



**MID-KAWEAH GROUNDWATER SUSTAINABILITY AGENCY**

**MINUTES**

February 14, 2023 @ 3:00 PM  
MKGSA Board of Directors Meeting

*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 Bixker, Steve Nelsen, Emmanuel Hernandez Soto, Dennis Mederos, and Trisha Whitfied (alternate)

**MEMBERS ABSENT:**

**GSA MEMBER STAFF PRESENT:** Aaron Fukuda, Kathi Artis, Valerie Kincaid, James Fisher, Diana Zegarra, and Rhett Anderson, and Tim Leo.

**PUBLIC ATTENDEES:** Blake Wilbur, Joe Mastro, Dave Van Groningen, Emily Sarantopulos, Geoff Vanden Heuvel, Jasmine Rivera, Johnny Gailey, Mallory (last name not known), Mark Larsen, Matt Klinchuch, and Nicole Bonna.

1. **CALL TO ORDER** – Chair Martin called the meeting to order at 3:00 p.m. Chair Martin advanced to Agenda No. 4a Consideration of Resolution No. 2023-01-Resolution to Implement Teleconference Requirement During a Proclaimed State of Emergency. By a motion of Director Mederos, seconded by Director Bixler and unanimously approved by all Directors present, Resolution 2023-01 was approved. Chair Martin introduced Emmanuel Soto, the new rep from Visalia.
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 December 13, 2022. By a motion of Director Nelsen seconded by Director Mederos and carried by all Directors present, the December 13, 2022 meeting minutes were approved as presented.
  - b. Financial Reports
    - (i) Year-to-Date - K. Artis presented the financial statements. By a motion of Director Nelsen, seconded by Director Bixler and unanimously carried by all Directors present, the Financial Statements were approved.
    - (ii) Call-For-Funds – Mr. Fukuda gave the review of the current and future expenses for the first quarter of 2023. By a motion of Director Mederos,

seconded by Director Bixler and carried by all Directors present the call-for-funds in the total amount of \$312,000 to be collected in equal amounts from each of the members was approved.

(iii) MKGSA Fiscal Year 2021-22 Audit – Joe Mastro gave the review of the Fiscal Year 2021-22 Audit. By a motion of Director Mederos seconded by Director Bixler and carried by all Directors present the MKGSA Fiscal Year 2021-22 Audit was approved.

- c. Legal Counsel Report - V. Kincaid gave a report on the DWR review of GSP, reporting that we should be receiving assessments in late March 2023. Ms. Kincaid also advised the Board that legislation was being crafted to deal with the modernization of water rights.
- d. MKGSA Advisory Committee Update - Mr. Wilbur gave an update from the February 2023 meeting. Mr. Wilbur then reported that the Committee will be putting out ads for Advisory Committee Members. He also gave an update on Emergency Ordinance Status and a Landflex Grant update. Mr. Wilbur stated future meetings will be hybrid capacity.
- e. MKGSA Groundwater Sustainability Plan Update – No update
- f. MKGSA GSP Implementation Workplan
  - i. Emergency Ordinance to Establish an Extraction Limitation for the Mid-Kaweah Groundwater Sustainability Agency Service Area – Update – Mr. Fisher gave an update on the progress of the Emergency Ordinance. Invoices were sent out to the landowners in late January. The review period is until March 3<sup>rd</sup> allowing growers time to ask questions and then payment is due March 31<sup>st</sup>.
  - ii. MKGSA Rules and Regulations – Update – Mr. Fukuda gave the update. MKGSA Staff recommends initiating the development of final Rules and Regulations. Mr. Fukuda report that the intent was to use the Emergency Ordinance as the foundation of the Rules and Regulations and will target Fall 2023 for implementation in Water Year 2024. The MKGSA board of directors discussed the merits of moving to Rules and Regulations and directed Mr. Fukuda to begin working on a draft set of Rules and Regulations.
  - iii. Consider Resolution No. 2023-02 – A Resolution of the Mid-Kaweah Groundwater Sustainability Agency Authorizing the Grant Application, Acceptance, and Execution for the Mid-Kaweah GSA Landflex Emergency Groundwater Reduction Program – D. Zegarra gave the review of the Landflex Grant program. Ms. Zegarra reported that the project would provide immediate drought relief by reducing groundwater pumping near vulnerable, domestic wells by providing funding to growers to fallow or grow crops that will not be irrigated with groundwater. By a motion of Director Nelsen seconded by Director Bixler and unanimously carried by all Directors present Resolution No. 2023-02 was approved.
  - iv. Consider Task Order No. 13 – Kaweah Subbasin Model Update and Recalibration Pre-Modeling Work – Mr. Fukuda gave the update. By a

motion of Director Nelsen seconded by Director Mederos and carried by all Directors present Task Order No. 13 was approved.

- v. Consider Task Order No. 12 – Kaweah Subbasin Model Update and Recalibration – Mr. Fukuda gave the update. The Board had a discussion and highlighted that the model could be a public document and that the MKGSA should only pay their portion of the costs. By a motion of Director Mederos seconded by Director Bixler and unanimously carried by all Directors present Task Order No. 12 with Montgomery and Associated was passed with the MKGSA only authorized to pay the first 1/3 of the expenditures
  - vi. Tulare Irrigation District Out-of-District Recharge Pilot Program – Mr. Fukuda noted to the Board that the Tulare Irrigation District was working on a pilot program to offer water to growers outside of the Tulare Irrigation District under certain criteria and costs. The Board of Directors had no comments and only shared that the internal needs to the Tulare Irrigation District and MKGSA must be met first before water is sent to parcels outside of the District.
- g. Kaweah Subbasin Coordination – Mr. Fukuda gave the updates.
- i. Kaweah Subbasin Management Committee – January meeting was canceled. Met with the other 2 GSA’s. Next meeting will be in April.
  - ii. Prop 68 Implementation Grant – The contract was awarded to Woodberry Construction for approximately \$400,000 less the estimated project costs. Saved grant funds will be re-allocated for monitoring wells. Construction is delayed until the canal conditions are conducive for construction.
  - iii. SGM Implementation Grant Round 1 – Mid-Kaweah is assisting Greater Kaweah GSA right now in managing the Grant and all projects are moving forward right now.
  - iv. SGM Implementation Grant Round 2 – The application was submitted to DWR for \$19.3 million. Catron Basin - \$6 million and Well Mitigation \$13.2 million. Hoping to hear back within a couple of months and make final awards later this year.
  - v. Department of Conservation Multibenefit Land Repurposing Program Grant – KDWCD has hired Reyn Akiona to help facilitate the development of the Kaweah Subbasin MLRP. The next MLRP meeting is on February 22, 2023.
  - vi. Water Marketing Strategy Grant – Chapters are being drafted right now and the group is trying to get a pilot program up and running by this summer.
  - vii. Kaweah Water Foundation (CVSALTS) – No Update
  - viii. Kaweah Interbasin Coordination – Kings County in November passed an ordinance which requires the development of a County Water Agency which has oversight by another entity being formed called the Water Resources Oversight Commission. They will review and issue permits for groundwater extracted and moved outside of Kings County.

4. STAFF UPDATE, DISCUSSION AND RECEIVE DIRECTION, IF NECESSARY, REGARDING COVID-19

- a. Consideration of Resolution No. 2023-01 Resolution to Implement Teleconference Requirement During a Proclaimed State of Emergency – Chair Martin moved this item to the beginning of the meeting.
- b. Update on Virtual Meeting Legislation – Mr. Fukuda gave the update. MKGSA Management Committee Recommendation: Begin meeting at the City of Tulare facilities.

Provide reimbursement for facility and staff time to facilitate the meeting and provide virtual hybrid option for the public.

5. WATER CONDITIONS UPDATE

- a. Fall 2022 Tulare ID Depth to Groundwater Report - Mr. Fukuda gave an update on the Fall 2022 groundwater contours. Mr. Fukuda pointed out that the groundwater has lowered by approximately eight feet on average across the Tulare Irrigation District.
- b. Water Year 2023 Forecast – Mr. Fukuda gave an update on the surface water forecast, highlighting the immense amount of surface water anticipated for the year.

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

7. CLOSED SESSION

- a. Gov't Code §54956.9 – Anticipated Litigation: One Case  
Upon returning to the open session, Ms. Kincaid reported that direction was given to the MKGSA Staff to send a letter requesting the establishment of a Kaweah Subbasin Ad Hoc Committee.

8. ADJOURNMENT: Next Regular Meeting – March 14, 2023