



**MID-KAWEAH GROUNDWATER SUSTAINABILITY AGENCY
MEETING MINUTES**

June 13, 2023 @ 3:00 PM

Tulare Irrigation District
6826 Ave 240
Tulare, CA 93274

MEMBERS PRESENT: Dave Martin, Steve Nelsen, Dennis Mederos, David Bixler, Leslie Caviglia (Alternate for Emmanuel Soto), Blake Wilbur

MEMBERS ABSENT: Emmanuel Soto

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

PUBLIC ATTENDEES: Amanda Piesch Derby, Andrew Hart, Derrik Williams, Johnny Gailey, Mark Larsen, Georgina King, Rhett Anderson, and Tien Tran

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, none were forthcoming.
3. GENERAL BUSINESS
 - i. **Approval of Minutes of Regular Meeting on April 11th, 2023.** By a motion of Director Nelsen and seconded by Director Mederos and carried by all directors present, the April 11, 2023 meeting minutes were approved.
 - ii. **Financial Reports**
 - i. *Financial Statements* – Kathi 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.
 - ii. *Discussion and Consideration of FY 2023-24 Budget* – Mr. Fukuda provided the report. The call for funds for the MKGSA is estimated to be \$724,000. The MKGSA is anticipating a significant amount of work from Montgomery & Associates, including the Data Management System, Hydrologic Model, and updating the MKGSA Groundwater Sustainability Plan. By a motion of Director Mederos, seconded by Ms. Caviglia, and carried by all directors present, the FY 2023-24 Budget was approved.

- iii. **Legal Counsel Report** –Ms. Kincaid will present the legal counsel report in item 7 of the agenda.

- iv. **MKGSA Advisory Committee Update** –
 - i. *Discussion and Consideration of Appointing MKGSA Advisory Committee and New Terms** - The terms were changed from 3 sub-groups of Advisory Committee members serving 2-year terms, to two groups serving 6-year terms. The MKGSA Management Committee recommended Joe Machado (DAC), Aaron Oliver (Visalia), Greg Collins (Env.), Jordon Leal (Agriculture), and Robert Saenz (Agriculture) be confirmed into the Advisory Committee to serve 6-year terms. By motion of Director Nelson, seconded by Director Wilbur, and carried by all directors present, the MKGSA Management Committee recommendation was carried.

- v. **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. Williams of M&A provided the report and presented the general framework on how the Kaweah Subbasin technical team will be approaching DWR comments to the GSP, which will likely include altering sustainable management criteria for groundwater levels and subsidence. GSPs will also be restructured to present information in a similar format and order, allowing DWR to review more easily.
 - ii. *Consider 90-day Notice of Intent to Modify and Adopt Second Amended Mid-Kaweah Groundwater Sustainability Plan and Coordination Agreement* – Mr. Fukuda presented the notice of intent in coordination with Tulare, Visalia, California Water Service, and Tulare County to amend the GSP. Directors discussed the notice and recommended including Tulare Irrigation District. By motion by Director Mederos, seconded by Director Nelsen, and carried by all directors present, a 90-day Notice of Intent to Modify and Adopt Seconded Amended MKGSA Plan and Coordination Agreement was approved to send to the recommended agencies.

- vi. **MKGSA GSP Implementation Workplan**
 - i. *Emergency Ordinance to Establish an Extraction Limitation for the Mid-Kaweah Groundwater Sustainability Agency Service Area – Update* – Ms. Zegarra is prepared to present revenue to date from the MKGSA Emergency Ordinance at the July Board meeting.
 - ii. *Discussion and Consideration of Draft Kaweah Subbasin Mitigation Program Amendment 1.0 and Draft MKGSA Mitigation Plan to Address Groundwater Levels, Land Subsidence, and Groundwater Quality Impacts Release for Public Outreach** - Ms. King presented the mitigation plan and framework. The draft document is intended for a 60 public outreach to include meetings, workshops, and advertising on email lists. By motion of Ms. Caviglia, seconded by Director Bixler, and carried by all directors present, the Draft Kaweah Subbasin Mitigation Program Amendment 1.0 and Draft MKGSA Mitigation

Plan to Address Groundwater Levels, Land Subsidence, and Groundwater Quality Impacts was approved for release to the public for a 90-day public outreach program.

- iii. *Discussion and Consideration of Task Order No. 9 Amendment – Miscellaneous Technical Support** - Mr. Fukuda recommended authorizing a task order for \$45,000 for Montgomery & Associates for miscellaneous technical work that does not fit in the existing task orders. By motion of Director Nelsen, seconded by Director Bixler, and carried by all directors present, the Interim General Manager was authorized to sign and execute the Task Order No. 9 Amendment.
- iv. *Discussion and Consideration of Resolution No. 2023-02 – A Resolution of the MKGSA Authorizing the Grant Application, Acceptance, and Execution for the MKGSA LandFlex Emergency Groundwater Reduction Program** - Ms. Zegarra provided the report. LandFlex offers growers a one-time payment to remove orchards and/or purchase relief pumping indefinitely. The MKGSA was awarded funds in the second round of LandFlex. By motion of Director Mederos, seconded by Ms. Caviglia and carried by all directors present, Resolution No. 2023-01 was approved.
- v. *Discussion and consideration of LandFlex Grant Program and Criteria* – Ms. Zegarra presented the LandFlex grant and scoring criteria, and recommended enrolling the MKGSA in the land flex grant. By motion of Director Nelsen, seconded by Ms. Caviglia, and carried by all directors present, the LandFlex Grant Program Criteria as presented was approved.

vii. **Kaweah Subbasin Coordination**

- i. *Kaweah Subbasin Management Committee* – Mr. Fukuda noted the MKGSA is coordinating with the other two GSA’s staff and technical consultants, affectionately known as the Kaweah Subbasin Technical Team. The team is meeting several times per week to address DWR deficiencies.
- ii. *Prop 68 Implementation Grant* – No update.
- iii. *SGM 2022 Grant* – A grant amendment is being prepared to extend the timelines of projects affected by flooding this winter.
- iv. *Department of Conservation Multi-Benefit Land Repurposing Program Grant* – Reyn Akiona of Valley Eco is making significant progress on the MLRP grant.
- v. *Water Marketing Strategy Grant* – The KSWMS hosted the third public workshop in May, providing a summary of the framework and concepts governing the market. The KSWMS team expects to release the draft market technical memo this summer.
- vi. *Kaweah Water Foundation (CVSALTS)* – No update
- vii. *Kaweah Inter-basin Coordination* – No update

- 4. **MKGSA REORGANIZATION – CHAIR AND VICE CHAIR** – Director Nelson was nominated for Chair and by a motion of Director Mederos, seconded by Director Martin, and carried by all directors present, Director Nelson was approved as the Chair of the MKGSA. Director Wilbur was nominated for Vice Chair and by

a motion of Director Martin, seconded by Director Mederos and carried by all directors present, Director Wilbur was approved as the Vice Chair of the MKGSA

5. INTERIM GENERAL MANAGERS REPORT – No update.

6. CALIFORNIA GROUNDWATER COALITION

- i. *California Groundwater Coalition Board Meeting Report* – Mr. Fukuda provided the report from the CGC meeting at the ACWA conference. The main topics included PFAS regulations likely to hit toward the end of the year, SWRCB water rights bills, and SAFER grant funds available.

7. LEGISLATION

Ms. Kincaid provided the report on AB 1337, SB 389, and AB 460 advancing through the legislature, which provides the SWRCB more authority for water rights curtailment.

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

9. CLOSED SESSION

- i. Gov't Code §54956.9 – Anticipated Litigation: One Case
Upon returning to open session, Ms. Kincaid reported that there were no actions taken in closed session.

10. ADJOURNMENT - Chair Martin adjourned the meeting. The next scheduled meeting is July 11, 2023.