

MINUTES OF A SPECIAL
MEETING OF THE
BOARD OF DIRECTORS OF
WESTSIDE DISTRICT WATER AUTHORITY

Held July 13, 2022

A special meeting of the Board of Directors of Westside District Water Authority was held on July 13, 2022, at 11:00 a.m. by video and phone conference.

CALL TO ORDER)
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Chairman Goff called the meeting to order at 11:00 a.m.

ROLL CALL)
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The following directors were present: Rob Goff, Rob Yraceburu, and Rod Stiefvater.

The following directors attended by video conference and/or teleconference: Bernard Pugét, Don Elholm, and Leon Elwell.

Also present were: Kim Brown; Steve Bottoms; Gnell Sparks; Jaime Marquez; Morgan Mitchell; Alex Dominguez; Kim Constant; and Mark Gilkey.

Also attended by video conference and/or teleconference: Tom Watson; Mary King; and Joseph D. Hughes, Legal Counsel.

ADOPTION OF ALTERNATIVE)
TELECONFERENCING REQUIREMENTS)
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Following discussion, on motion of Rob Yraceburu, seconded by Rod Stiefvater, and unanimously carried, the Board made the determination, due to continuation of the Governor's Executive Order and imminent risk to health and safety, the Board will continue with the previous teleconferencing determinations under Assembly Bill 361 on the following roll call vote:

AYES: Rob Goff
Bernard Pugét
Rob Yraceburu
Don Elholm
Leon Elwell
Rod Stiefvater

NOES: None

ABSENT: None

APPROVAL OF AGENDA)
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Following discussion, on motion of Rod Stiefvater, seconded by Rob Yraceburu, and unanimously carried the Board approved the agenda on the following roll call vote:

AYES: Rob Goff
Bernard Pugét
Rob Yraceburu
Don Elholm
Leon Elwell
Rod Stiefvater

NOES: None

ABSENT: None

PUBLIC PARTICIPATION)
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No public participation.

MINUTES)
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Approval of Minutes of October 6, 2021, January 12, 2022, April 19, 2022, and June 17, 2022:

On motion of Rob Yraceburu, seconded by Rod Stiefvater, and unanimously carried, the minutes of the meetings of October 6, 2021, January 12, 2022, April 19, 2022, and June 17, 2022, were approved on the following rollcall vote:

AYES: Rob Goff
Bernard Pugét
Rob Yraceburu
Don Elholm
Leon Elwell
Rod Stiefvater

NOES: None

ABSENT: None

Cody Tolbert arrived at this point in the meeting.

GROUNDWATER SUSTAINABILITY PLAN)
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GSP Umbrella Responses: Morgan Mitchell reported that on January 29, 2022, DWR sent a determination letter to the Kern Subbasin saying there were three deficiencies with the Groundwater Sustainability Plan (GSP) and the Groundwater Sustainability Agency (GSA). The determination letter stated that the deficiencies must be fixed within 180 days. The Kern Groundwater Authority (KGA) is working with other GSAs in the Kern Subbasin to amend the deficiencies. If DWR does not accept the response to the determination letter, the Kern Subbasin could be placed in a probationary status.

Mr. Mitchell reported the following information regarding the three deficiencies described in the determination letter: 1) individual GSAs within the Kern Subbasin's plan did not establish consistent results regarding the undesirable results caused by the pumping of groundwater; 2) the GSP and related plans did not set Minimum Thresholds for the chronic lowering of groundwater levels consistent with the requirements of SGMA and the GSP regulations; and 3) the plan's land subsidence sustainable management criteria did not satisfy the requirement of SGMA and the GSP regulations.

Due to a lack of accurate historical data regarding subsidence along the Aqueduct, the Kern Subbasin was hesitant to set minimum thresholds (MTs) and measurable objectives (MOs) for subsidence of critical infrastructure. DWR clarified that MTs and Mos had to be set to rectify the deficiencies. DWR agreed to allow interim MTs and MOs to be set by Kern Subbasin participants. The interim set of measurements will suffice for the 2020 amended FSP, but the actual set of measurements must be provided in the 2025 GSP update.

WDWA GSP Specific Responses and Amended GSP Chapter:

Morgan Mitchell reported on the following three corrective actions specific to WDWA: 1) the KGA GSP must explain the selection of groundwater MTs for the WDWA area and reset incorrect MT for monitoring well 7106-63; 2) WDWA must establish MTs and MOs for the new monitoring wells: a) improve description of MTs and MOs in the GSP, b) add initial data and timelines for

two of the three newly added monitoring well, c) increase the number of monitoring wells from three to five; and 3) approve MT for groundwater quality.

Each of these items have been completed.

WDWA is aiming for a total of 9-10 monitoring wells with established MTs and MOs for the 2025 GSP update.

Cody Tolbert left at this point in the meeting.

PUBLIC WELL REMOVAL)
PLAN UPDATE)
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Morgan Mitchell reported there are approximately 120 wells believed to be in operation by DWR within WDWA boundaries. This complicates WDWA's ability to convince DWR that there is very little groundwater pumping activity in Westside districts. Staff plans to show the Kern County Health Department and DWR that most of the well are either not in operation or do not exist. During the Board meeting on June 17, 2022, the Board approved a proposal to retain Aquilogic to conduct a study to identify the quantity and distribution of active groundwater wells in WDWA. Aquilogic will begin work on this project after WDWA's GSP submission is complete.

GSA FORMATION UPDATE)
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Alex Dominguez reported that the Board authorized the formation of a GSA during the June 17, 2022 Board meeting, reviewed recent actions taken, and presented a timeline explaining the process moving forward.

EXECUTIVE CLOSED SESSION)
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The President directed that the Board move into closed session to discuss anticipated litigation. Legal Counsel advised the Board that it has authority to hold a closed session under Government Code sections 54956.8, 54956.9(d)(2), and 54956.9(d)(4). All persons other than the Directors, the Manager, Legal Counsel, Mary King, Steve Bottoms, Gnell Sparks, Jaime Marquez, Alex Dominguez, Kim Brown, and Kim Constant, thereupon retired from the meeting.

Following the closed session, the meeting was again open to the public. Legal Counsel advised that no reportable action was taken in the closed session.

ADJOURNMENT)

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There being no further business to come before the meeting, it was adjourned at 12:38 p.m. on motion of Rob Yraceburu, seconded by Rod Stiefvater, and unanimously carried.

Rod Stiefvater
Secretary/Treasurer of the Board of Directors

APPROVED:

Rob Goff
Chairman