making to the Office of Administrative Law for final legal review and promulgation

Legislation of Interest

- SB1317 Wolk – original language required Conditional Use Permit/Groundwater Extraction Facility - would require a city or county overlying a basin designated as a high- or medium-priority basin to establish a process for the issuance of

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conditional use permits for the development of a groundwater extraction facility – has been changed to say requires the project proponent to provide information to demonstrate a new well will not cause or increase an undesirable result and extends the time period to January 2018 for the county/city to have process in place – appears to put this more into the hands of the new GSAs

JOINT POWERS AGREEMENT (JPA) UPDATE

Status of Formal Support for Each Agency

- Kern County – discussed latest changes that went out yesterday and this morning
- City – with these changes we think we are there
- Water District concurs that JPA looks good
- Inyo is good with the JPA
- San Bernardino has some minor word changes to Section 4.04 Preservation of Police Powers:
“The adopted GSP shall not authorize any water supply augmentation to the basin with of groundwater extracted from another groundwater basin within the jurisdiction of General Member without the express approval of that General Member.”

Section 9.04 Fiscal Agent and Treasurer – Accounting and Reporting

- Discussion of whether reporting and accounting should be required monthly or quarterly –
- Agreement that will be monthly initially and quarterly later on accepted the following language:
“All funds of the Authority shall be strictly and separately accounted for and regular reports shall be rendered of all receipts and disbursements ~~MONTHLY OR QUARTERLY~~ during the Fiscal Year as designated by the Board.”

Section 9.07 Budget

- Discussed time needed for written notice of the budget adoption of modification and agreed on the following:
“Notwithstanding Section 11.04, a General Member shall not be fiscally liable for any adopted or modified budget or budget item(s) provided that the General Member’s Director provides written notice within ~~ten~~ fourteen (~~10~~14) days of the adoption or modification of the budget or a budget item that the Director intends to recommend to their board that the General Member withdraw from this Agreement.”

Section 12.02 – Amendment

- Discussed a clarification in 12.02 and agreed on the following language:
“This Agreement may be amended from time to time by the unanimous consent ~~of the governing bodies~~ of the General Members, acting through their governing bodies.”

Final Question – Section 3.01 Term

All agreed that August 15, 2016 is sufficient time for the Boards and Council to submit executed agreement and pay initial funding.

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Conclusion and Final Agreement on JPA

- The City, County of Inyo, County of Kern, County of San Bernardino and Indian Wells Valley Water District all agreed that all the language as discussed and in the JPA is acceptable and we have a JPA.

JUNE 17, 2016 IN-PERSON MEETING

- San Bernardino - Neither San Bernardino representative can make the June 17 meeting
 - Other than handing out JPA agreement what is purpose of meeting?
 - Envisions policymakers putting this JPA out there and having some public criticism
- Kern Co - Getting this out to the public is critical for us
- Facilitator – have not had a meeting since April – positive for having meeting in June
- Agreement on meeting for
 - To be held at 5PM on June 17 at City Council Chambers
 - San Bernardino in their absence will send a letter to be read
 - Policymakers in front facing audience with support staff in front row of seats
 - Attorneys need to be on hand
 - Keep public comments to be kept two minutes each
 - Once page handout on JPA that will summarize main policy framework (membership, voting etc) and steps to form GSA – Consultant Parker to draft and review by attorneys and policymakers
 - June 17 Meeting Agenda
 - Introductions
 - SGMA update
 - JPA overview at high level
 - Public comment
- Water District has a Board meeting on Monday, prior to Friday open meeting
 - Wants to discuss approved JPA
 - Suggested that hold draft JPA until after public meeting
 - If do approve appears to be ahead of rest and if not appears to be uncertain about JPA
 - Use one page summary and not JPA and hand out at District meeting on Monday night
- Kern County discussed GSA to JPA requirements
 - File notice with state and let 90 days go by and then you are GSA
 - In meantime can meet decide committees and other stuff
- Next steps after the June 17th meeting
 - JPA goes to Boards and Council to adopt resolutions to sign
 - Set date for Public Hearing to for GSA – first meeting of JPA
 - Notice to public for GSA Formation Public Hearing at minimum per Government Code 6066

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- JPA/GSA-information will all be public meetings under Brown Act, and will develop Bylaws, decide on Committees, and structure committee formation process(es) etc
- We will need to talk about soliciting public for committees
- Representation on committees of beneficial uses and users of groundwater
- At June 17th meeting, the Group can talk about
 - Bylaws
 - Committees
 - Public Meetings
- District already approved language for meaningful participation
- San Bernardino Board will act on JPA on July 12th

PRELIMINARY 5-YEAR BUDGET

- No members have really reviewed this in detail
- It is a rough budget based on a number of assumptions
- The main components are:
 - GSA administration - for GSA formation and running
 - GSA Legal support - for GSA formation and running
 - GSA data management system development
 - Groundwater monitoring –existing being done by Kern County Water Agency and Navy
 - Groundwater model – will need to be revised or a new model developed
 - Groundwater Sustainability Plan preparation – rough estimate – will depend on committee work and progress
 - Annual reporting to DWR – after GSP submitted to DWR
 - Recharge study – US Geological Survey work that is paid for under the Stressed Counties grant
 - Cost of service study – this will need to be done to establish fees to pay for GSP preparation under Proposition 26
- We will refine the budget framework to outline:
 - How much will be paid for under Stressed Counties Grant under what time period
 - Timing of cost of service study and when fees can be generated to help pay for GSP, and
 - When the next Proposition 1 grant funding will be available to help pay for the GSP, model and other things needed

MEETING HANDOUTS

- Meeting summary notes (draft) – May 20, 2016
- JPA – draft June 9, 2016
- JPA – draft June 10, 2016
- Preliminary Budget

NEXT PLANNED IN-PERSON MEETING: June 17, 2016 – 5-7PM