



MID-KAWEAH GROUNDWATER SUSTAINABILITY AGENCY

AGENDA

June 14, 2022 @ 3:00 PM

This Committee Meeting was held via teleconference with no physical location due to the COVID-19 Pandemic and the Governors Executive Order N-29-20

MEMBERS PRESENT: Dave Martin, David Bixler, Steve Nelsen, Delnnis Mederos, Howard Stroman

MEMBERS ABSENT: Greg Collins

GSA MEMBER STAFF PRESENT: Aaron Fkuda, Kathi Artis, Valerie Kincaid, James Fisher,

PUBLIC ATTENDEES: Johnny Gailey, Cordie Qualle, Derrick Williams, Diana Zegarra, Geoff Vanden Heuvel, Jessi Snyder, Kris Tomlinson, Mark Larsen, Marlene Ferreira, Maryse Suppiger, Matt Klinchuch, Rhett Anderson, Stacie Ann Silva, Steve Jackson, Tim Leo, Trisha Whitfield

1. CALL TO ORDER - Chair Martin called the meeting to order at 3:00 p.m.
2. PUBLIC COMMENT – Chair Martin called for public comments. No public comments were forthcoming.
3. GENERAL BUSINESS
 - a. Approval of Minutes of Regular Meeting on May 10, 2022 - By a motion of Director Nelsen, seconded by Director Mederos and carried by all directors present the May 10, 2022 meeting minutes were approved.
 - b. Financial Reports
 - i. Financial Statements – Year-to-Date - K. Artis presented the financial statements. By a motion of Director Mederos, seconded by Director Bixler and unanimously carried by all Directors present, the Financial Statements were approved.
 - c. Preparation of Draft FY 2022-23 Budget – Update - Mr. Fukuda gave the update on revisions made to the budget since the last Board Meeting. The New Budget Year starts on July 1, 2022.
 - d. Legal Counsel Report - V. Kincaid provided a report on recent activities of the

State Water Resources Control Board and DWR meeting. There are several regulators insisting DWR and the SWRCB better define enforcement, what the probation process looks like (what is the GSA's role during a SWRCB takeover), and discussed "good actor clause" for subbasins with multiple GSAs with one or more non-delinquent agencies.

- e. MKGSA Advisory Committee Update - Mr. Fukuda gave an update on the Advisory Committee meeting on June 7, 2022. The Advisory Committee received an update on the GSP modification activities and were comfortable with the direction of the proposed changes. The advisory committee also received two proposed changes from staff on how to handle fallow fields and dairy operations. Finally, with the potential for wells to go dry, the Well Mitigation Ad Hoc committee with a significant outcome, a mitigation principle: "The GSA should mitigate on behalf of the beneficial users for that which they cause and this should be a Kaweah Subbasin goal"
- f. MKGSA GSP Review Status
 - i. *Department of Water Resources Incomplete Determination of the 2020 Groundwater Sustainability Plan Submitted for the San Joaquin Valley – Kaweah Subbasin – Update*

Mr. Fukuda gave the update. The GSA's continue to meet every Friday. The GSP team met with DWR on June 10, 2022 where they did not find any immediate red flags. However, the discussion with DWR on the subsidence approach did require some changes away from differential subsidence (which causes the undesirable results). Instead, DWR wanted the new approach to be based on total subsidence. Discussions on how to address the 3 GSP deficiencies are

 1. **For the chronic lowering of groundwater levels** – The team added a mitigation plan, which will try to determine the magnitude of mitigation, who can apply for mitigation funds, who manages the fund, and where the funding is sourced.
 2. **Land subsidence** - This is the most challenging SMC to set. Beneficial uses and users defined by the GSP group are affected by differential subsidence, not total subsidence. However, DWR said the approach must be set on total subsidence. Moreover, land subsidence is a result of residual subsidence and subsidence as a result of current groundwater pumping. A new study by Stanford suggests residual subsidence can be as high as 10 feet.
 3. **Interconnected surface water** – There are insufficient data to set a Sustainable Management Criteria. However, DWR emphasized that SMCs must be set even while the GSAs are conducting studies to determine the most suitable SMCs
 - ii. *Consider Proposal for Task Order 8 – Technical Support for Responding to DWR's GSP Determination for the Kaweah Subbasin*

Mr. Fukuda gave the update. The KSB GSA's met early and decided to utilize the service of Provost & Prichard and Montgomery and Associates to help do the technical analysis at a subbasin level. P&P will act as the

contracting consultant, and M&A will be a subconsultant to P&P. By a motion of Director Bixler, seconded by Director Stroman to approve Task Order 8 the motion is carried.

g. MKGSA GSP Implementation Workplan

i. *Emergency Ordinance to Establish an Extraction Limitation for the Mid-Kaweah Groundwater Sustainability Agency Service Area – Update – Mr. Fukuda gave the update.*

LandIQ tracking began May 1st and early enrollment of the Water Dashboard. Provost and Pritchard provided a Water Dashboard workshop where growers and staff provided feedback on streamlining the registration process.

1. *Consideration of Fallow Field Approach – Mr. Fisher provided the update. Fisher soliced additional feedback on preliminary feedback for a fallow field policy. Specifically, whether ET should be “zero’d out” if ET is greater than zero for a non-irrigated field and how that field should be managed (cover crops, disking, leaving stubble, etc). Chair Martin said cover crops for fallow fields and orchards should be treated differently. Director Mederos suggested non-irrigated acreage should have no ET. David Van Groningen emphasized non-irrigated cover crops, and non-irrigated cash crops (winter wheat) should have a consistent policy on ET.*

2. *Consideration of Dairy Operation Approach – Mr. Fisher provided the update. Mr. Fisher was soliciting feedback for 4Creeks Engineering Dairy model, which assumed all dairy footprints (feed lots, milking barns, and corrals) had a consumptive use rate of 0.5 AF/acre for the first year, and refine the model for each dairy following the 5-year USDA study on dairy ET usage. All board members present concurred with this approach.*

ii. *Pilot Scale Study to Repurpose Dried Groundwater Wells for Managed Aquifer Recharge – USDA, ARS, SAWS Unit Proposal**

Mr. Fukuda provided the update. The MKGSA met with Scott Bradford and Gordon Osterman of the USDA David office. The USDA and MKGSA discussed a potential pilot study which leverages existing dry wells (that have not been backfilled yet) and existing drip irrigation filtering systems to pre-treat water prior to recharge. The USDA expressed interest in providing the technical expertise if the MKGSA provided the infrastructure and test sites.

iii. *Kaweah Subbasin GSA Groundwater Metering Analysis Report – Fresno State California Water Institute**

The final meter analysis report is complete. Bermad meters tended to perform best for typical and atypical metering installations, based on the standards set by the Kaweah Subbasin.

iv. *Kaweah Subbasin 2021 Annual Monitoring Report**

The 2021 annual monitoring report has been posted onto DWR’s website. Not surprisingly, groundwater levels declined significantly in 2021, following an annual loss of 502,000 AF of storage in the Kaweah Subbasin.

- h. Kaweah Subbasin Coordination
 - i. *Kaweah Subbasin Management Committee*
The Management Committee met on June 21st, primarily to discuss GSP modification items.
 - ii. *Prop 68 Planning Grant*
Pressure transducers and water quality meter installation in the MKGSA is in progress and on schedule.
 - iii. *Prop 68 Implementation Grant*
Okieville recharge basin is scheduled for construction this fall, 2022.
 - iv. *SGM 2022 Grant – Spending Plan*
The Kaweah Subbasin was awarded \$7.6M for SGMA grant projects. The City of Visalia is taking the lead on the Cameron Creek recharge projects.
 - v. *Department of Conservation Multibenefit Land Repurposing Program Grant**
The Kaweah Subbasin was awarded \$10M for a multi-benefit land repurposing project, thanks to the efforts of KDWCD and GKGSA for writing the grant application. All work must be completed by April 30, 2025.
 - vi. *Water Marketing Strategy Grant*
The Kaweah Subbasin Water Marketing Strategy Committee (KSWMS) completed a study on the existing markets and established the guiding principles that will be used to develop the KSB water market.
 - vii. *Kaweah Water Foundation (CVSALTS)*
No update.
 - viii. *Kaweah Interbasin Coordination*
No update.
- 4. STAFF UPDATE, DISCUSSION AND RECEIVE DIRECTION, IF NECESSARY, REGARDING COVID-19
 - a. *Consideration of Resolution No. 2022-05 – Resolution to Implement Teleconference Requirement During a Proclaimed State of Emergency**
Chair Martin advanced to Agenda No. 4 before Agenda Item 1 to commence the meeting remotely. By a motion of Director Nelsen, seconded by Director Bixler allowing the board meeting to proceed remotely.
- 5. STAFF REPORT ON GOVERNOR’S EXECUTIVE ORDER N-7-22
 - a. *Update on Tulare County Well Permitting Process**
Board revisions were approved by Tulare County. A landowner may elect to use a hydrogeologist to assess the impact of a well if they are unwilling to accept the liability clause. The MKGSA may also pursue this option if a new well is proposed on undeveloped ground.
- 6. LEGISLATION
 - a. *Consider a position on Assembly Bill 2201**
Fukuda provided the update. Assembly Member Bennett wrote a piece of legislation that would codify many well permitting elements in N-7-22. Fukuda recommended a draft letter to oppose unless amended on behalf of the MKGSA with the following changes (1) step implementation (2) defining new vs replacement wells (3) allow for local exemptions, such as

those with water allocations and (4) remove the domestic, municipal, and public water exemptions. All board members agreed with Fukuda's position.

7. BOARD/STAFF UPDATES, FUTURE AGENDA ITEMS OR OTHER TOPICS OF INTEREST

None.

8. CLOSED SESSION

- a. Gov't Code §54956.9 – Anticipated Litigation: One Case

9. ADJOURNMENT

Chair Martin adjourned the meeting with no items from closed session.

Common Acronyms:

SGMA = Sustainable Groundwater Management Act

GSA = Groundwater Sustainability Agency

GSP or Plan = Groundwater Sustainability Plan

SMC – Sustainable Management Criteria

PMA – Projects and Management Actions

* Staff reports and/or documents provided