

## Kern Groundwater Authority GSA September 23, 2020

By Don A. Wright

**T**he Kern Groundwater Authority Groundwater Sustainability Agency held its board of directors meeting remotely on Zoom Wednesday, September 23, 2020 from Bakersfield. As I sit at my desk at home and look at the agenda and board packet I wonder about this meeting.

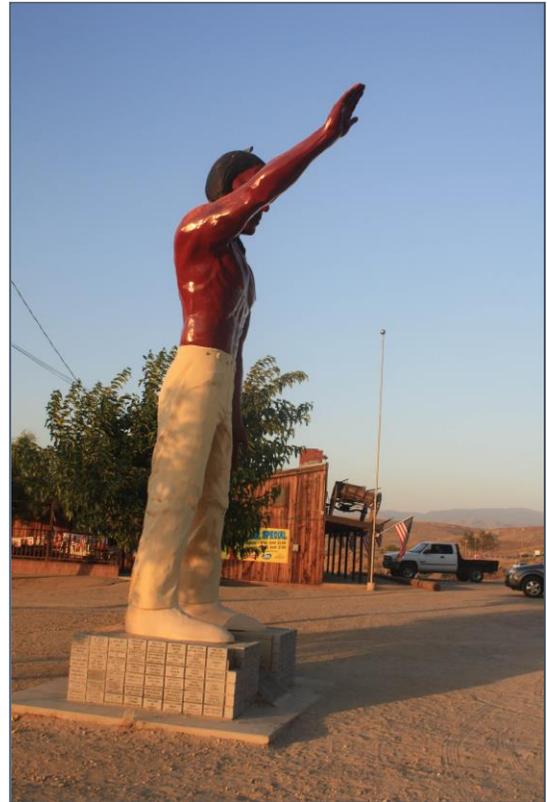
The agenda points to a morning filled with accounting. Budgets, grant machinations and spread sheets dominate the board packet. But there is, if one looks hard enough, reason to be thankful. The **KGA** posts its agendas and packets on its website and keeps them up to date. We're living in a world of remote meetings and find it unreasonable for agencies and entities to have a website and not keep it current. The calendar should be up to date and don't just delete a cancelled meeting, post cancelled or rescheduled as a reference place. I know I'm not alone in receiving a trash can full of emails daily and sometimes meeting notices get lost. Provide easy access to agendas and board packets and the website. Back when we met in person there were tables of printed material and who was talking wasn't such a guessing game. So, while today's meeting may be challenging (I find writing about financial items challenging) at least I'll have some reference to the topic.

The meeting was scheduled to start at 8:00am and about six after the white Zoom shroud gave way to the meeting screen. Also, clicky echoes and what sounded like a poor connection from the capsule to Houston was finally corrected and all things audio improved until someone had a conversation about repairing equipment and had to be asked to mute. He still kept talking without muting but there wasn't anything else happening so no harm upfront. It reminded of once when I was with some friends, back when I was in my 30s and we were swapping stories about the things we thought we got away with that our parents didn't know about. I had what you call "butt dialed" my mother and didn't realize she was listening in. Fortunately our language was clean and come to find out she already knew all about the escapades.

Executive Director **Patty Poire** took a head count and there was enough for a quorum. Then I think it was attorney **Valerie Kincaid** who announced Poire had been booted off Zoom and was trying to connect back. About 20 minutes after things got rolling with several questions about the minutes and who was present. It sounded like at least some of the folks were gathered in a room somewhere and all taking through the same microphone and things took on the quality of a radio play.

### **Audit & Financials**

The 2019 audit was presented by **Jeff King**. He presented the audit in draft form and the Letter. The Letter is something that accompanies every public agency audit I've seen. Verbal audit reports vary in quality and entertainment value. I once sat through a 45 minute verbal audit report given by a



person using heavily accented English. Later in the meeting the attorney present reminded the board a verbal report isn't required. King was mercifully succinct saying between the North Kern Water Storage District excellent account practices and Poire's oversight things looked very good bookkeeping wise.

Next the board reviewed the treasurer's report wherein we learned there was a \$158,000 cash balance in July and about \$6,000 went somewhere leaving a \$152,000 balance to start August. The board was asked to pay its bills and did so. August started at \$152,000 and more than \$50,000 was spent. The documents showing all of this are available online and they are public documents. So, if you're looking for more detail and accuracy in the KGA finances that would be the place to go.

### **Court's Well Permit Ruling**

Kincaid gave a roundup of a recent California Supreme Court ruling on NGO suing the County of Stanislaus over well permitting without using CEQA. Under SGMA the counties retained well permitting authority and could determine still determine if CEQA applied or not. If the county felt there was no problem with a well it could use ministerial discretion. The trial court upheld the county's option to not require CEQA. The appellate court overturned that ruling and it went to the Supreme Court. The Supreme Court ruled a county couldn't categorically rule out CEQA requirements for well permits. Kincaid said it could have been worse but there most likely will be more CEQA requirements for well permits in the future.

### **Divvying Up Grant Money**

Poire gave her report and said as much as she hates to do so there is a cash call needed. It was approved but I didn't catch what the amount was. In the meantime it looked like the member agencies were being refunded for a GEI Engineering task order for more than \$100,000. Good for them.

Poire next said there has been grant money for the Todd Groundwater Modeling and that grant money has come in. It will soon be disbursed among the members provided the board approves. The board did as expected and approved reimbursing itself with grant funds. Poire said there were also different task participation by members, not all KGA folks jumped on board but some of the other GSAs in the Kern Sub Basin did participate and there was Prop One money being divided amongst the participants.

### **Boundary Adjustments**

Next boundary adjustments have been on the table for some time. Poire said she's working with three districts that want to form their own GSAs and there are boundaries with other existing GSAs that are being worked out. She said herself and Kincaid have been working on this. One special situation is the Kern Tulare WD that spans but the Kern and the Tule Sub Basins. KTWD wants to have everything in the Kern Sub Basin. This will impact Bulletin 18 sub basin bounds established by DWR. Someone said Shafter Wasco ID has submitted opposition to this plan. I believe it was Poire who said the KTWD's GSP covers the entire district and since it is already a part of the KGA's GSP it gets complicated. Poire said this is a process and she needs direction. There will be a good deal of work with DWR to make this happen. But DWR won't be open to considering any modifications before 2023. KTWD, GM **Steve Dalke** said it is a jurisdictional move rather than a geographical shift. He said Kern Tulare will cover all the costs. He said the Tule GSA was OK with this. Staff directed Poire to continue with this.

The data management system is moving forward. Todd Groundwater gave a presentation at the Kern Ag Pavilion. We lost Poire in the middle of the report but she said no contract has been awarded yet. She said this decision needs to be one that can last for more than 20-years and make life easier for the participants. Poire also showed her work history and forward plans. The meeting then went into closed session and that was that.

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**SGMA** The Sustainable Groundwater Management Act of 2014 calls for the formation of Groundwater Sustainability Areas within Basins and Sub-basins to develop Groundwater Sustainability Plans.

**Staff:** Patty Poire – Executive Director, Valerie Kincade - Attorney

**The Kern Groundwater Authority membership:**

Arvin-Edison Water Storage District, Cawelo Water District, City of Shafter, Kern County Water Agency, Kern-Tulare Water District, Kern Water Bank Authority, North Kern Water Storage District, Olcese Water District, Rosedale-Rio Bravo Water Storage District, Semitropic Water Storage District, Shafter-Wasco Irrigation District, Southern San Joaquin Municipal Utility District, Tejon-Castaic Water District, West Kern Water District, Westside District Water Authority & Wheeler Ridge-Maricopa Water Storage District

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DWR Listing: Basin San Joaquin, Sub Basin Kern 5-022.14