



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

August 13, 2024 @ 3:00 PM
City of Tulare Council Chambers
491 North M Street
Tulare, CA 93274

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

MEMBERS ABSENT: None

GSA MEMBER STAFF PRESENT: Aaron Fukuda, Valerie Kincaid, Kathi Artis, Diana Zegarra, Debbie Burgos, Marc Monell, Leslie Caviglia, and Georgina King

PUBLIC ATTENDEES: Justin Murray, Bob Bender, Doug Jackson, Amanda Peisch-Derby, Richard Garcia, Andriana Becerra (SHE), and Mark Larsen

- 1) CALL TO ORDER – Chair Nelsen called the meeting to order at 3:02 p.m.
- 2) PUBLIC COMMENT – Chair Nelsen called for public comments. None were forthcoming.
- 3) GENERAL BUSINESS
 - a) **Approval of Minutes of Regular Meeting on July 9, 2024 and Special Board Meeting on May 30, 2024** - By a motion of Director Bixler, seconded by Director Mederos and unanimously carried by all directors present, both sets of meeting minutes were approved.
 - b) **Financial Statements** – Ms. Artis presented the financial statements. By a motion of Director Wilbur, seconded by Director Martin and unanimously carried by all directors present, the financial report as presented was approved.
 - c) **Legal Counsel Report** – V. Kincaid provided the report on ongoing legal activities. Ms. Kincaid noted the Tulare Lake Subbasin probationary process and subsequent litigation. The probation determination the state had issued was challenged in Kings County Superior Court. That court issued a temporary restraining order on Reporting Fees and Metering Requirements. The preliminary injunction will be heard on August 20, 2024. In Kern the draft staff report for the Kern Subbasin was issued by SWRCB and the Kern subbasin was preparing for workshops.
 - d) **MKGSA Advisory Committee Update** – Mr. Fukuda gave the update. The Committee

met on July 30th and July 6th. Mr. Fukuda reviewed the GSP Revision Schedule, Groundwater Quality and Interconnected Surface Water Approach and Emergency Ordinance Polices.

- i) Discussion and Consideration of Appointment of MKGSA Advisory Committee Member – The MKGSA Management Committee recommended that the MKGSA board of Directors appoint Phil Mirwald to the MKGSA Advisory Committee. By a motion of Director Martin, seconded by Director Wynn and unanimously carried by all Directors present, the motion carried to appoint Mr. Mirwald to the MKGSA Advisory Committee in the At Large: Cal Water Service position for a term ending on December 31, 2028.
- e) **MKGSA Groundwater Sustainability Plan Update**
State Water Resources Control Board – Kaweah Subbasin Probationary Hearing Draft Staff Report Update- Mr. Fukuda gave the report.
- f) **MKGSA GSP Implementation Workplan**
 - i) Discussion and Consideration of Closing Water Invoicing for Water Year 2023 and Water Year 2024 – Mr. Fisher gave the report. The 2023 and 2024 invoices were sent out in March 2023. Staff recommend a payment due date of December 20, 2024. By a motion of Director Mederos, seconded by Director Martin and unanimously carried by all directors present, it is approved to change the payment due date to December 20th.
 - ii) Discussion and Consideration of Policy for Participation of Non-Profit Organizations in the MKGSA Emergency Ordinance – Mr. Fisher gave the report. Request to Exempt Schools and Non-Profits for the Emergency Ordinance. The impact would be 143 acres, and approximately \$8,700 annually will be exempt from the Emergency Ordinance. By a motion of Director Wilbur, seconded by Director Wynn and unanimously carried by all Directors present, the Policy for Participation of Non-Profit Organization in the MKGSA Emergency Ordinance was approved.
 - iii) Discussion and Consideration of Policy For First-Time Exceedance of Penalty Tier – Mr. Fisher gave the report. By a Motion of Director Bixler, seconded by Director Wynn and unanimously carried by all Directors present the Policy for First-time Exceedance of Penalty Tier was approved.
- 4) INTERIM GENERAL MANAGER’S REPORT – Mr. Fukuda gave the report. August, focused on GSP revisions. Was invited to Congressman Costa's Quarterly Water Issues Forum. In September will be attending two events that are both for SGMA at 10 years. Mr. Fukuda also gave an update on recent groundwater level trends within the MKGSA.
- 5) CALIFORNIA GROUNDWATER COALITION
 - a. Quarterly Board Meeting Report – Mr. Fukuda gave the report. Paul Gosselin was the guest speaker at the quarterly meeting. Discussion on AB 2079, Well Permitting, which died on the floor. December 3rd 2024, next Board Meeting.
- 6) LEGISLATION
 - a. Mr. Fukuda gave the report on Climate Change Bond. This is a \$10 Billion Bond and will be on the November 2024 ballot.

- 7) BOARD/STAFF UPDATES, FUTURE AGENDA ITEMS OR OTHER TOPICS OF INTEREST – No updates
- 8) CLOSED SESSION – The Board did not go into Closed Session
 - i) Gov't Code 54956.9 – Anticipated Litigation: One Case – No Closed Session
- 9) ADJOURNMENT: Next meeting September 10, 2024