

# **CAWELO GROUNDWATER SUSTAINABILITY AGENCY**

***SPECIAL BOARD MEETING***  
***Conference Room at District Office***  
***Thursday April 5, 2018***  
***2:00 P.M.***

## **MINUTES**

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**DIRECTORS PRESENT:** Keith Watkins, Mark Smith, Brian Blackwell, Eric Miller, John Gaugel  
**STAFF PRESENT:** David Ansolabehere, Dave Hampton, Emilie Ortiz, LeeAnn Giles, Candice Valdez  
**LEGAL COUNSEL:** Robert Hartsock  
**OTHER ATTENDEES:** Phyllis Stanin, Mike Maley, Ed Kuykendall, Tom Pewitt, Jerry Anderson, Ari Cimental, David Mask, Barbara Howard, Ryan Lewis, Rich Thesken, Jeremy Nugent, Michelle Carpenter, Benjamin Taft, John Gaugel, Sam Etchegaray, Terry Nugent, Hutch Yatsuzuka, Jim Lederhos, Tim Gobler, Leonard Bidart, Patty Poire, Joe Schechter, Josh Neufield, Patrick Plugge, Joe Butkiewicz, Scott Smith, Jeff Johnson, Bruce Kelsey

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### **A. CALL TO ORDER**

Meeting was called to order by President Watkins at 2:00 p.m. in the Conference Room of the District office located at 17207 Industrial Farm Road, Bakersfield, CA.

### **B. GROUNDWATER SUSTAINABILITY PLAN WORKSHOP**

- 1. Introduction** – A PowerPoint slide presentation was displayed on the Boardroom Monitor. Mr. David Ansolabehere welcomed the attendees, introduced staff, provided brief opening comments regarding the Sustainable Groundwater Management Act (SGMA) and the requirement of a Groundwater Sustainability Plan (GSP), and introduced Mrs. Phyllis Stanin and Mike Maley, with Todd Groundwater Management.
- 2. SGMA Background and Overview** – Mrs. Stanin provided background information that led to the legislature's creation of the Sustainable Groundwater Management Act, and briefly discussed the concepts of groundwater basin sustainability, undesirable results and the Sustainability Indicators.
- 3. Regulatory Requirements** – Mrs. Stanin provided information on the active role of the Department of Water Resources (DWR) to administer the SGMA regulations, provide guidance and technical assistance, determine basin boundaries and designations, and review GSPs.  
Mrs. Stanin also indicated that the State Water Resources Control Board (SWRCB) has a limited role in SGMA, and has the authority to designate a basin as probationary if a local agency fails to form a Groundwater Sustainability Agency (GSA) or fails to prepare a GSP on time. The SWRCB and DWR can determine if the GSP is inadequate to achieve sustainability. If the SWRCB intervenes in a probationary basin, it has the authority to regulate extractions, set fees and enforce compliance if agencies fail to comply with SGMA.  
Additionally, the roles of local GSAs were discussed and a timeline of major milestones to achieve sustainability was presented.
- 4. GSP Background and Requirements** – Mrs. Stanin provided an overview of GSP requirements and process. Additionally she provided further information on requirements for communication and outreach with stakeholders, coordination, institutional setting and hydrogeological conceptual model, water budget for current,

historical, and projected conditions sustainability goals and criteria, management scenarios and monitoring plan development.

5. **Groundwater Sustainable Management** – It was conveyed that in order to achieve groundwater sustainability, local agencies need to provide local groundwater management under SGMA, prepare a Groundwater Sustainability Plan (GSP) and coordinate with other basin GSA's. Mr. Hampton asked the attendees to give thought to the process of developing the GSP and how they would like to see Cawelo GSA manage the groundwater for sustainability, and how the process should be funded. The importance of stakeholder participation and input was reiterated and it was noted the Cawelo GSA is looking for groundwater management input during this process.
6. **Questions, Comments and Open Discussion** – Mr. Hampton recapped Mrs. Stanin's presentation and asked for the attendees' input regarding three different general topics; how to best manage the local groundwater, potentially bringing in outside lands in to the CGSA, and how to collect fees for SGMA and GSA activities. Mr. Hampton provided additional information on potential Cawelo GSA boundary modifications and funding and then opened the floor for discussion.

An inquiry was made about the lands outside of the district will be incorporated into the GSA and if there will be a GSA district boundary change. It was also noted that Daniel Segal, a Hydro Geologist, is considering how recycled produced water may play a role in SGMA.

In response, Mr. Hampton noted that Cawelo GSA is currently working with Chevron and reviewing the potential to bring nearby lands into the Cawelo GSA. Represented by Kern County, Chevron currently participates in the Kern Groundwater Authority (KGA) GSA. . If Cawelo GSA brings in the potential additional lands, Cawelo GSA would have to coordinate the transition with other Kern County GSAs, and DWR. Mr. Hampton noted that if additional lands were brought in to the Cawelo GSA, boundaries would be modified and the GSP would need to cover the additional lands.

Mrs. Stanin and Ms. Poire noted that one of the options to consider is designating them a management area. If permissible, this would allow the Cawelo GSA to coordinate with Kern County and manage lands within another GSA.

Mr. Hartsock added that he has inquired of DWR if this concept would be acceptable, but has not yet received a reply.

A landowner commented that he is a District landowner that receives recycled oilfield produced water and is in support of incorporating Chevron lands into the Cawelo GSA. An inquiry was made about recycled oilfield produced water and if it is considered as groundwater under SGMA.

Mr. Hartsock reported that currently and under the latest version of legal issues being considered by the KGA and local legal counsel, the present thinking is that oilfield produced water would be considered as source that will not be regulated as groundwater under SGMA.

An inquiry was made about the Cawelo Water District's potential landowner recharge program will be incorporated into the Cawelo GSA.

Mr. Hampton reported that the potential landowner recharge program is currently a Cawelo Water District program and that a program like that could be a factor in GSP development.

An inquiry was made about what the expected budget is for the CGSA and if a Prop 218 Election would be an option.

In response, Mr. Hampton reported that the rough estimated budget for the next two years is \$500,000 and that a Prop 218 Election would be necessary if landowners are charged an assessment to collect SGMA fees.

An inquiry was made about collecting fees that could be levied by some combination of a pump tax and land assessments.

In response, Mr. Hampton noted that using a combination of different methods to collect fees is very much a possibility and the Cawelo GSA would seriously consider it.

An inquiry was made about Cawelo Water District's Board of Directors being the same as the CGSA and if there is there a conflict of interest?

In response, Mr. Hartsock reported that as of right now, there is no conflict of interest because the boundaries of Cawelo Water District are the same as the boundaries for the GSA and therefore the Board represents the same landowners. However, CGSA has the authority to obtain water supplies just as Cawelo Water District does. If an additional water supply became available, and the GSA were to expand its boundaries, would the supply be obtained by Cawelo water District on behalf of its landowners, or would the supply be obtained by the GSA on behalf of the larger landowner base. This does raise the concern of a potential conflict, and raises the question of if the GSA boundaries should be expanded and/or if the additional water should be obtained on behalf of Cawelo Water District's existing landowners first.

**E. ADJOURNMENT** – The Special Board meeting adjourned at 3:25 p.m.

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Brian Blackwell, Board Secretary