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112th KZGN News Talking Points Editorial
By: Tom Wiknich

Should a private company have a voting seat on the new GSA?

As I reported earlier in the news, the council was asked by the city attorney to decide whether a private company should be admitted onto the new groundwater sustainability agency as a voting member. Obviously, the way that anyone can provide the most influence on decisions, is to be the voting member of that group. Now we have a new level of government being created. This new GSA will have the authority to affect our lives. The state law only dictates that these agencies be on the agencies. Locally, that means, that the members by law will be Kern, Inyo and San Bernardino counties, the city of Ridgecrest, the Indian Wells Valley water district, and the Inyokern community service district have automatic seats if they want to be on the agency. That is six seats.

The Navy and BLM have only asked to be allowed to participate, but will not have a voting membership. That is totally acceptable. This new agency is charged by state law to establish a plan to stop the overdraft of our water basin. They will have to submit this plan to the state for their approval. I guarantee this plan will affect every one of us in the valley. Every single one of us will be assessed with new fees or taxes. This plan that has to be established could result in private individuals and companies being hit in the pocketbook.

Now, back to the editorial question: Should a private company have a voting seat on the new GSA? I say no. I do, however, allow them to participate on advisory boards or committee the new agency may establish. Having them involved in the plan development process is beneficial, but allowing them to have a vote is not appropriate.

My position is based on the following. Right from the beginning, I and many other people believe any level of government that will have the authority to control our lives, must be only be elected officials. An elected official can be removed by we, the people. A private company could not be removed from the agency by us. Just for discussion, let’s says there was wording put into the establishing authority that provide a means to remove a private company person, that still would not be good enough. This is because, if that person got removed from the agency, the actual member company could still provide a replacement person.

Lets’ go further. Let’s say wording was in the agreement allowing total removal of even the company from the agency. I guarantee that even if everyone agreed to the terms, there would be court action to stop it. The case would be based on president, and state law.

Now my next reason: This agency will be making decisions to tax us, or charge us fees. They will be deciding to monitor water flows on virtually every well in the valley. Some private well owners think that won’t happen. I guarantee it will eventually come to that. The agency will eventually have to provide the state actual water flow numbers that we are pulling from the water basin. If we have a private well company on the agency board, what are the odds that company may try and influence the agency to note support that effort? Some say the letting just a couple water companies on the board won’t have enough weight to control the other members with elected officials. As the city attorney pointed out during the meeting, it is possible that if they let two or three have seats to start the agency, then there would be precedent that any future new water companies would have to be allowed onto the agency. Eventually, the private companies could have more members than the elected members. This could happen. Then we finally get to the elephant in the room. What about profit to private companies? These private water companies are really nothing more than a private water user that has formed a water company to provide its water. The way they vote would very likely be based on profit margins. Finally, during council comment on the issue, it seemed at least 4 of the five offered their concern and opposition to letting private companies being seated as voting members. Councilman Thomas offered no opinion on the issue. Allowing a private company to sit on advisory boards or committees is appropriate. We need their involvement.

In conclusion, private companies answer to owners and stock holders. Elected officials answer to we the people. Only elected members should have a vote on this new GSA.

I’m Tom Wiknich, and that’s what I think. I’d like to know what you think. If you have any comments about this editorial, or would like to discuss or recommend a topic, I’d like to hear from you. Please email them to info@kzgn.net.