

**MINUTES OF
BEAR VALLEY BASIN GROUNDWATER SUSTAINABILITY AGENCY
MEETING HELD ON THURSDAY MAY 25, 2017**

Interim project manager Mike Stephenson called the Open Session to order at 4:30 PM. Those in attendance included Bob Ludecke BBMWD, Craig Hjorth BBLDWP, John Green BBCCSD, Mike Stephenson BBMWD, Reggie Lamson BBLDWP, Scott Heule BBCCSD, Keith Lemieux Olivarez Madruga Lemieux O'Neill, Steve Anderson Best Best & Krieger, and Vicki Sheppard MWD.

Mike Stephenson stated that he would handle items 1 through 4 and then turn the meeting over to the newly elected president.

INTRODUCTIONS:

Executed Joint Powers Agreements, Board Member and Alternate Designations, and Initial Form 700's were collected and distributed.

ELECTIONS OF OFFICERS TO THE BOARD

Different options were discussed regarding election of officers and possible rotation of the president. Mr. Lemieux explained that the roll of the president is not specifically defined but will mainly be to chair the meeting.

Director Green nominated Bob Ludecke for president. Director Hjorth seconded the motion and it was unanimously approved.

Director Ludecke thanked the Board for their confidence. He asked everyone to introduce themselves including those in the audience who chose to.

President Ludecke asked for nominations for Vice President

Director Hjorth nominated John Green for vice president. Director Ludecke seconded the motion and it was unanimously approved.

PUBLIC COMMENTS:

No comments were made

SPECIAL PRESENTATIONS REGARDING THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT

Keith Lemieux made presented a PowerPoint. He explained that Governor Edmund Brown signed a three-bill package known as the Sustainable Groundwater Management Act (SGMA).

- Establishes a definition of "sustainable groundwater management"
- Requires that a Groundwater Sustainability Plan be adopted for groundwater basins in California that have been prioritized as high or medium
- Establishes a timetable for adoption of a Groundwater Sustainability Plan (GSP)
- Empowers local agencies to manage basins sustainably
- Establishes basic requirements for GSPs'
- Provides for a limited state role

What is SGMA

Sustainable Groundwater Management Act empowers local agencies to adopt groundwater management plans that are tailored to the resources and needs of their communities. It will provide a buffer against drought and climate change, and contribute to reliable water supplies regardless of weather patterns.

Definition of SGMA

The management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results.

What Are Undesirable Results

Undesirable results are defined as follows, based on a “significant and unreasonable” standard including chronic lowering groundwater level, seawater intrusion, degraded water quality, land subsidence, depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses.

Water Rights

The Act states that the intent of the Legislature is to “respect overlying and other proprietary rights to groundwater, consistent with section 1200 of the Water Code”. The Act further states that it is the intent of the legislature to “preserve the security of water rights in the state to the greatest extent possible consistent with the sustainable management of groundwater”. Additionally, the Act states that “nothing in this act or in any groundwater management plan adopted pursuant to this part, determines or alters surface water rights or groundwater rights under common law or any provision of law that determined or grants surface water rights”.

Further areas discussed were:

Agency Formation, Tools for GSAs, Creation of Groundwater Sustainability Plans, GSP Contents, DWR Evaluation and Assessment, Probationary Status, and State Board Intervention Interim Plans. Director Green asked

JOINT POWERS AGREEMENT FILING WITH THE SECRETARY OF STATE

The filing has been completed and will be submitted to the Secretary of State, State Controller and LAFCO.

PUBLIC HEARING TO CONSIDER RESOLUTION RE ELECTION OF BEAR VALLEY BASIN GROUNDWATER SUSTAINABILITY AGENCY AS A GROUNDWATER SUSTAINABILITY AGENCY (GSA) FOR THE ENTIRETY OF THE BEAR VALLEY GROUNDWATER BASIN; AND APPROVAL OF RESOLUTION FOR BVBGSA TO ACT AS GSA; AND MAKE FINDING THE PROJECT IS EXEMPT FROM CEQA REVIEW PER SECTIONS 15061 (b) (3) AND 15378 (b) (5) OF THE STATE CEQA GUIDELINES

President Ludecke stated this is the time and place set for a duly noticed Public Hearing regarding the proposed formation of a Groundwater Sustainability Agency for the Bear Valley Basin in accordance with the Sustainable Groundwater Management Act of 2014. He stated “I declare this Public Hearing open and would ask a staff report on this proposed action”.

President Ludecke stated “I would ask the Secretary of the Board how this hearing was noticed”.

Board Secretary Vicki Sheppard stated “Notice of the public hearing was published in the Big Bear Grizzly in accordance with Water Code section 10723 (b) and Government Code section 6066.

President Ludecke asked “If the Secretary of the Board has received any written protests to the proposal, I would ask her to provide copies thereof to the Board”.

Vicki Sheppard stated “No written protests to the proposal have been received.”

President Ludecke stated “Thank you. At this time, are there any members of the public who wish to speak on this matter? If so, please come forward to the podium, state your name and address for the record, and present your comments.”

Mike Meyer, 8872 Ann Cross Drive, Garden Grove and also 401 San Anselmo, Big Bear City. He explained that he is a property owner in BBCCSD area and questioned the GSA boundaries as far as inclusion of industry professionals on the Board and also attorney conflict waivers. He also questioned DWR Section 118 as far as the boundaries have been drawn in this plan. He explained that there may be a conflict of interest adding that we may need to use separate counsel. Steve Anderson presented a map of the Bear Valley Basin (included in the agenda packet) explaining that it is compliance with DWR Section 118. Keith Lemieux stated there is also a conflict of interest waiver for both attorneys in the agenda packet.

President Ludecke stated that “seeing no further speakers, I hereby declare the Public Hearing closed. The hearing was closed at 5:15 PM.

President Ludecke stated that at this time we are ready to approve the following Resolution:

Resolution of the Bear Valley Basin Groundwater Agency to act as the Groundwater Sustainability Agency; and make finding the Project is exempt from further CEQA review per Sections 1506 (B) and 15378(B)(5) of the State CEQA Guidelines. Is there a motion to adopt this resolution?

Director Green made a motion to adopt a Resolution of the Bear Valley Basin Groundwater Agency to act as the Groundwater Sustainability Agency and make the finding the Project is exempt from further CEQA review. Director Hjorth seconded the motion and it was unanimously approved.

It was determined to number the Resolution 2017-01

SET PRINCIPAL OFFICE OF THE AGENCY

Several different locations and room use costs were discussed and the consensus was that the BBMWD meeting room would be the best location to hold meetings. Steve Anderson stated that it is not only just for holding meetings but will be for holding GSA documents also.

Director Green moved approval to set the principal office of the agency to be BBMWD if there is no charge for room use. Director Hjorth seconded the motion and it was unanimously approved.

DISCUSSION AND ADOPTION OF REGULAR MEETING SCHEDULE AND TIME

Quarterly meetings were discussed and August was considered as the next possibility. Member’s schedules were checked and it was the consensus that the next declared meeting should be 4:30 P.M. August 30, 2017 at BBMWD.

DISCUSSION AND ADOPTION OF RESOLUTION APPROVING ADMINISTRATION AND STAFFING OF THE AGENCY

There are two parts to this Resolution which include Administrator and Staffing and Appointment of Legal Counsel for the Agency. It was the consensus that Reggie Lamson would be the Interim Administrator. It was explained that the agency would like to keep legal counsel in-house and not have to use special counsel. Keith Lemieux explained that he and Steve Anderson have worked with many GSAs and can use that research and information to the agency's benefit.

Director Hjorth moved approval of the adoption of a Resolution approving the appointment of Reggie Lamson as Interim Administrator of the Agency and the law firms of Olivarez Madruga Lemieux O'Neill, LLP and Best Best & Krieger to serve jointly as legal counsel for the Agency. Director Green seconded the motion and it was unanimously approved.

It was determined to number the Resolution 2017-02

DISCUSSION OF INITIAL CONFLICT OF INTEREST CODE ADOPTION AND SETTING OF HEARING DATE

Steve Anderson explained that they are working on the conflict of interest code and counsel will create it for the next meeting in August.

PRELIMINARY DISCUSSION OF FUTURE ACTION ITEMS

Keith Lemieux explained that they are working on a draft budget, staffing of GSA tasks, funding of the same, and bylaws to present in August.

CLOSING COMMENTS

Director Hjorth commented that there is a possibility this basin could be prioritized. President Ludecke added that it could be reprioritized from medium to low. Reggie Lamson explained that we are not in overdraft and both agencies have had significant water savings plans in place and are barely ranked as "medium". He added that DWR re-did the basin boundaries and are now working on re-doing the scores and we may get re-prioritized from medium to low and then we don't have to do a GSP and the BVBGSA can be allowed to go dormant.

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:50 PM.