



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

December 12, 2023 @ 3:00 PM

Tulare Public Library

491 North M Street

Tulare, CA 93274

MEMBERS PRESENT: Steve Nelsen, Dennis Mederos, David Bixler, Blake Wilbur, Dave Martin, and Liz Wynn

GSA MEMBER STAFF PRESENT: Aaron Fukuda, Kathi Artis, Valerie Kincaid, James Fisher, and Diana Zegarra

PUBLIC ATTENDEES: Matthew Fienup, Andrew Hart, Leslie Caviglia, Mark Larsen, Sue Ruiz, Lisa McEwen, Johnny Gailey, Amanda Piesch-Derby, Jasmine Ramirez, Derrik Williams

- 1) CALL TO ORDER - Chair Nelsen called the meeting to order at 3:00p.m.
- 2) PUBLIC COMMENT – Chair Nelsen called for public comments. Joseph Diego provided a review of his newly invented irrigation pipe. Diego’s initial studies showed a substantial water savings using this pipe over conventional irrigation methods.
- 3) GENERAL BUSINESS
 - a) **Approval of Minutes of Regular Meeting on November 7, 2023.** By a motion of Director Mederos seconded by Director Martin and unanimously carried by all Directors present, the Minutes of the meeting on November 7, 2023, were approved.
 - b) **Financial Reports**
 - i) *Financial Statements* – Year-to-Date - Ms. Artis presented the financial statements. By a motion of Director Nelsen, seconded by Director Mederos, and unanimously carried by all Directors present, the Financial Statements were approved.
 - c) **Legal Counsel Report** – Ms. Kincaid provided the update. She stated DWR is approaching another revision deadline (January 31, 2024) for another round of GSP reviews. To date, 51 subbasins received approval from DWR.
 - d) **MKGSA Advisory Committee Update** – Mr. Fisher gave the update. Last meeting was November 28, 2023. The Committee reviewed groundwater level Sustainable Management Criteria metrics (SMCs). The Committee also reviewed 5x and 10x well impact analysis, where 5x and 10x represent the water level decline equivalent to 5 and 10 years of average annual decline pre-SGMA, respectively. The Committee requested analysis of 6x, 7x 8x and 9x well impact analysis to see if there is a clear breakpoint.

e) MKGSA Groundwater Sustainability Plan Update

- i) *Department of Water Resources Inadequate Determination of the Revised 2020 Groundwater Sustainability Plan Submitted for the San Joaquin Valley – Kaweah Subbasin Update* – Mr. Fukuda reported that the Kaweah Subbasin Technical Team’s evaluation of water level minimum thresholds (MTs) recommendations sometime in January.
- ii) *Kaweah Subbasin Mitigation Program* – Mr. Fukuda reported that the preliminary analysis for well mitigation funding is showing significant the water level minimum thresholds (MT) are getting reduced. Minimum thresholds may also be adjusted in response to meeting the MT of 9’ in maximum subsidence in response lowering of groundwater levels.
- iii) *Mid-Kaweah GSA Well Mitigation Plan* – Mr. Fukuda reported that GKGSA review yielded minor changes. MKGSA Well Mitigation Plan has been approved, but is version 1. Changes are anticipated and welcomed as well mitigation gets underway.

f) MKGSA GSP Implementation Workplan

- i) *Emergency Ordinance to Establish an Extraction Limitation for the Mid-Kaweah Groundwater Sustainability Agency Service Area – Update* – Mr. Fukuda provided the update. The deadline to pay emergency ordinance invoices was November 30. As of today, there are still 36 unpaid invoices. Fukuda suggested a 15-day grace period for a few folks that narrowly miss the deadline in this first year. The Board agreed, the new invoice deadline will be December 15, 2023. Invoices submitted after that date will be subject to a 10% penalty.
- ii) *Discussion and Consideration of Cost Share Agreement for Kaweah Subbasin Annual Report* – Mr. Fukuda provided the update. The Kaweah Subbasin annual report for WY 2023 is due to DWR on April 1, 2024. Historically P&P has put together the report for the Kaweah Subbasin even though they are EKGSA’s consultant. The Kaweah Subbasin technical teams are currently very busy with groundwater and subsidence SMCs, so the proposal is to allow P&P to continue to produce the annual report. The cost share agreement for the Board’s consideration is to complete the annual report in collaboration with the other 2 GSA’s, where each GSA pays 1/3 of costs to P&P, \$25,000 each (\$75,000 total). By a motion by Director Martin, second by Director Bixler the motion carries.

- 4) **INTERIM GENERAL MANAGER’S REPORT** – Mr. Fukuda gave the update on several pieces of legislation. 1) Letter Regarding SB1222 Flood Release to adjust definition of flood event. SB1222 was passed last year and the request is for the governor to clean up the language of the executive order. M&A has prepared a new Sustainability Flyer to show what the Mid-Kaweah is all about in one page. A letter was submitted to SWRCB regarding the Tulare Lake Subbasin Draft Staff Report. Mr. Fukuda recommended the state board keep their revisions and staff report focused on the DWR comments and not add additional criteria, and to develop a process to assess areas with the potential to receive exclusion from probation if we are achieving sustainability goals. Lastly, Tulare Irrigation District (TID) diverted the highest amount in history, 420,000 AF. The amount delivered through turnouts is higher than historically wetter years, Fukuda contributed that success to our growers and as a result of the Board passing the Emergency Order to incentivize becoming less dependent on groundwater.

- 5) CALIFORNIA GROUNDWATER COALITION a. Quarterly Board Meeting Report* - Mr. Fukuda provided the update. Annual CGC meeting featured guest speaker was Sean Maguire. There are new board members including Vice President Tony Winkel and Adam Hutchinson. The 2023 Legislative Session took a position on 9 Bills, 3 in opposition and 6 in support. Rosanna C. at California Lobby LLC is seeking new membership.
- 6) LEGISLATION No Update
- 7) BOARD/STAFF UPDATES, FUTURE AGENDA ITEMS OR OTHER TOPICS OF INTEREST – No Update
- 8) CLOSED SESSION
 - a) Gov't Code §54956.9 – Anticipated Litigation: One Case. No reportable action came out of closed session.
- 9) ADJOURNMENT - Chair Nelsen adjourned the meeting. The next scheduled meeting is January 09, 2023 @ 3:00