

**MID-KAWEAH GROUNDWATER SUB-BASIN JOINT POWERS AUTHORITY  
GROUNDWATER SUSTAINABILITY AGENCY BOARD**

**SUMMARY MINUTES**

August 14, 2018 – 3:00 p.m.

Tulare Public Library & Council Chambers  
491 North M Street – Tulare, CA 93274

**MEMBERS PRESENT:** Jose Sigala, David Bixler, Dave Martin, Steve Nelsen, Greg Collins, Howard Stroman (Alt.)

**MEMBERS ABSENT:** Greg Nunley

**STAFF PRESENT:** Aaron Fukuda, Leslie Caviglia, Randy Groom, Willard Epps, Melissa Hermann, Trisha Whitfield, Kathi Artis, Paul Hendrix

**OTHERS PRESENT:** Chris Petersen, GEI Consultants; Craig Moyle, Stantec; other members of the public

**1. CALL TO ORDER REGULAR SESSION:**

Chair Nelsen opened the meeting at 3:00 p.m.

**2. PUBLIC COMMENT:**

Chair Nelsen called for comments from any members of the public present at the meeting. None were forthcoming.

**3. CLOSED SESSION:**

**a. Gov't Code Section 54957(b)(4) – Public Employment/Independent Contractor  
Title: Legal Counsel**

Chair Nelsen adjourned to Closed Session at 3:01 p.m. Chair Nelsen reconvened from Closed Session at 3:14 p.m. Action was reported in item 4.d.

**4. GENERAL BUSINESS:**

**a. Approval of Minutes of Regular Meeting on June 12, 2018**

It was moved by Director Collins, seconded by Director Martin, and carried 6 to 0 to approve the minutes as presented.

**b. Financial Report**

**i. Financial Statements – Year-to-Date**

K. Artis provided a report for the Board's review and consideration. She reviewed the balance sheet and profit & loss statement, reporting a net loss of

\$208,900 for the prior fiscal year. She also presented the list of transactions since the last meeting. Director Collins inquired as to what constitutes consultant costs for sub-basin coordination, and staff addressed this. It was then moved by Director Bixler, seconded by Director Martin, and carried 6 to 0 to approve the Financial Statements as presented.

**ii. Auditor Selection for FY 2017-18**

K. Artis provided an engagement letter from Cuttone & Mastro, the CPA firm having conducted the audit for the last two fiscal years. She indicated that a request for qualifications could be issued to obtain quotes from other firms if desired. The Board expressed no such indication and it was then moved by Director Collins, seconded by Director Sigala, and carried 6 to 0 to approve Cuttone & Mastro as the auditor for FY 2017-18.

**c. Amendment to Mid-Kaweah Joint Powers Agreement – Status Report**

P. Hendrix stated that the JPA amendment has been approved by both cities and by Tulare ID, and that its voting procedures are now in effect. He reiterated that most action items now require a simple majority vote, with at least one “yes” vote from each Member.

**d. Report of Ad-Hoc Committee – Legal Counsel Interviews and Potential Appointment**

Chair Nelsen provided a report regarding the selection of legal counsel, noting that a number of law firms and their qualifications were taken into consideration. He thereupon announced the selection of Valerie Kincaid with O’Laughlin & Paris as the new attorney to represent the GSA by a vote reported out of closed session – the motion being by Director Martin and second by Director Sigala and unanimously carried.

**e. Approval of FY 2018-19 Budget and Member Contributions**

P. Hendrix reviewed a report depicting the actual income and expenses for FY 2017-18 and the projected budget for FY 2018-19. He made note of total expenses of \$1.2 million with over \$850,000 in offsets from a state grant. He referred the Board to the staff report and attachments for further details, including the projected contributions from each Member. Director Martin inquired as to what constitutes special projects as indicated in the budget, and Mr. Hendrix noted that an explanation will be forthcoming later in the agenda. It was moved by Director Martin, seconded by Director Sigala, and carried 6 to 0 to approve the FY 2018-19 Budget as presented.

**f. Call for Funds – FY 2018-19 Budget**

P. Hendrix referred the Board to the accompanying staff report and stated that \$140,000 would be needed to cover anticipated expenses over the next two months. Director Sigala asked if sufficient funds would be on hand to cover needed public outreach during this time, to which Mr. Hendrix said yes. Director Stroman asked if the need for funds reflected the carryover cash from last fiscal year, and it was indicated that it did. It was moved by Director Bixler, seconded by Director

Stroman, and carried 6 to 0 to approve the \$140,000 Call for Funds as presented.

**g. Approval of Policy re Board Member Alternates**

P. Hendrix noted that the subject policy has been reviewed by the Board and action has been pending approval of the amended JPA. He said that the policy will clarify the role of alternate directors at board meetings. Without further discussion, it was moved by Director Collins, seconded by Director Stroman, and carried 6 to 0 to approve the policy regarding Board Member alternates as presented.

**h. Approval of Letter Agreement with East and Greater Kaweah GSA**

Items 4.h and 4.i were presented together. P. Hendrix summarized the proposed geophysical data collection effort and the cost sharing among the three sub-basin GSAs. He explained the special project characterization of funding and Tulare ID's larger contribution and justification therefor. It was moved by Director Martin, seconded by Director Sigala, and carried 6 to 0 to approve the Letter of Agreement with East and Greater Kaweah GSA and approve the contract with Aqua Geo Frameworks as presented.

**i. Approval of Contract with Aqua Geo Frameworks**

See agenda item 4.h.

**j. Kaweah Sub-Basin Coordination**

**i. Approval of Amended MOU**

P. Hendrix referred the Board to a staff report with the subject MOU as attached. He indicated that the single change to the MOU was the elimination of the technical advisory committee, noting that these committee discussions have proved to be more efficiently handled at the local GSA level. It was then moved by Director Collins, seconded by Director Bixler, and carried 6 to 0 to approve the amended Kaweah Sub-Basin MOU.

**ii. Prop 1 Grant Award – Status**

P. Hendrix provided a status update on the Prop 1 Grant award, saying that DWR is working on a draft contract for local GSA review. This should be available within the next month or so; reimbursements per the grant are not expected until the end of the year.

**iii. Kaweah Groundwater Model Development**

C. Peterson of GEI provided a presentation for the Board's review and consideration. He described the numerical model of the sub-basin as one depicting three sub-surface layers. Calibration of the model will be necessary as against historical groundwater levels and, once this is completed, the model will be used to evaluate proposed projects and management actions. Questions by Directors Collins and Stroman regarding soils data, variable water supplies and ability to evaluate groundwater management strategies were then fielded by staff and discussed by the Board.

**iv. DWR Technical Support Services**

C. Petersen next reviewed pending applications for DWR financial assistance for technical and facilitation support services. He described the purposes of the applications, one for the installation of monitoring wells and one for assistance with sub-basin coordination. Mr. Petersen then went on to present an overview of the sub-basin and individual GSA decisions needed in regards to Sustainable Management Criteria as defined by DWR. He noted that the Sustainability Goal and Undesirable Results are to be defined at the sub-basin level, and that Measurable Objectives and Minimum Thresholds are to be set at the more local GSA level. Lastly, Mr. Petersen indicated that the Basin Setting, needed for all coordination and GSP work to follow, is anticipated to be out in draft form by mid-September. Ben Curti, a public attendee, then offered data he has available from the Corcoran area to assist with this effort. Maria Herrera of the public also commented that her organization Self-Help Enterprises would also be available to work with GSA staff in outreach efforts. Pedro Hernandez with Leadership Counsel for Justice and Accountability offered a similar comment.

**k. GSP Development – Status Report**

**i. Sustainability Plan Cooperative Statement – Consideration for Approval**

P. Hendrix made reference to a staff report and overhead of a proposed policy statement. He emphasized that a common understanding of Member objectives and application of a GSA water budget in furtherance of these objectives is needed now as negotiations proceed with sub-basin interests. Director Collins opined that the proposed statement does not adequately address the need for conservation. It was moved by Director Martin to approve the statement but no second was forthcoming. J. Snyder, a member of the Advisory Committee, offered suggested language regarding the needs of disadvantaged communities. It was then moved by Director Sigala, seconded by Chair Nelsen and carried 4 to 2 (Directors Collins and Stroman voting no) to approve the Sustainability Plan Cooperative Statement with the addition of the verbiage provided by Ms. Snyder.

**ii. Sustainable Management Criteria**

This item was presented under item 4.j.iv.

**l. Advisory Committee**

**i. Approval of Communications & Engagement Plan**

Craig Moyle provided a report and presented the Communications & Engagement Plan to the Board. He addressed key elements of the Plan, including its objectives, action items, communication tools and assistance from NGOs. He then made reference to a schedule through 2020, saying that Sustainable Management Criteria meetings among GSAs would occur this fall, followed by public workshops in spring 2019, with an anticipated draft GSP for public review thereafter. P. Hendrix then presented a listing of outreach meetings and locations in the near future.

Director Nelsen expressed concern that the schedule was tight and, based on the current activity pace, a draft GSP would be very difficult to produce by summer 2019. Directors Stroman and Sigala expressed similar concerns over schedule contingencies and the need to allow time for the Board to review and take action on policy matters. After such discussion, it was moved by Director Collins, seconded by Director Stroman, and carried 6 to 0 to approve the Communications & Engagement Plan.

**ii. Outreach Activities**

P. Hendrix provided this report under agenda item 4.1.i.

**m. GSA Vice Chair Designation**

Chair Nelsen reiterated his concern expressed at the June meeting that the Vice Chair position needs regular attendance to provide back-up to the Chair. It was thereupon moved by Director Bixler, seconded by Director Collins, and carried 5 to 0 (Director Chair Stroman abstained) to remove Greg Nunley as Vice Chair. It was next moved by Director Sigala, seconded by Director Bixler, and carried 6 to 0 to appoint Greg Collins as Vice Chair of the GSA.

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

**6. ADJOURNMENT:**

Chair Nelsen adjourned the meeting at 5:00 p.m.

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Groundwater Sustainability Agency  
Board Chair

Attest:

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Groundwater Sustainability Agency  
Board Secretary

Mid-Kaweah GSA  
Agenda Item Report

**October 9, 2018**

**Agenda Item Wording:** Fiscal – Financial Statements Year To Date

**Report Author:** Kathi Artis – Tulare ID

**Background Discussion:**

The GSA's financial policies require a financial overview and Profit & Loss Statement through the end of the previous month are to be provided to the Board of Directors at each Board meeting.

**Attachments:**

Balance Sheet as of September 30, 2018

Profit & Loss Statement for period July 1, 2018 through September 30, 2018

Transaction Detail by Account for checking and money market accounts for period August 14, 2018 through September 30, 2018

2:23 PM

10/03/18

Accrual Basis

Mid-Kaweah Groundwater Sustainability Agency

Balance Sheet

As of September 30, 2018

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	<u>Sep 30, 18</u>
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
Checking	15,004.72
Money Market	138,271.77
Total Checking/Savings	<u>153,276.49</u>
Total Current Assets	<u>153,276.49</u>
<b>TOTAL ASSETS</b>	<b><u>153,276.49</u></b>
<b>LIABILITIES &amp; EQUITY</b>	
Equity	
Retained Earnings	40,044.06
Net Income	113,232.43
Total Equity	<u>153,276.49</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>153,276.49</u></b>

## Mid-Kaweah Groundwater Sustainability Agency

## Profit &amp; Loss

July through September 2018

	<u>Jul - Sep 18</u>
Ordinary Income/Expense	
Income	
Call For Funds	
GEI Planning	140,001.00
Total Call For Funds	<u>140,001.00</u>
Total Income	140,001.00
Expense	
Consulting Fees	
GEI Fees - Grant Applic 01-201	4,375.50
GEI Fees - MKGSA - 02.2017	
GSP	2,455.60
Sub-Basin Coordination	<u>16,217.99</u>
Total GEI Fees - MKGSA - 02.2017	18,673.59
Total Consulting Fees	23,049.09
Insurance	972.40
Legal	980.00
Office Expense	540.53
Rent	1,000.00
Travel Expenses	<u>237.55</u>
Total Expense	26,779.57
Net Ordinary Income	113,221.43
Other Income/Expense	
Other Income	
Interest Income	11.00
Total Other Income	<u>11.00</u>
Net Other Income	11.00
Net Income	<u><u>113,232.43</u></u>

**Mid-Kaweah Groundwater Sustainability Agency  
Transactions by Account**

As of September 30, 2018

Type	Date	Num	Name	Memo	Split	Amount
<b>Checking</b>						
Check	09/11/2018	1059	Capital One	6497	Travel Expenses	(237.55)
Check	09/11/2018	1060	AT&T	Landline	Office Expense	(57.47)
Check	09/11/2018	1061	AT&T Mobility	Paul's cellphone	Office Expense	(48.53)
Transfer	09/13/2018			Funds Transfer	Money Market	100,000.00
Bill Pmt -Check	09/13/2018	1062	GEI Consultants	Invoices #3039870,3039871,3039939,3039940	GSP	(40,275.05)
Check	09/13/2018	1063	GEI Consultants	Invoices #3040707,3040708,3041067,3041068	Sub-Basin Coordination	(25,839.98)
Check	09/14/2018	1064	O'Laughlin & Paris LLP	Invoice #8793	Sub-Basin Coordination	(16,217.99)
Check	09/30/2018	1065	AT&T	Landline	Legal	(980.00)
Check	09/30/2018	1066	AT&T Mobility	Paul's cellphone	Office Expense	(67.44)
Check	09/30/2018	1067	ACWA/JPIA	Auto & General Liability Insurance 10/1/18-9/30/19	Office Expense	(46.19)
Check	09/30/2018	1068	Tulare Irrigation District	1/4th cost of QuickBooks	Insurance	(972.40)
Check	09/30/2018	1069	Aliamo Properties	October and November rent	Office Expense	(74.98)
Total Checking					Rent	(500.00)
						<u>7,851.32</u>
<b>Money Market</b>						
Deposit	08/14/2018			Deposit	East Kaweah GSA	22,934.31
Deposit	09/13/2018			Deposit	Tulare Irrigation District	46,667.00
Transfer	09/13/2018			Funds Transfer	Checking	(100,000.00)
Deposit	09/14/2018			Deposit	City of Tulare	46,667.00
Deposit	09/24/2018			Deposit	City of Visalia	46,667.00
Total Money Market					Greater Kaweah GSA	22,934.31
<b>TOTAL</b>						<u><u>85,869.62</u></u>
						<u><u>93,720.94</u></u>

Mid-Kaweah GSA  
Agenda Item Report

**October 3, 2018**

**Agenda Item 3.b.iii:** Member Call for Funds

**Report Author:** Paul Hendrix

**Staff Recommendation:**

It is recommended that the Board approve a second call for funds for FY 2018-19 in the amount of \$100,000, one-third of which from each Member.

**Background Discussion:**

It was noted at the August 14<sup>th</sup> GSA meeting that an additional call for funds would be forthcoming at the October meeting, given the anticipated reimbursements from the state from the Prop 1 grant not occurring until late this year or early next year. Upcoming expenses include continued work by GEI for coordination and GSP preparation, administrative and legal costs, and an initial payment for the Kaweah Sub-Basin geophysical data collection project. As with the first call for funds in August, about 30% of the total will be devoted administrative expenses and 70% to planning expenses.

Upon completion of all third-quarter invoicing from GEI, a billing will be sent out to the East Kaweah and Greater Kaweah GSAs, the income from which will offset some of these expenses. With this income, an amount of \$100,000 should be sufficient to maintain a positive cash flow through the end of the year, and hopefully grant funding from DWR will be forthcoming shortly thereafter.

**Recommended Motion:**

I move to approve a Mid-Kaweah GSA call for funds in the amount of \$100,000.

Mid-Kaweah GSA  
Agenda Item Report

**October 3, 2018**

**Agenda Item 3.e:** Resolution No. 2018-03

**Report Author:** Paul Hendrix

**Staff Recommendation:**

It is recommended that the Board adopt the attached resolution expressing support for Prop 3, “The Water Supply and Water Quality Act” on the November ballot.

**Background Discussion:**

As proposed last year, former Deputy Secretary of the CA Natural Resources Agency and now Director for the Natural Heritage Institute, laid out a bond measure that has since qualified for the November ballot as Prop 3. The bond measure has earned considerable support from the water industry and other organizations as a means to raise money for a wide range of water projects and programs throughout the state. An ACWA fact sheet summarizing the proposition is attached. Significant to GSAs, Prop 3 contains \$675 million for implementation of SGMA.

**Recommended Motion:**

I move to adopt Resolution No. 2018-03 expressing support for Proposition 3 on the state’s November 6<sup>th</sup> general election ballot.

**Attachments:**

ACWA Fact Sheet  
Resolution No. 2018-03



## PROPOSITION 3 FACT SHEET

As securing California’s water future becomes increasingly challenging, ensuring funding to mitigate the results of climate change, aging infrastructure, natural disasters and population growth are more important than ever. In response to those challenges, voters will have the opportunity to approve an \$8.8 billion water bond on the November 6, 2018 General Election ballot.

Proposition 3, The Water Supply and Water Quality Act, would provide general obligation bond funding for water-related projects intended to provide safe drinking water to disadvantaged communities, improve water supply reliability, help implement the Sustainable Groundwater Management Act (SGMA), repair infrastructure and restore watersheds.

Recognizing the need for this funding, the Association of California Water Agencies (ACWA) Board of Directors voted unanimously to support both Proposition 3 and Proposition 68. The voters approved Proposition 68 in June 2018 and provided \$4.1 billion in general obligation bond funding for parks and water-related projects.

Proposition 3 would provide \$8.8 billion in funding for improvements to water supplies across the state covering a variety of water-related projects.

### ACWA SUPPORTS PROPOSITION 3 FOR A NUMBER OF IMPORTANT REASONS:

- It would help meet the goals of the California Water Action Plan by providing funding for safe drinking water, conservation, and sustainable groundwater management, among other aspects.
- It would provide \$500 million in funding for safe drinking water projects, with priority being given to projects in disadvantage communities.
- It would invest \$675 million in SGMA implementation. Essentially all of the remaining Proposition 1 SGMA funding is being committed in 2018.

MAJOR FUNDING CATEGORY HIGHLIGHTS	FUNDING
Safe drinking water and wastewater treatment for disadvantaged communities	\$750 million
Wastewater recycling	\$400 million
Groundwater desalination	\$400 million
Urban water conservation	\$300 million
Agricultural water conservation	\$50 million
Sustainable Groundwater Management Act (SGMA) implementation and groundwater stabilizing	\$675 million
Storm water management	\$600 million
Watershed improvements	\$2.3 billion
Fisheries restoration	\$400 million

**GSA RESOLUTION NO. 2018-03**

**A RESOLUTION OF THE MID-KAWEAH GROUNDWATER SUSTAINABILITY  
AGENCY EXPRESSING SUPPORT FOR PROPOSITION 3**

**WHEREAS**, California faces a growing list of challenges related to its water supply associated with aging infrastructure, natural disasters, climate change, population growth and other factors; and

**WHEREAS**, the water community agrees that funding is needed to improve water supply reliability and ecosystem health in California; and

**WHEREAS**, Californians in June 2018, passed Proposition 68, the California Drought, Water, Parks, Coastal Protection, and Outdoor Access for All Act of 2018; and

**WHEREAS**, a diverse group of stakeholders including water managers has developed Proposition 3 which will appear on the November 2018 ballot as a complementary bond to Proposition 68; and

**WHEREAS**, if approved by the state's voters, this measure would provide more than \$8.8 billion in general obligation bond funding for safe drinking water, implementation of the Sustainable Groundwater Management Act, watershed restoration, infrastructure repair and other projects that will improve water supply reliability and ecosystem health; and

**WHEREAS**, projects funded through this bond would provide substantial benefits for California communities and help ensure safe and reliable water for California's future; and

**WHEREAS**, the Mid-Kaweah GSA, situated in a critically-overdrafted basin in the San Joaquin Valley, would benefit from several funding authorizations identified in Proposition 3.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Mid-Kaweah Groundwater Sustainability Agency formally expresses its support for Proposition 3 on the November 2018 ballot.

**PASSED, APPROVED, AND ADOPTED** this 9<sup>th</sup> day of October, 2018.

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Steve Nelsen, Board Chair

ATTEST:

STATE OF CALIFORNIA    )  
COUNTY OF TULARE     ) SS.  
CITY OF TULARE         )

I, Roxanne Yoder, Board Clerk of the Mid-Kaweah Groundwater Sustainability Agency Board, certify the foregoing is the full and true Board Resolution 2018-03 passed and adopted by the Agency Board at a regular meeting held on October 9, 2018, by the following vote:

Aye(s): \_\_\_\_\_

Noe(s): \_\_\_\_\_ Absent/Abstention(s): \_\_\_\_\_

Dated:

Clerk of the Board

\_\_\_\_\_  
Roxanne Yoder

Mid-Kaweah GSA  
Agenda Item Report

**October 3, 2018**

**Agenda Item 3.f:** Water Budget Position Statement

**Report Author:** Paul Hendrix

**Staff Recommendation:**

It is recommended that the Board approve the “Position Statement Regarding Sub-Basin Groundwater Budget Apportionment” for dissemination to other GSAs and stakeholders in the region.

**Background Discussion:**

At its August 14<sup>th</sup> meeting, the GSA Board approved a “Sustainability Plan Statement of Cooperation” as among its Members. That statement embodied four objectives, including efforts to maintain agricultural productivity and future urban growth. It also committed the Members to shape and distribute a Mid-Kaweah water budget in a fashion to achieve these objectives.

The attached Position Statement is put forth to foster a continued dialogue among the Kaweah Sub-Basin GSAs regarding the basin setting and attendant water budget being developed by GEI and is entirely consistent with the recently-approved cooperative statement among the GSA Members. It lays out a proposed apportionment, with legal underpinnings, of the sub-basin water budget as among the three GSAs. This apportionment would provide Mid-Kaweah with an optimal ability to shape and distribute its resulting budget in a manner to best achieve the four aforementioned objectives of its Members.

**Recommended Motion:**

I move to approve the “Position Statement Regarding Sub-Basin Groundwater Budget Apportionment” by the Mid-Kaweah GSA and its Members.

**Attachments:**

Draft Water Budget Position Statement

## Mid-Kaweah GSA

### **Position Statement Regarding Sub-Basin Groundwater Budget Apportionment**

#### Water Budget Application

The Mid-Kaweah GSA and each of its member agencies – City of Visalia, City of Tulare and Tulare Irrigation District – support an apportionment of the Kaweah Sub-Basin water budget among the East Kaweah, Greater Kaweah and Mid-Kaweah GSAs in time to be included in the basin-wide Coordination Agreement. SGMA requires that the GSPs are to be submitted to DWR by January 31, 2020. The GSPs are further to be released for public review in the fall of 2019 and, in tandem with this process, the key components of the Coordination Agreement should be considered essentially complete at that time. The sub-basin water budget and apportionment thereof may need to be preliminary and subject to further refinement during the GSP implementation period to follow. However, it is Mid-Kaweah's view that the Coordination Agreement elements need to be identified and vetted early on, prior to the preparation of key elements of any GSP. We are concerned that little progress is being made in regards to coordination with respect to an apportionment of the sub-basin's water budget as the January 2020 deadline draws near.

As each GSA begins to draft their respective GSPs, we will need to coordinate as SGMA requires several elements of a GSP to be consistent on a sub-basin level. The sub-basin Sustainability Goal and Undesirable Results determinations must be consistent in all GSPs. The Basin Setting, which includes, among other things, a sub-basin Water Budget and identification of any Management Areas in accordance with DWR's GSP Regulations, must also be consistent on the sub-basin level. To the extent each GSP develops Management Areas, the definition of these areas will begin with a determination of surface water supplies in each, which is dependent on and, taken together, congruous with the sub-basin Water Budget. Also, Sustainable Management Criteria such as Minimum Thresholds will soon need to be defined within each Management Area and these too should be coordinated across GSA and Management Area boundaries. The means, i.e., GSA Projects and Management Actions, to maintain these Thresholds as established across the sub-basin need to also reflect an apportionment of the Water Budget.

Further, as currently configured the sub-basin's Prop 1 grant award contract contains water supply accounting tasks for coordination and GSP development outlining a delineation of the sub-basin water budget as among the three GSAs and their Management Areas. Absent a contract amendment, these tasks must be completed to earn the full \$1.5 million grant award.

Potentially achieving Measurable Objectives and living within Minimum Thresholds will require the identification of Projects and Management Actions in each GSP that reasonably demonstrate, to the satisfaction of DWR, that this can be done within SGMA's 20-year implementation period. The Regulations further require a description of Projects and Management Actions that may be

implemented to avoid exceeding Minimum Thresholds and to meet Interim Milestones. The Regulations further *require* the identification of Management Actions, including the quantification of demand reductions or other methods, needed to mitigate overdraft for a basin whose water budget, described in the GSP's Basin Setting, indicates overdraft conditions. Because the Management Actions and Minimum Thresholds are based on development and apportionment of a sub-basin Water Budget, the development of the foundational GSP elements depend on coordinating as a sub-basin to acknowledge the Water Budget and its applicability to a GSP.

### Water Budget Components

There are several components of a Water Budget that will be addressed in the basin setting and not subject to any degree of misinterpretation or disagreement among stakeholders. However, there are components of a Water Budget in which there may be disagreement among GSAs and their various stakeholders, particularly with regard to recharge inflows as a result of surface water management and conjunctive use operations.

GEI has developed location and apportionment terminology and concepts that may be helpful in coordinating and making sub-basin decisions on water budget components. These are “Natural” and “Man-Made” in reference to sub-basin water courses and channels, and “Common,” “Footprint,” and “Appropriator” in reference to a means to apportion a water budget source. For the purposes of this Position Statement, the term Appropriator includes the public agencies who possess a permanent contract for CVP water supplies under permits held by the by USBR for the benefit of water users or who otherwise arrange for the importation of such water into the Kaweah Sub-Basin.

This terminology has been explained in detail in GEI memoranda presented to the Sub-Basin Management Team and discussed by the technical advisory committees of the GSAs. It is understood that this terminology will likely need further refinement as discussions continue among sub-basin stakeholders. Using the GEI terminology as currently described, Mid-Kaweah puts forth its position on the major groundwater budget components and how they may be apportioned as among the three sub-basin GSAs as follows:

- Inflow
  - Precipitation – Precipitation that is estimated to reach the underlying aquifer should be apportioned by either the Common or Footprint method. Further refinements based on annual rainfall distribution volumes in the easterly v. westerly regions of the sub-basin may be taken into consideration, which considerations may, among other items of agreement, dictate one of the two apportionment methods.
  - Seepage from Kaweah River System and Other Kaweah Watershed Sources
    - Estimated seepage from the Kaweah River, Lower Kaweah River, St. Johns River and other Natural water courses should be apportioned by the Common method across all acreage within the Kaweah Sub-Basin.
    - Estimated seepage in Man-Made facilities should be apportioned by the Appropriator method.

- Return Flows from Irrigated Agricultural Lands – Water estimated to leave the root zone and return to the underlying aquifer should be apportioned according to source.
  - Return flows from pumped groundwater derived from Natural sources should be apportioned by the Common method.
  - Return flows from both local (Kaweah River system) and imported (e.g., CVP) sources should be apportioned by the Appropriator method.
- Return Flows from Waste Water Treatment Plants – Effluent estimated to recharge the underlying aquifer from WWTPs should be apportioned by the Appropriator method, or otherwise the entity responsible for the treatment and management of waste water.
- Return Flows from Urban Storm Water Runoff – Storm water estimated to recharge the underlying aquifer from associated collection systems, if different than WWTPs as the terminus, should be apportioned by the Footprint method based on GSA location.
- Recharge from Sinking Basins – Estimated infiltration from sinking basins and sundry recharge facilities should be apportioned by the Appropriator or Footprint method depending on the source of recharged water.
- Conveyance seepage from Imported Water Sources – Seepage estimates from CVP and other appropriated and managed surface water sources, regardless of whether it occurs within Natural water courses or Man-Made channels, should be apportioned by the Appropriator method.
- Outflow
  - Groundwater Pumping – Estimated or measured pumping from agricultural/dairy operations wells, municipal or community well systems and small private wells should be apportioned by the Footprint method.
  - Other – Other outflows pertaining to a groundwater budget, other than underflows as addressed following, are considered nominal.
- Underflow
  - Mountain Block Recharge – Estimated underflows entering the alluvial aquifer system from the Sierras should be apportioned in a manner recognizing the region hydrogeologically connected to this inflow source. A proportionate share of estimated mountain block recharge inflow should be assigned to each GSA, including the Tulare Lake Sub-Basin to the west of the Kaweah. This apportionment should be done essentially by the Common method, recognizing the acreage within each Kaweah Sub-Basin GSA and within the Tulare Lake Sub-Basin.
  - Other than mountain block recharge, it is advised that groundwater underflow fluxes are not to be considered a part of a GSA water budget per se and not necessary to right size Projects and Management Actions in a GSP. They are less a movement of

water than they are a propagation of sub-surface pressure gradients caused by various recharge and pumping activities in surrounding areas.

These fluxes between GSAs and sub-basins are to be described in basin settings and associated hydrogeologic conceptual models. They are further reflected in numerical simulation models being developed and calibrated for each sub-basin. To treat them as a water budget component for purposes of determining Projects and Management Actions to deter, for example, declines in groundwater levels places burdens on a GSA not commensurate with its responsibilities to mitigate for that Sustainability Indicator should it become an Undesirable Result.

Mid-Kaweah proposes the foregoing groundwater budget apportionment is proposed only at the GSA level. Each of the three GSAs may deal with their internal apportionment as they see fit, and in a manner that addresses the issues and needs of their members in achieving sustainability as established in a GSP. We further reiterate that this apportionment is primarily intended for application to identify GSA responsibilities in establishing their respective Management Actions (pumping allocations) and scope of their planned Projects. As previously stated, the apportionment does not incorporate the full composite of underflow/groundwater flux components of a true water budget as will be described in the Basin Setting.

#### Rationale

The sub-basin water budget apportionment as proposed herein recognizes the native attributes of the Kaweah River system and waters therein as a common supply belonging to all current and future groundwater users. It further recognizes the historical efforts of the appropriators and their attempts to store, manage and regulate the river flows as well as their flow entitlements as recorded with the SWRCB. As stated previously, each GSA may evaluate its collective water budget as determined by this proposed apportionment and further separate certain components as among Water Management Areas within.

The Mid-Kaweah GSA puts forth this position largely based on the considerable efforts and financial resources over time that the Kaweah/St. Johns River appropriators and imported water contractors, as well as the GSA agencies that they represent, have devoted to water management purposes to enhance groundwater recharge. The extensive man-made and unlined channel system has substantially added to the natural sources of recharge in the sub-basin, a channel system built and maintained largely by the appropriators. Much of their water management operations result in regional recharge benefits; however, these appropriators seek recognition for such operations through a sub-basin water budget apportionment deemed acceptable by them. Mid-Kaweah does however recognize that groundwater is a common resource to all stakeholders, the characteristics and behavior of which having been altered over time, and the proposal being set forth recognizes both of these legitimate viewpoints.

## Recommendations

Departing as it does from the Footprint approach utilized in KDWCD's WRI report series, this apportionment and attendant pumping allotments will require that each GSA consider Minimum Thresholds that do not result in undo harm across neighboring GSA boundaries. We understand GEI is proposing that Minimum Thresholds be uniformly set within so-called Hydrogeologic Zones, and we support this approach as long as it recognizes the unique water budget components of the GSAs and Management Areas within them.

Any and all Projects and Management Actions under consideration by a GSA, designed around a water budget apportionment as proposed herein, should be evaluated in concert with others in the sub-basin in terms of their ability to maintain Minimum Thresholds and ultimately reach Measurable Objectives. The sub-basin numerical model should serve as a good tool to utilize in these evaluations. Discrepancies which may emerge from these simulations will need to be addressed, and adjustments to Minimum Thresholds and modifications to Projects and Management Actions could follow.

Lastly, we trust that sufficient progress may be made such that each GSA may proceed with developing GSP elements tailored to their assigned responsibilities as a result of this apportionment. SGMA requires coordination and a single Water Budget for the sub-basin. Failure to achieve this coordination will violate SGMA and leave each GSA without sufficient direction that is necessary to develop a compliant GSP. Mid-Kaweah looks forward to engaging with its sub-basin partners and discussing the above-suggested approach to achieve coordination. We recommend that this water budget discussion recommence in earnest, using the MOU for Cooperation and Coordination of the Kaweah Sub-Basin and its committee and decision-making process as a guide in moving forward.