

**MID-KAWEAH GROUNDWATER SUSTAINABILITY AGENCY
BOARD OF DIRECTORS MEETING**

MINUTES

October 12, 2021 – 3:00 p.m.

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: David Bixler, Steve Nelsen, Greg Collins, Dave Martin, Howard Stroman, Dennis Mederos

MEMBERS ABSENT: None

GSA MEMBER STAFF PRESENT: Aaron Fukuda, Kathi Artis, Trisha Whitfield, Valerie Kincaid, Leslie Caviglia, James Fisher

PUBLIC ATTENDEES: Kaylin Coelho, Noreen Livingston, Marc Mondell, Marlene Ferreira, Matt Klinchuch, Philip Cunha, Rhett Anderson, Steve Wilbur, Stuart Hall, Tim Leo, Tom Brassfield, Eric Osterling, Richard Garcia, Blake Wilbur, Derrik Williams, Eric Correia, Eric Furtado, Garrett Miller, Gene Kilgore, Geoff Vanden Heuvel, Janessa Iden, Jeff Wilbur, Jordan Leal, Paul Nunes,

4.a. RESOLUTION 21-01 RESOLUTION TO IMPLEMENT TELECOMFERENCE REQUIREMENT DURING A PROCLAIMED STATE OF EMERGENCY

The California State Legislature passed Assembly Bill No. 361, which allows for the use of teleconferencing under the Brown Act upon a proclaimed state of emergency and specific finding.

Upon the following roll call vote:

Chair Martin: Yes

Director Nelsen: Yes

Director Mederos: Yes

Director Bixler: Yes

Director Caviglia (alt. Director Collins): Yes

Director Whitfield (alt Director Stroman): Yes

Resolution 21-01 – Resolution to Implement Teleconference Requirement during a Proclaimed State of Emergency was passed by the Board of Directors

1. CALL TO REGULAR ORDER

Chair Martin called the meeting to order at 3:02 p.m.

2. PUBLIC COMMENT

Director Mederos introduced Marc Mondell, the new City Manager at the City of Tulare. Mr. Mondell was preceded by Rob Hunt in his recent retirement.

3. GENERAL BUSINESS

- a. Approval of Minutes of Regular Meeting on September 14, 2021*.** By a motion of Director Nelson, seconded by Director Mederos and carried by all Directors present the minutes of the September 12, 2021 Regular Meeting were approved.
- b. Financial Reports***
- i. Financial Statements – Year-to-Date* Ms. Artis presented the financial statements, and showed a negative equity. Ms. Artis highlighted there have been no income in months, while legal and consulting fees continued. Therefore, there is currently a \$70,000 deficit. By a motion of Director Nelson, seconded by Director Bixler, and carried by all Directors present, the financial statement as presented and were approved.
 - ii. Call for funds –* Mr. Fukuda requested a call for funds after reviewing the accomplishments to date and how funds will be used for critical projects planned in the coming months. By a motion of Director Mederos, seconded by Director Martin, and carried by all Directors present, a call of funds in the amount of \$210,000 equally shared by the three members was approved.
- c. Legal Counsel Report**
Ms. Kinkaid described the DWR draft program guidelines for \$180 million in funds available for SGMA implementation. Final guidelines are anticipated in November, solicitation in February, the reward list will be available for public review in May, and reward funds will be available in June. Mr. Fukuda also described funding opportunities with the Urban and Multi-benefit Drought program, and on-farm efficiency programs (SWEEP), both accepting applications on a rolling basis.
- d. MKGSA Advisory Committee Update**
Advisory Committee Chair Blake Wilbur summarized the most recent MKGSA Advisory Committee Meeting. Mr. Wilbur said discussions focused mostly on the groundwater cap. The committee decided it would be useful for MKGSA staff to provide a platform for committee members to submit questions, concerns, and recommendations. The committee's comments focused on making the pumping cap program flexible, and asked for more information on how evapotranspiration and pumping would be tracked and calculated. The next MKGSA Advisory Committee's next meeting will focus on finding a consensus on the remaining pumping cap items generating the most discussion/debate.
- e. MKGSA GSP Review Status**
Mr. Fukuda said several subbasins have received comment letters on their GSPs from the State Water Resources Control Board (SWRCB). The MKGSA has not received one yet. Ms. Kinkaid said DWR GSP review letters likely follow the SWRCB letters, and that the two common themes of the SWRCB letters are (1) GSA's increased involvement and monitoring of water quality and (2) how minimum thresholds will be mitigated to protect domestic wells. Derrick Williams of M&A indicated that two of the GSPs in other basins he consults with received SWRCB letters before DWR review letter. Mr. Williams recommended responding to the SWRCB letters, as DWR reviews them and takes those comment letters into consideration for their GSP review process.
- f. MKGSA GSP Implementation Workplan**
- i. MKGSA Groundwater Allocation and Pumping Cap – Update*
Mr. Fukuda outlined the most recent version of the proposed groundwater allocation, currently on version 8. The remaining questions that need consensus for

the next MKGSA advisory committee are: (1) method to track the water and grower access to these data, (2) will the cap be applied retroactively, (3) distance growers can move water, (4) penalties for exceeding cap in year 1, (5) should cities limit building permits, and (6) what should the cap number be?

Mr. Fukuda described the groundwater tracking system development. Tulare Irrigation District is currently working with STORM (software used for surface water) to add a groundwater module. This module will be affordable, as STORM was already developing the ability to do this. Likewise, the Kaweah Basin Water Quality Association already developed a tool for the Irrigated Lands Regulatory Program (ILRP), which already contains the bulk of the web infrastructure (growers, APNs, GUI) necessary to implement groundwater tracking.

1. ***Consider Montgomery & Associates Pumping Cap Evaluation Proposal****
Mr. Fukuda presented a proposal by M&A to perform model runs via the MODFLOW model (in its current state) to run a suite of pumping cap scenarios and compare the impact to groundwater levels. The cost for the analysis is \$35,000 and \$5,000 for each additional model run. However, the time between this proposal and meeting, the model runs did not garner the support of the MKGSA, as originally proposed. Mr. Fukuda recommended not performing the analysis if the MKGSA was left with the entire financial burden. The MKGSA Board concurred with Mr. Fukuda's assessment and no action was taken.

g. Kaweah Subbasin Coordination

- i. ***Kaweah Subbasin Management Committee***
Technical memo from M&A has been delivered to the MKGSA on the MODFLOW model. P&P and M&A are currently working on a scope of work and budget for recommendations outlined in the technical memo. A Kaweah Subbasin Management Committee meeting is also set for October 20th.
- ii. ***Prop 68 Planning Grant***
Mr. Fukuda said the MKGSA is meeting with Fresno State this month to expedite the meter assessment report.
- iii. ***Prop 68 Implementation Grant***
The Okieville recharge basin design, permitting, and environmental assessments are currently underway. The Tulare Irrigation District met with Provost and Pritchard and performed a site visit. Mr. Fukuda also met with the landowner and is currently finalizing the purchase agreement.
- iv. ***Water Marketing Strategy Grant***
The first public workshop is on October 27th at 6pm. This workshop will summarize concepts of a water market and provide case studies from around the world of existing water markets.
- v. ***Kaweah Water Foundation (CVSALTS)***
No updates.

- vi. *Kaweah Interbasin Coordination*
No updates.

4. STAFF UPDATE, DISCUSSION AND RECEIVE DIRECTION, IF NECESSARY,

4. COVID-19

No updates.

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

Chair Martin asked for more information on the State Water Resources Control Board process of probation.

6. CLOSED SESSION

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

No action items were taken in Closed Session.

7. ADJOURNMENT:

Chair Martin adjourned the meeting with the next regular meeting scheduled for November 9th, 2021.

Attest: _____

GSA Board Secretary

Board of Directors Chair