

INDIAN WELLS VALLEY GROUNDWATER AUTHORITY

BOARD OF DIRECTORS

MINUTES

**Ridgecrest City Hall
100 W California Ave
Ridgecrest, CA 93555**

Thursday October 20, 2016, 10:00 a.m.

CALL TO ORDER:

The meeting was called to order by Chairperson Gleason at 10:04am.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Dale Schafer. It was followed by a moment of prayer, silence or meditation.

PUBLIC COMMENTS:

Chairperson Gleason asked that public keep comments to three minutes and public is limited to speaking once per issue.

Lyle Fisher, private well owner, commented on the “nay-sayers” that do not believe we are in a drought. Mr. Fisher also advised that no one wait too long to get a steel casing in their well. Second point that Mr. Fisher wanted to comment on was that he believed that the City of Ridgecrest and IWVWD were going forward in a “business as usual” mode, ignoring all critical overdraft.

Bill Manofsky, rate payer, commented that at the last meeting it was mentioned that the state wanted to balance the aquifer. Mr. Manofsky asked what the Board’s current plan was to stop the decline of the water table.

Mike Neel, commented that the time which the meetings take place are inconvenient for several people. Mr. Neel also commented that the state is making this Board face an unsolvable problem. Rectifying a problem which was a problem prior to residence in Ridgecrest. Mr. Neel feels that the Board should be elected members who are dedicated to solving this problem.

Larry Pruce, Owens Valley, asked what the physical boundaries of this organization were.

Renee Westa-Lusk, local resident, asked in regards to an article that was published in the Bakersfield newspaper concerning the marijuana land rush in California City. Could the passing of Prop. 64 cause current agricultural growers in our valley change to growing marijuana? Would the IWVGA have any influence or jurisdiction over preventing this from happening? Ms. Westa-Lusk also asked if the IWVGA would have any jurisdiction over the well that will be drilled in order to provide water for the casino.

Harold Manos, private well owner, commented that he uses 1% of the allotted 2 acre feet per year and he is still losing about 1 ft. of water a year.

SPECIAL PRESENTATIONS:

- a) Sustainable Groundwater Management Act (SGMA) Update – Tim Ross/Brian Moniz, Department of Water Resources. Presentation available upon request.

Public asking question was Ron Kicinski who quoted Bill Manofsky saying “Tim Ross, DWR Hydrologist for Southern California, told me personally that they expect our Groundwater Sustainability Plan to stop the aquifer from dropping... and it has to be at 2015 levels. Otherwise they [the state] will come in and run the GSA for us...” Mr. Kicinski asked Tim Ross if this was a true statement? Mr. Ross answered that he didn’t feel it was a characterization of the conversation said that took place. Sustainability can be measured in many different ways, Mr. Ross explained. The basis for sustainability with the Sustainable Groundwater Management Act is the safe yield of the basin.

Stan Rjatora commented that the interpretation of what Mr. Ross stated for Indian Wells Valley would be that we have to balance the water level. Mr. Rjatora stated that the report that Kern County provided a few years ago for the land reassessment, when zoning was changed, stated that the China Lake playa was evaporating around 10,000 acre feet of water and now has gone down.

Sophia Merk, local resident, asked which two counties were involved with the stressed basins Prop 1 Funding. Mr. Ross replied San Diego, Santa Barbara, Ventura, and several other counties. Ms. Merk also asked if they had looked at the first AB303 that was conducted in the Indian Wells Valley. It was a first conceptual hydrology model that was completed in 2001.

Don Decker, local resident and student of hydrology in the Indian Wells Valley, commented that the remarks regarding the difficulty with sustainability in this valley are absolutely correct. The recharge in this Valley is inadequate to support anything like what we have in our current consumption. Mr. Decker believes that the only way to continue on is with imported water.

Renee Westa-Lusk, local resident, asked Mr. Ross, if the tribal reservations would be included as a whole or is it based on where ever they are located. Mr. Ross answered that tribal lands have a special category in the Sustainable Groundwater Management Act. (SGMA). Ms. Westa-Lusk also asked, because we are critically overdrafted, does the Valley have any extra leverage to get the future tribe and casino involved with the GSA? Mr. Ross answered that he was unaware of any special circumstances related to the critical overdraft. Mr. Ross would hope that the Indian Wells Valley Groundwater Authority would be reaching out and incorporating the tribes at some discussion level, in regards to what is necessary for the tribe and Valley.

Donna Hocker, Ridgecrest area Association of Realtors, asked who would decide the Safe Yield for the Indian Wells Valley and would that determination affect any future economic growth? Mr. Ross answered that Safe Yield would be presented to the Department of Water Resources (DWR) as part of the Groundwater Sustainability Plan (GSP).

Board making comment is Peter Brown who asked if there were any revelations in the BMP’s that were going to be published? Mr. Ross answered he was not exactly sure what would be presented.

Brian Longbottom stated that the Navy, working with the Indian Wells Valley Water District, have been investing money towards an updated groundwater model. Mr. Longbottom asked Mr. Ross if there were any revelations with regards to an updated groundwater model that the Board and public should be aware of today. Mr. Ross answered that they shouldn’t expect any big revelations. Mr. Ross stated that if the groundwater model is already made and in place, then no changes need be made. However, going forward, any future groundwater models made need to be more apparent and in public domain, as well as all the background information needs to be publicly available.

Vice chair Breeden asked if there were any sovereign lands inside any Groundwater Sustainability Plans (GSP) that Mr. Ross is aware of. Mr. Ross answered not that he knows of. Vice chair Breeden asked if there were any rules of engagement. Mr. Ross answered that SGMA doesn’t address how tribal participation takes place, other than they have the option to volunteer.

Chairperson Gleason stated that in a prior conversation it was mentioned that Mr. Ross could regularly attend the Indian Wells Valley Groundwater Authority meeting. Chairperson Gleason asked that for future presentations they

have more information about the Indian Wells Valley. Chair Gleason thanked Mr. Ross for presenting to the Indian Wells Valley Groundwater Authority.

Robert Lovingood asked if the water which Los Angeles County takes would it be replenished in the same way. Mr. Ross answered that he has not looked at the draft for replenishment.

Tim Parker stated that there has been some confusion on the critically overdrafted category of this medium priority basin. Mr. Parker asked Mr. Ross if the prioritization would change for this basin. Mr. Ross answered that he does not expect it to change. There has been new information taken into account as well as a new category in SGMA having to do with groundwater and surface water interaction.

CONSENT CALENDAR:

Motion made by Robert Lovingood and seconded by Peter Brown to approve the Minutes of the September 15, 2016 regular IWVGA Board of Directors Meeting. Motion carried unanimously. (Ayes: Breeden, Brown, Gleason, Harrington, Page Nays: None.)

APPROVAL OF RECOMMENDATIONS FROM AD HOC COMMITTEE ON IWVGA COMMITTEE MEMBERSHIP, MISSION STATEMENTS, AND ORGANIZATIONAL STRUCTURE:

Alan Christensen stated that at the previous Indian Wells Valley Groundwater Authority meeting that an Ad Hoc committee was formed, comprised of Chair Gleason and Peter Brown. The Ad Hoc committee met and discussed formation of committees. The Board stated they wanted a technical advisory committee (TAC) and a policy advisory committee (PAC). A mission statement has been drafted and membership of committees has been proposed. Mr. Christensen reiterates that this is not a final draft of the committees. There are several more steps that need to be completed. All rules of the Brown Act will apply to the committees. Mr. Christensen reviewed the mission statement and objectives of the policy and technical advisory committees.

Bob Harrington asked what Mr. Christensen was envisioning for the separate planning position. Mr. Christensen answered that the thought was that Kern County is going through a general plan and update. The coordination with this body is critical so that process can help.

Vice chair Breeden asked if the domestic well owner position means a “single well owner”, mutual, or organization? Ms. Breeden asked if it could be made mutual. Mr. Christensen replied that a mutual probably has more technical ability, however that level of detail has not been discussed.

Brian Longbottom commented that “collaboration” should be used instead of “negotiation”.

Public making comment is Sophia Merk who asked if the Ad Hoc was a public meeting and when it was held.

Judie Decker stated concern regarding equal representation for private well owners. She believes there is over representation of some parties and under representation of others.

Stan Rjatora asked why the TAC members must not have a legal conflict of interest. Mr. Rjatora feels as though the whole Groundwater Sustainability Authority should not have a legal conflict of interest. Mr. Parker stated that they obtained that language from the existing TAC. Mr. Parker informed the Board they will clarify for future reference.

Donna Hocker stated that the realtors may not fit in the “business” representative on the committee. She asks that it be expanded to allow more options of businesses to be considered.

Derek Hoffman, Gresham and Savage legal counsel for Meadowbrook, asked that Meadowbrook be named as “Meadowbrook” not “Meadowbrook Farms”. Meadowbrook requests that one additional seat for large agriculture be added to the TAC for a total of two seats for agriculture.

Josh Nugent, Mojave Pistachio and Nugent Farms, also requests an additional seat for large agriculture on the TAC. Mr. Nugent expresses appreciation for consideration thus far.

Elaine Mead, local resident, asked for the difference between small agriculture and large agriculture be explained and if either included hobby farms in the Indian Wells Valley. Chair Gleason stated that instead of having a subjective response, an analysis would be made and then decide on a number to define the two.

Don Decker stated that he felt there wasn't fair representation of mutual well owners and domestic well owners. Mr. Decker asked the Board to not cut the rural community short.

Keith Lemieux asked if it was contemplated that the Joint Powers Agreement would be hiring a technical consulting engineer to help prepare the Groundwater Sustainability Plan. If so, how does that interfere with the Technical Advisory Committee? Mr. Christensen stated nothing has been finalized at this point. Mr. Lemieux recommends adding a bullet point to the TAC responsibility to include some sort of interfacing with a Joint Powers Agreement engineer.

Chair Gleason asked that for future agenda items under and over representation is reviewed. Also, conflict of interest should be reviewed.

Robert Lovingood asked if outside consultants would be brought in or Kern County consultants.

Motion was made by Peter Brown and seconded by Robert Lovingood to approve recommendations from Ad Hoc Committee on Indian Wells Valley Groundwater Authority committee membership, mission statements, and organizational structure as a draft and more work will be done on recommendations. Motion carried unanimously. (Ayes: Breeden, Brown, Gleason, Harrington, Page Nays: None.)

DISCUSSION OF REVENUE CONSULTANT/STUDY:

Alan Christensen stated that a revenue proposal will be presented around the first of 2017. Internally, there have been no discussions of how it will happen. Funding is needed to support this organization.

Mr. Parker stated that the original budget was \$75,000 to get through this year. Based off of what was presented by DWR, the grant proposal applications will be available around the middle of 2017. Mr. Parker explained that around the end of 2017 is where we can expect to receive funding.

REPORT ON PUBLIC TO CONSIDER ELECTION OF THE INDIAN WELLS VALLEY GROUNDWATER AUTHORITY (IWVGA) TO ACT AS A GROUNDWATER SUSTAINABILITY AGENCY (GSA) FOR THE INDIAN WELLS VALLEY GROUNDWATER BASIN:

Alan Christensen reported that the public notice and hearing will be held on November 17, 2017 for the IWVGA to become a GSA for the Indian Wells Valley water basin. It will take part during the Indian Wells Valley Water Groundwater Authority meeting held at 10:00am, City Hall of Ridgecrest, CA, 93555.

CLOSING COMMENTS:

Brian Longbottom asked if it would be beneficial for the Indian Wells Valley Cooperative Groundwater Management Group (IWVCGMG) to merge with Indian Wells Valley Groundwater Authority (IWVGA). Mr. Longbottom stated that he is a Seabee and their motto is "Can do". He hopes that everyone can work together as a team and hopefully eliminate gaps and disagreements in order to work as a community. Mr. Longbottom concluded that we can do this. Let's not get to the point that we are done before we have even established a plan.

Chairperson Gleason stated that DWR will be watching achievements and are expecting well resolved results.

DATE AND TIME OF NEXT MEETING:

The next IWVGA Meeting will be held on November 17, 2016 10:00am at Ridgecrest City Hall, 100 W California Ave, Ridgecrest CA 93555

CLOSED SESSION: None.

ADJOURN:

Motion was made by vice chair Breeden to adjourn meeting at 12:06pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lauren Duffy', with a stylized, flowing script.

Lauren Duffy
IWVWD Recording Secretary