

AC Meeting Comments for 8/7/19 PAC Meeting

Judie Decker

Eastern Kern County Resource Conservation District Representative

The seven questions that the PAC Committee are being asked to address are detailed questions. (PAC TASKS August 1, 2019 handout). By its title a POLICY committee should address **policy** issues. These questions are very detailed and are almost entirely made up of specific **technical issues**. Why aren't these questions addressed to the TAC instead of the PAC?

In fact, the entire procedure that has been followed is substantially nonproductive. Technical presentations including model runs have recently been given to the TAC **the day of their meeting**. They hear the presentation and comment to Stetson on various technical details within the presentation. **There has never been a public discussion by the TAC over the pros and cons of the different model runs as solutions to the issue of groundwater sustainability. The TAC is where this discussion should have taken place. Then POLICY can be developed based on the model run that is chosen. Has the GA Board in Closed Session decided on a particular Model Scenario?**

This sheet of comments and questions is confusing in its terminology. It refers to "the Agricultural pool of water". It also refers to M&I pumpers. This term has always meant **Municipal and Industrial**. Yet, it later states that Industrial is lumped with Agricultural. It can't be both so the Board members or staff who drafted these questions need to clearly define what they mean. There are no questions for the PAC relating to Municipal pumpers although there are certainly questions here.

The Questions

A. 1. How much water should be allocated to the Ag/Industrial Pool? The only industry pumping water from the IWV is done by Searles Valley Minerals. They have been pumping water from this valley since the 1920's or 1930's. This is long before any of the other present day pumpers. They have a historical right to the water they pump. **Industrial pumping is going to have to be separated from Agriculture.**

2. Is 63,826 AF the right amount? This question needs to be addressed by technical experts because the question involves an examination of the additional drawdown effects over time. It also involves the cumulative impact of concentrated pumping in specific areas of the valley and its affect on shallow wells. This concentrated pumping includes the IWVWD and the Navy as well as Ag. This pumping effect involves the issues of degradation of water quality as well as water levels over time.

3. How much mining of the basin should be allowed by non M & I pumpers? In order to answer this question the Technical Question of how much **potable** water is in storage needs to be addressed. The water estimated in storage is for all water. There is no delineation between potable and non potable water. Studies indicate that we have already used well over half of our water in storage. Therefore, we need to reduce pumping a great deal over a fairly short period of time, even

before we receive Imported Water. The shallow well impact study will provide key feedback here but is not yet available for the latest pumping scenario.

4. Should a portion of the Ag/I pool be earmarked for dust mitigation? If the goal is to fallow Ag land then a method to control the dust is going to have to be found and enforced. There are methods to control dust besides using extra water. The Eastern Kern County Resource Conservation District, the BLM and the Department of Agriculture can assist with knowledge of these methods. Both versions of Model 6 show a continued lowering of the aquifer in the NE portion of the valley. This is on Navy land and will affect the air quality on the North Ranges over time and needs to be addressed.

B. 1. How should the Ag/Industrial Pool be allocated to eligible pumpers? **It should be based on the lowest annual use from 2010-2014.** Many hundreds of new acres of agriculture were planted either right before or right after SGMA was enacted. The scenarios already exclude some of these irrigated acres. Furthermore, many of the planted acres were young trees that took little water compared to the additional water needed for mature trees. The pistachio and other orchard crop properties should be examined by Google Earth for the years 2010-2014 to assist in verifying the amount of acres being farmed and the size of the trees during those years. **These details that relate directly to water production by specific entities need to be examined much more carefully.**

2. On the basis of each producer's lowest water use during the 2010 through 2014 calculation period or by the percentage of acreage farmed by each producer during the calculation period? As stated above, allocations should be based on the lowest amount for the period of 2010-2014. A careful examination of all agricultural properties needs to be done in order to ensure that all agricultural users are being allocated and assessed fees fairly, not just the large pistachio and alfalfa growers. There are other properties where many acres of trees have been added. There are other substantial agricultural endeavors that use an unknown quantity of water: horse facilities and other animal enterprises. They also need to be added to the list. It is critical that all agricultural endeavors be treated equally. Doing so will involve careful factual research by the Groundwater Authority.

It is unclear if there is enough potable water to allow 64,000 AF additional pumping. The fact that there is a large pool of extremely poor quality water under North Brown Rd should be extremely troublesome to not only shallow well owners but also larger producers.¹ **In either choice offered for discussion there is no mention of the water rights of property owners or any way for them to recoup their loss.** There needs to be a more comprehensive and equitable way to resolve this problem

3. Other thoughts or factors the Authority Board should consider? The Board that is supposed to be regulating groundwater extraction from this over-drafted basin is comprised of members of growth permitting agencies. This is something they have continued to permit all during this SGMA process. It appears that they view building permits and water availability as entirely separate and disconnected factors. They are not. **There is no mention of cut backs in permits until the solution of future water supply problem is solved.** It is, instead, business as usual. In this scheme, the additional water to accommodate growth is coming from the allotment that all the existing citizens share.

C. What method do you think the IWVGA should use to reach out to small well owners to notify them of the upcoming mandatory well registration? Postcards, letter, billboards? **The PAC discussed this and with the inputs by Kern County Planning Director, Lorelei Oviatt, strongly recommended that the IWVGA Board send a letter to every property owner in the Indian Well Valley. This should be accomplished by using APN numbers.** This has yet to be done effectively. However, the GA Board has so alienated the rural residents that I doubt now if you receive anything but a meager response. The Board started out poorly from the very beginning. It is really difficult to undo something like poor communication. To make things even worse there is the misinformation that is being vigorously passed around by certain vocal, uninformed individuals. Most rural residents want to be left alone - that's why they moved to the country in the first place. They are independent. Many don't want to have ANYTHING TO DO WITH GOVERNMENT.

I repeat, in writing, the comments I made at the July IWVGA Board meeting. You are referring to **mandatory** domestic well registration. How are you going to enforce it? By passing an ordinance for **mandatory registration** of small well owners, now you are reinforcing and adding to the alienation that is already there with these people. If they don't register by October 1st what will you do? Fine them? What authority and what reason do you have to do that? Do you even know that you have all the non de minimis pumpers in the Valley reporting and paying into your fund? Do you know that all of the "Big Ag" and "Small Ag" users are doing so?

I believe you gain ground by having **OPEN, HONEST DISCUSSIONS IN PUBLIC. This is not a Board Meeting with a time limit but simply getting together.** In closing, I note that neither the PAC nor the TAC have adequate public discussions either. They have formal agenda items and **presentations and time limits. There is seldom any actual Committee Member discussion.**
