

AGENDA

REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
SEMITROPIC WATER STORAGE DISTRICT
ACTING FOR AND ON BEHALF OF THE SEMITROPIC WATER STORAGE
DISTRICT, THE SEMITROPIC WATER STORAGE DISTRICT GROUNDWATER
SUSTAINABILITY AGENCY, AND
THE SEMITROPIC, BUTTONWILLOW, POND-POSO AND WILDLIFE
IMPROVEMENT DISTRICTS OF SEMITROPIC WATER STORAGE DISTRICT

1101 Central Avenue, Wasco, California 93280
November 8, 2023 at 12:30 pm

1. Call to Order: President Waterhouse
2. Flag Salute
3. Acknowledgment of guests:
4. Public Comment Period:
5. **Potential Action Items:**
 - (a) Approval of Agenda – Asterisk (*) Indicates a Change from the Posted Agenda
 - (b) Approve Minutes: Regular Meeting of October 11, 2023, and the GSA Meeting of October 11, 2023
 - (c) Approve Treasurer’s Reports for Semitropic Water Storage Dist. & Semitropic Improvement District: September 2023
 - (d) Approve Treasurer’s Reports for Semitropic Water Storage Dist. & Semitropic Improvement District: October 2023
 - (e) Review Financial Reports/Present Financial Statements
 - (f) Approve Payment of Bills as Listed on the Current Disbursement List, November 8, 2023
 - (g) Consider Continuation of Emergency Declaration (Public Contract Code Sect. 22050 (a)(1)) to Address Immediate Replacement of Radial Gates at Designated Check Structures
 - (h) Consider Supplemental Request from California Rail Builders for Special Construction Water for 2023
 - (i) Consider Landowner Request: Truck Fueling Station APN: 103-280-55 and 103-280-70
 - (j) **1:00 P.M PUBLIC HEARING – NOTICE OF FIXING SWP WATER CHARGE AND ADDITIONAL WATER USE CHARGE FOR 2024**
 - (k) Consider Adoption of Resolutions No. PP 23-06 and No BW 23-06 FIXING SWP WATER CHARGE AND ADDITIONAL WATER USE CHARGE FOR 2024
 - (l) **1:30 P.M. PUBLIC HEARING RE FORMATION OF THE KERN WATER BANK (KWB) GROUNDWATER SUSTAINABILITY AGENCY (GSA) FOR THE KERN WATER BANK LANDS BY JOINT POWERS AGREEMENT (JPA)**
 - (m) Consider Approval of Formation of KWB GSA and Execution of JPA Resolution No. ST 23-10

Semitropic Water Storage District GSA:

- 1) SGMA Updates and Discussion
- 2) Action Items:
 - a. Consider Cost Share and Associated Agreement and Scope for Basin GSP Development

6. **Consultant Reports:**
 - (a) SWRU – Construction Update by W.M. Lyles
 - (b) Consulting Engineers – GEI Consultants (B-E) Progress Report
 - (c) BPR – Dean Florez

(d) REDTrac – Greg Allen

7. **Informational and Up-Date Items:**

- (a) Water Supply Update and Delta Issues
- (b) Delinquencies
- (c) Banking Project(s) Update
- (d) Southern California Water Bank Authority- JPA Activities
- (e) Delta Conveyance Facility
- (f) Energy Activities
- (g) Poso Creek Integrated Regional Water Management Plan
- (h) Irrigated Lands Regulatory Program
- (i) South Valley Water Resources Authority
- (j) Well Telemetry
- (k) Winter Work

8. **CLOSED SESSION**

a. Conference with legal counsel Re: Litigation (Govt. Code § 54956.9(d))

- 1) *Various applications filed for Kings River Water by Semitropic WSD, et al.; Petition for Change of Points of Diversion, etc. (License 11521) filed by Kings River Water Assn.; and related matters and proceedings, before the State Water Resources Control Bd.*
- 2) *Cal. Dep't of Water Res. v. All Persons Interested, "Complaint for Validation" Re: SWP Contract Extension Amendment, Sacramento Superior Court, Case No. 34-2018-00246183, Third Appellate District, Case No. C096316*
- 3) *State of CA Dept. of Trans. v. Semitropic WSD, Kern County Superior Court, Case No. BCV-19-100326*
- 4) *State v. Pond Poso Improvement District of Semitropic Water Storage District, Kern County Superior Court, Case No. BCV-19-100786*
- 5) *Sierra Club v. California Department of Water Resources (DWR), etc. Re: Consolidated CEQA Case and "Complaint for Validation" Re: Delta Program Revenue Bonds, Sacramento County Superior Court, Case No. 34-2020-80003517*
- 6) *Rosedale-Rio Bravo Water Storage District v. Kern County Water Agency, et al., Kern County Superior Court, Case No. BCV-21-100418*
- 7) *KWBA, et al. v. Kern LAFCo, et al., Kern County Sup. Ct., Case No. BCV-21-101310*
- 8) *Semitropic Water Storage Dist. v. The Dow Chemical Co., et al., Kern County Sup. Ct., Case No. BCV-21-102528*
- 9) *Macut v. Wabash National, et al., Kern County Superior Court, Case No. BCV-22-100318*

b. Conference with Legal Counsel Re: Anticipated Litigation: Possible exposure to litigation pursuant Gov't Code § 54956.9(d)(2)

- 1) *Two Potential Cases*
- 2) *.*

c. Conference with Legal Counsel Re: Anticipated Litigation: Possible initiation of litigation pursuant to Govt. Code § 54956.9(d)(4)

- 1) *Two Potential Cases.*

d. Conference with Real Property Negotiator (Govt. Code § 54956.8)

District's Designated Representative: General Manager

Under Negotiation: Price and Terms of Payment

- 1) *Property: State Water Project Supplies*
 - a. *Negotiation With: California Department of Water Resources, Kern County Water Agency and its Member Units, And State Water Contractors*
- 2) *Acquisition of Water Supplies*
 - a. *Negotiation with: Multiple sellers*

9. Old Business/Correspondence

Requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Secretary in advance of the meeting to ensure availability of the requested service or accommodation.