

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

**SUMMARY MINUTES**

June 12, 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

MEMBERS ABSENT: Greg Nunley

STAFF PRESENT: Aaron Fukuda, Paul Hendrix, Ken Richardson, Willard Epps, Roxanne Yoder, Trisha Whitfield

OTHERS PRESENT: Larry Rodriguez with GEI Consultants; 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. GENERAL BUSINESS:**

**a. Approve Minutes of April 10, 2018 Regular Board Meeting**

It was moved by Director Sigala, seconded by Director Bixler and carried 5 to 0, to approve the minutes as presented.

**b. Financial Report**

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

P. Hendrix noted that the Treasurer was unable to attend today's meeting, and he thereupon referred the Board to the balance sheet, profit & loss statement and transactions listing for their review and consideration. He commented that about \$180,000 remains in cash, but that this will be reduced to cover remaining fiscal year expenses. With no further discussion, it was moved by Director Martin, seconded by Director Sigala and carried 5 to 0, to accept the financial report as presented.

**c. Designation of Representatives on JPIA Board\***

P. Hendrix indicated that the GSA's liability insurance carrier requires that members identify a primary and alternate representative to serve on its board of directors. Following his description of the role of that board and responsibilities, it was moved

by Director Collins, seconded by Director Martin and carried 5 to 0, to elect Director Bixler as the JPIA board member. It was further moved by Director Collins, seconded by Director Bixler and carried 5 to 0, to elect Director Sigala as the alternate director.

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

P. Hendrix stated that both city councils have approved execution of the amended JPA, and that the Tulare ID board has done likewise. He added that effectuation of the revised JPA must await the action of the Tulare BPU and, until that takes place, voting by the GSA board will be as per the current JPA protocol.

**e. Approval of FY 2018-19 Budget, member Contributions\***

Chair Nelsen indicated that agenda items e through g need to be tabled until the next meeting of the Board due to a lack of full director presence at today's meeting. By the motion of Director Collins, seconded by Director Bixler and carried 5 to 0, these matters were so tabled.

**h. Report by Legal Counsel\***

K. Richardson referred the Board to his letter tendering Peltzer & Richardson's withdrawal from legal representation to the GSA. He spoke to his firm's initial role to assist with GSA formation governance and the looming potential for conflicts of interest with historical clients as SGMA implementation proceeds forward. P. Hendrix then made reference to his staff report recommending an ad-hoc committee of the Board to screen qualified candidates and identify a replacement to bring to the full board for consideration. He noted that the solicitation will not constitute a formal RFQ but, rather, consist of contacts with attorneys having experience in groundwater law and public agency representation. Chair Nelsen thereupon named himself and Director Bixler as appointees to the committee and sought Board approval. By the motion of Director Martin, seconded by Director Sigala and carried 5 to 0, the legal search committee was so appointed.

**i. Approval of Support Letter\***

P. Hendrix made reference to the letter as distributed which lends support to the Leadership Council for Justice and Accountability's work plan for grant-funded public outreach regarding SGMA. By the motion of Director Sigala, seconded by Director Bixler and carried 5 to 0, the letter was approved for submittal to DWR.

**j. Kaweah Sub-Basin Coordination**

- i. Website, DMS and Stakeholder Portal – L. Rodriguez stepped through a PowerPoint presentation summarizing GEI's approach for development of a GSP. He emphasized an iterative process, in which GSAs will be at different stages in terms of GSP content at the first submittal to DWR in 2020. He reviewed some key elements of plan development, including the basin setting, data management, sustainable management criteria, and projects and management actions to reach a locally-selected sustainability goal. He then reviewed GEI's development of a website portal whereby stakeholders may

identify which of the numerous sub-basin public meetings they wish to be notified of.

Director Collins expressed his desire that the GSA website include background information as to the onset of the overdraft problem in the sub-basin and reasons for it. Director Nelsen commented that the water quality topic has overlap with other regulatory agencies and that this must be recognized. Director Collins asked where the environmental impacts of overdraft are dealt with in SGMA, to which Mr. Rodriguez said it's in the context of surface water/groundwater interconnections, one of the six Undesirable Results which must be addressed. Other Board comments related to joint and ongoing water infrastructure projects, urban water conservation, and the magnitude of urban versus agricultural groundwater pumping. Director Nelsen expressed concern as to whether a GSP with adequate public input could be achieved by fall 2019.

- ii. DWR Technical Support Services – Mr. Rodriguez indicated that the Kaweah Sub-Basin intends to apply for funding from DWR for the installation of up to six monitoring wells, and that an application is to be submitted in the near future.
- iii. Sub-Basin Committee Structure – Mr. Rodriguez explained the need to consolidate the sub-basin committee activities and rely more on the individual GSA technical advisory committees to focus on engineering details, allowing the sub-basin public meetings to be devoted to planning and policy discussions. He added that a revision to the sub-basin MOU to this effect is being distributed for consideration. P. Hendrix noted that the revised MOU has been approved by the Greater Kaweah GSA.

**k. GSP Development – Status Report**

P. Hendrix noted that work on the GSP has been adequately addressed under agenda item j.

**l. Advisory Committee\***

Communications & Engagement Plan – Committee Chair Wilbur reviewed the Committee's process to develop the Plan and it lays out a strategic process to engage the public regarding SGMA and GSP content. He emphasized that it is a living document subject to additions in the future. Director Sigala commented that we welcomed such a document that commits the GSA to outreach to all stakeholders who stand to be impacted by SGMA. He thereupon made a motion to approve the Plan as presented. Chair Nelsen then invited public comment, at which time M. Herrera of Self-Help Enterprises addressed the Board and stated that, although her organization is represented on the Committee, they have not had sufficient time to provide detailed comments on the Plan. She mentioned their goals of ample outreach to disadvantaged communities and rural school districts. Director Sigala then withdrew his motion in deference to additional comments which may be forthcoming regarding the document.

Committee Vacancy and Appointment – P. Hendrix told the Board that Eric Charles has recently resigned from the Committee, and that the GSA’s solicitation for applicants has yielded one new name, that being Lee Johnson of Visalia. He said that the management Committee, after review of prior applicants to and including Mr. Johnson, recommends him for appointment. By the motion of Director Collins, seconded by Director Sigala and carried 5 to 0, Mr. Johnson was appointed by the Board to the Advisory Committee.

Future Activities – Mr. Wilbur then summarized near-term activities of the Committee, making mention of data collection where there are gaps and undertaking additional outreach methods, including reliance on Tulare ID for agricultural stakeholders.

**4. BOARD/STAFF UPDATES**

Director Nelsen expressed concern that, in his potential absence at GSA board meetings, the current Vice Chair G. Nunley has not been in attendance for several consecutive meetings. He asked that the appointment of a Vice Chair be therefore considered as an agenda item at the next regular meeting of the GSA.

Director Martin commented that he continues to feel the three GSA members stay unified as a GSA, but that situations such as is occurring with the mayorship of Tulare not cause an ag versus urban mentality as the cities and irrigation district seek to work together to achieve SGMA compliance. Director Nelsen added that each Member representative on the GSA board must reflect on their role, and not consider only what might be ideal for an individual GSA member agency.

**5. ADJOURNMENT:**

Chair Nelsen adjourned the meeting at 4:33 p.m.

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Groundwater Sustainability Agency  
Board Chair

Attest:

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Groundwater Sustainability Agency  
Board Secretary

\* Staff reports and/or other documents provided.