

# MINUTES

# Owen Valley Groundwater Authority

## Board Members:

<b>BIG PINE CSD</b>	Bryanna Vaughan	<b>INDIAN CREEK-WESTRIDGE CSD</b>	Luis Elias
<b>CITY OF BISHOP</b>	Joe Pesci	<b>KEELER CSD</b>	John Dukes
<b>COUNTY OF INYO</b>	Dan Totheroh	<b>SIERRA HIGHLANDS CSD</b>	John Camphouse
<b>COUNTY OF MONO</b>	Fred Stump	<b>STARLITE CSD</b>	Daniel Cutshall
<b>EASTERN SIERRA CSD</b>	Walt Pachuki	<b>TRI-VALLEY GWMD</b>	Dave Doonan
		<b>WHEELER CREST CSD</b>	Glenn Inouye

December 14, 2018

The Owens Valley Groundwater Authority meeting was called to order at 2:02 p.m. at the Bishop Fairgrounds – Tallmon Building, Bishop, CA. John Camphouse was absent.

Board member Joe Pesci led the pledge of allegiance.

### **1. Public Comment**

Philip Anaya – Mr. Anaya stated DWR released the draft BMP 6: Sustainable Management Criteria and public comment is being accepted until January 8, 2018 and stated they also have a webcast.

April Zrelak – Ms. Zrelak provided a recommendation for alternate language in the JPA; page 17, paragraph 3.3.

Earl Wilson – Mr. Wilson asked if the Chairperson could have the Board introduce themselves.

### **2. Board Member Reports**

All Board members stated the funding requests were discussed at their Board meetings and they were prepared to make decisions.

### **3. Discussion regarding list of interested parties and contact information (Board of Directors)**

Dr. Harrington stated provided in the Board packets were contact information for Board members and interested parties. He stated there was concern that the lists were inaccurate and they are only as accurate as the information we receive and requested submission of updates if the information is incorrect.

Public Comment – Ken Toy – Mr. Toy stated he wished to thank the County for putting together the lists and asked if any of the mutual water companies were contacted by the County regarding SGMA. Dr. Harrington stated yes, when basin boundary modifications were considered, a letter was mailed to all the parties on the list.

### **4. Member GSP Development Budget Funding Contributions**

Public Comment – Jason Cangar – Mr. Cangar asked Dr. Harrington if he had a chance to speak to DWR about the grant. Dr. Harrington stated no, the grant was submitted ten days before the deadline of November 13, DWR stated they would notify if materials were incomplete and Inyo County received no such notice. He stated he expects to hear mid-January if the grant is approved.

The Board discussed this item in detail and at length with Inyo, City of Bishop, Mono, Indian Creek/Westridge CSD and Tri-Valley opting to be a fully funded 4 vote member and the other entities opting for 2 vote or pending decision on the grant funding.

Public Comment – Jason Cangar – Mr. Cangar stated that two Board members were missing. He wanted to point out there would be no way to account for their funding contribution.

Mr. Stump stated there are a couple decision points; one is to make commitments today with two entities absent, or defer one meeting based on the language in the JPA or to defer until information about the grant becomes available. Mr. Pesci asked Mr. Vallejo if the Board delayed the funding commitment until January is that a violation of the terms of the JPA, Mr. Vallejo reviewed the language with the Board of the JPA with regard to deferring the meeting. Mr. Pesci asked if the two representatives not in attendance today provided anything in writing as to their position with regard to funding. Dr. Harrington stated not to his recollection.

Mr. Stump asked Dr. Harrington to provide an update on the budget, disadvantaged communities, and participatory differences. Dr. Harrington provided information on the approval of the budget, its purpose; the participation and differences based on contributions. Dr. Harrington stated the grant application is reliant on getting the waiver for a disadvantaged community. Dr. Harrington stated the disadvantaged community's waiver is not for individual districts but for the entire groundwater basin as a whole. Ms. Vaughan stated the Board hasn't discussed passing the costs on to property owners that are pumping water in the JPA region.

Public Comment – Mr. Anaya – Mr. Anaya stated this decision has already been delayed one month in terms of funding/voting shares. He says the JPA stated this decision would be made December 14, the JPA Board can't make any decisions until the Board is fully constituted, revenues can't be raised, there needs to be a way to separate the funding decision from the votes decision to get the Board constituted. He noted that a postponement would preclude the ability of the OVGA from requesting a boundary adjustment. He stated this Board needs to move forward.

Mr. Stump made a motion to postpone the agenda item for making funding commitments until there is information on the grant, Ms. Vaughan seconded the motion. Mr. Totheroh asked Dr. Harrington if postponing the item would hamper the JPA's ability to fulfill its purpose. Dr. Harrington indicated that a postponement could delay progress for entering into a grant contract and requesting an RFP and other matters such as the OVGA requesting a boundary adjustment.

Mr. Stump amended his motion to defer funding commitments to a February meeting, seconded by Ms. Vaughan. The Board and staff discussed this item in detail and at length.

Public Comment – Mr. Anaya – Mr. Anaya stated the language in article 4 of the JPA, section 2 definitely says you can only delay if it does not impair the purpose. He stated the purpose for this meeting was to make this decision according to the JPA.

Public Comment – Earl Wilson – Mr. Wilson stated he is appalled there is not a funding decision and also that one representative didn't attend the meeting.

Public Comment – Terry Tye – Mr. Tye stated a decision should be made with this many representatives willing to make the commitment. He stated with the funding presented, it is sufficient to meet the proposed budget.

Public Comment – Dave Tanksley – Mr. Tanksley agreed that the funding commitment/voting shares decision be delayed.

Public Comment – Jeff Griffiths – Mr. Griffiths asked if the decision to make funding commitments was made today and Big Pine or someone else came back and said they decided to commit more can the ratio go down for everybody else. Mr. Vallejo stated there is nothing in the JPA that prohibits it and once it is fully constituted the Board could act to reopen funding allocations at a future date.

Public Comment – Jason Cangar – Mr. Cangar stated the language states "so long as it doesn't substantially impair" and asked is it their plan to release the RFP for the consultant in the next month or two? Dr. Harrington stated that would be delayed without the funding commitments as well as the potential groundwater basin boundary modifications which end March 31, 2018. Dr. Harrington stated because this is a statewide effort, the consultants are getting snapped up and the plan needs to be implemented by January 31, 2022.

The Chairperson chose to make a vote by roll call to delay the funding commitment decision to February 8, 2018; Starlite Yes, Keeler Yes, Big Pine CSD Yes, Inyo No, City of Bishop No, Mono County Yes, Indian Creek/Westridge No, Wheeler Crest Yes, Eastern Sierra CSD No, Tri-Valley Yes. Motion passed 6-4.

The Chairperson called a break at 3:45 p.m.

The Chairperson reconvened the meeting at 4:00 p.m.

## **5. Discussion regarding terms, and approval, of funding agreements between Members and the OVGA (Board of Directors)**

Mr. Vallejo provided an overview in detail of the preliminary funding agreement which the JPA will need to agree on. The Board agreed to bring it back to their district/legal counsel for review.

## **6. Discussion of potential groundwater basin boundary modifications**

Dr. Harrington discussed in detail the process with the Board on the groundwater basin boundary modifications and stated the window for this opportunity is January 1, 2018 thru March 31, 2018.

Public Comment – Sally Manning – Ms. Manning asked if anyone could apply or do you need to be a GSA. Dr. Harrington stated all the regulations state this is an opportunity for all local agencies or GSA's.

## **7. Reports from OVGA members' staff**

Dr. Harrington provided the Board with a DWR point staff member (Anita). He stated DWR stated it would be useful to assign point contact for medium and high priority basins.

Public Comment – Philip Anaya – Mr. Anaya asked if Anita is taking the place of Tim Ross, Dr. Harrington stated yes.

Ms. Vaughan asked if a copy of the grant application could be provided to the OVGA Board. Dr. Harrington stated some of the application is just completed on the grant submittal website, but he can provide the attachments.

## **8. Comments from Members of the Board**

Mr. Pachuki asked because his district is unique and doesn't extract water and is just here to satisfy legislation and support the effort, does it make sense to other members if they were to petition the DWR to be excluded from the process. Ms. Vaughan thanked the Board for the extra time allotted to make funding commitments. The Chairperson thanked staff for making the meeting arrangements and thanked fellow Board members.

## **9. Set next meeting**

The next OVGA meeting was set for February 8, 2018, tentatively at the Bishop Fire Training Center.

## **10. Adjourn.**

The Chairperson adjourned the meeting at 4:37 p.m.