

MID-KAWEAH GROUNDWATER SUSTAINABILITY AGENCY BOARD

SUMMARY MINUTES

September 10, 2019 – 3:00 p.m.

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

MEMBERS PRESENT: Dennis Mederos, David Martin, Steve Nelsen, David Bixler, Howard Stroman, Greg Collins^{3:04}

STAFF PRESENT: Paul Hendrix, Valerie Kincaid, Aaron Fukuda, Leslie Caviglia, Rob Hunt, Trisha Whitfield, Melissa Hermann, Blake Wilbur (Chair, Advisory Committee)

1. CALL TO ORDER REGULAR SESSION:

Chair Mederos opened the meeting at 3:02 p.m.

2. PUBLIC COMMENT:

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

3. GENERAL BUSINESS

- a. Approval of Minutes of Regular Meeting on August 13, 2019
It was moved by Director Nelson, seconded by Director Bixler, and unanimously carried to approve the minutes of the August 13, 2019 meeting.
- b. Financial Report
 - i. Financial Statements – Year-to-Date
P. Hendrix provided an overview of the financial statements for the Board's review and consideration. He indicated that the major bills paid since the prior meeting were for legal and consultant costs. It was then moved by Vice Chair Martin, seconded by Director Nelson, and unanimously carried to approve the report as submitted.
- c. GSP – Status
 - i. Public Comments Received To-Date – Summary
P. Hendrix provided a status update on public comments received to-date. He mentioned two inquiries and draft comments from Tulare County's review consultant were in hand. He also indicated that Advisory Committee members were assembling comments as well. A. Fukuda highlighted topics that were discussed at Tulare ID grower meetings, comments from which may be submitted to the GSA. The Board

discussed what their Member entities have done in regard to public outreach and comments received.

d. Kaweah Subbasin Coordination

i. Coordination Agreement – Status

P. Hendrix stated that further work on the Agreement is pending release of all three GSPs for public review. He indicated, however, that efforts are being devoted to the appendices to the Agreement.

ii. GSP Public Drafts – Anticipated Availability

P. Hendrix stated that East Kaweah GSA's public draft GSP is scheduled for release on September 17th, and that Greater Kaweah GSA's GSP is now under administrative review.

e. Advisory Committee – Report by Committee Chair

i. GSP Consent Presentations – B. Wilbur summarized the recent activities of the Committee, noting that presentations are being made in various forums regarding the GSP and its key elements.

f. Friant-Kern Canal Subsidence – Water Management and Financial Implications

A. Fukuda provided a PowerPoint presentation on the Friant-Kern Canal subsidence problems in southeastern Tulare County. He stated that the Canal's carrying capacity has been reduced by 60% within this area, an impact of accelerated groundwater pumping over time in the area adjacent the Canal. He indicated that \$400 million of state money, along with federal and local funds, are being sought to restore lost capacity via construction of a parallel canal adjacent the subsided reach. Mr. Fukuda also called attention to the letter received by this and other GSAs from the Friant WA which asserts that the Canal's damage constitutes an undesirable result as defined by SGMA. He closed with noting that Friant districts and other stakeholders await the release of the Tule Subbasin GSP and its proposed actions to solve the subsidence problems within that subbasin.

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

T. Whitfield noted that the City of Tulare has included utility bill notices calling attention to the Mid-Kaweah draft GSP and associated public comment period. Board discussion then ensued as to the necessity of holding the regular meeting scheduled for October 8th.

5. CLOSED SESSION

Chair Mederos adjourned to closed session discussions at 3:45 p.m.

a. Gov't Code §54956.9 – Anticipated Litigation

6. RECONVENE FROM CLOSED SESSION

Chair Mederos reconvened from closed session at 5:06 p.m. V. Kincaid advised there was no action taken in closed session.

7. **ADJOURNMENT** Next Regular Meeting – October 8, 2019
Chair Mederos adjourned the meeting at 5:06 p.m.

Groundwater Sustainability Agency
Board Chair

Attest:

Groundwater Sustainability Agency
Board Secretary

Agenda Item Report

October 8, 2019

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, 2019

Profit & Loss Statement for period July 1, 2019 through September 30, 2019

Transaction Detail by Account for checking and money market accounts for period September 1, 2019 through September 30, 2019

Mid-Kaweah Groundwater Sustainability Agency
Balance Sheet
As of September 30, 2019

| | <u>Sep 30, 19</u> |
|---------------------------------------|--------------------------|
| ASSETS | |
| Current Assets | |
| Checking/Savings | |
| Checking | 1,190.42 |
| Money Market | 424,313.55 |
| Total Checking/Savings | <u>425,503.97</u> |
| Total Current Assets | <u>425,503.97</u> |
| TOTAL ASSETS | <u><u>425,503.97</u></u> |
| LIABILITIES & EQUITY | |
| Equity | |
| Retained Earnings | 60,101.58 |
| Net Income | 365,402.39 |
| Total Equity | <u>425,503.97</u> |
| TOTAL LIABILITIES & EQUITY | <u><u>425,503.97</u></u> |

Mid-Kaweah Groundwater Sustainability Agency

Profit & Loss

July 1, 2019 through September 30, 2019

| | July 1, 2019 - September 30, 2019 | 2019-2020 Budget | Variance |
|---|--------------------------------------|------------------|----------------|
| Ordinary Income/Expense | | | |
| Income | | | |
| Call For Funds | | | |
| Administration | 0.00 | TBD | |
| GEI Planning | 0.00 | | - |
| Total Call For Funds | 0.00 | - | - |
| Prop 1 GSP Grant | 839,231.84 | 607,600 | 231,632 |
| Prop 1 GSP Grant Disbursements | -217,418.00 | | (217,418) |
| Reimbursed Expenses | | | |
| Aqua Geo Frameworks - SkyTEM | 0.00 | | - |
| Kaweah Sub Basin Expenses | 0.00 | | - |
| DWR Tech Services Application | 0.00 | | - |
| Total Reimbursed Expenses | 621,813.84 | 607,600.00 | 14,213.84 |
| Total Income | 621,813.84 | 607,600 | 14,214 |
| Expense | | | |
| Audit Expense | 0.00 | 3,900 | (3,900) |
| Conference & Meetings | 0.00 | | - |
| Consulting Fees | | | |
| Consulting Fees-GEI | 0.00 | | - |
| GEI Fees - Grant Applic 01-201 | 0.00 | | - |
| GEI Fees - MKGSA - 02.2017 | | | |
| GSP | 76,178.54 | 187,400 | (111,221) |
| Sub-Basin Coordination | 112,277.16 | 575,800 | (463,523) |
| Total GEI Fees - MKGSA - 02.2017 | 188,455.70 | 763,200 | (574,744) |
| Total Consulting Fees | 188,455.70 | 763,200 | (574,744) |
| Flight Lines | 0.00 | - | - |
| Insurance | 0.00 | 2,250 | (2,250) |
| Legal | 28,365.00 | 50,000 | (21,635) |
| Membership Dues | 0.00 | | - |
| Office Expense | 968.23 | 2,600 | (1,632) |
| Payroll, Benefits and Travel Expenses | 37,856.18 | 246,000 | (208,144) |
| Rent | 1,000.00 | 3,000 | (2,000) |
| Total Expense | 256,645.11 | 1,070,950 | (814,305) |
| Net Ordinary Loss | 365,168.73 | (463,350) | 828,519 |
| Other Income/Expense | | | |
| Other Income | | | |
| Interest Income | 233.66 | 200 | 34 |
| Total Other Income | 233.66 | 200 | 34 |
| Net Other Income | 233.66 | 200 | 34 |
| Net Loss | 365,402.39 | (463,150) | 828,552 |

Mid-Kaweah Groundwater Sustainability Agency
Transactions by Account

As of September 30, 2019

| Type | Date | Num | Name | Description | Split | Paid Amount |
|---------------------------|------------|------|------------------------|---------------------------|-----------------|--------------------------|
| Checking | | | | | | |
| Check | 09/04/2019 | 1139 | AT&T | Landline | Office Expense | (88.32) |
| Check | 09/05/2019 | 1140 | AT&T Mobility | Cellphone | Office Expense | (45.12) |
| Check | 09/25/2019 | 1141 | O'Laughlin & Paris LLP | Legal fees | Legal | (6,055.00) |
| Check | 09/25/2019 | 1142 | Capital One | Office supplies, AdobePro | Office Expense | (83.35) |
| Check | 09/25/2019 | 1143 | AT&T | Landline | Office Expense | (88.21) |
| Transfer | 09/25/2019 | | | Funds Transfer | Money Market | 5,000.00 |
| Total Checking | | | | | | <u>(1,360.00)</u> |
| Money Market | | | | | | |
| Transfer | 09/25/2019 | | | Funds Transfer | Checking | (5,000.00) |
| Deposit | 09/30/2019 | | | Interest | Interest Income | 72.75 |
| Total Money Market | | | | | | <u>(4,927.25)</u> |
| | | | | | | <u>(6,287.25)</u> |

Mid-Kaweah GSA

Agenda Item Report

October 3, 2019

Agenda Item 3.c.i: Public Comments – Draft Groundwater Sustainability Plan

Report Author: Paul Hendrix

Background:

The Public comment period for the GSA's draft GSP (or Plan) closed on Sept. 16th. While the number of commenters was not large, some commented extensively and at length on issues important to them and/or their constituencies. A brief summary of the comments follows. A more detailed overview will be provided by our outreach consultant at the board meeting.

- Tulare County – Largely a product of the County's consultant, Tully & Young, the County sought more detail concerning the GSP's description of the County General Plan. They also raised questions concerning water rights as they relate to groundwater recharge and banking projects.
- Self-Help Enterprises, Community Water Center, et al. – These non-governmental organizations (NGOs), representing disadvantaged communities and domestic well owners, provided detailed comments on the GSP and expressed concern that it was insufficient as to protection of these interests during GSP implementation.
- Calif Dept. of Fish and Wildlife – This state agency provided extensive comments questioning the Plan's justification of a lack of connection between groundwater and surface water bodies within the GSA region, along with the Plan's conclusion that it need not deal with interconnected surface waters as a SGMA-defined undesirable result.
- The Nature Conservancy – This NGO submitted comments similar to the Dept. of Fish and Wildlife, concluding that the Plan is inadequate and thus should not be approved by DWR.
- Audubon, Nature Conservancy, Community Water Center, et al. – These entities focused both on disadvantaged communities and groundwater-dependent ecosystems and, in their view, the associated shortcomings of the GSP in addressing these beneficial uses.
- Self-Help Enterprises – This NGO, representing primarily disadvantaged communities, focused on various sections of the Plan that in their view did not provide adequate detail on how these communities would be protected during the Plan's implementation phase. Concerns were expressed in regards to the stated sustainability goal, declining groundwater levels, groundwater quality and the proposed mitigation program for small-system and domestic well owners. Self-Help also partnered with the Leadership Council for Justice & Accountability in preparation of a focused technical review of the Plan.
- Leadership Council for Justice & Accountability – This NGO provided extensive comments on sections of the GSP where they determined a lack of analyses of or input from disadvantaged communities and domestic well owners, and the disparate impacts the GSP

will impose on these stakeholders. They further raised conflict issues with the public trust doctrine and the state's codified human right to water for domestic purposes. They also echoed the focused technical review in partnership with Self-Help Enterprises and offered suggested improvements to the GSP.

- Kings County Water District – This water district offered a listing of sections of the Plan that were deemed to not be adequately addressed, including historic declining water levels, groundwater flows across GSA boundaries, recent drought impacts and lack of surface water, and an executive summary that lacks sufficient and detailed information.
- Calif. Water Service Company – Cal Water provided a short letter requesting to be directly involved as this and other Kaweah Subbasin GSAs proceed to the project and management implementation phase.
- Westchester Group – This corporate farm company commented on the proposed on-farm recharge program and the rules to be associated with it and beneficiaries thereof.
- Advisory Committee Members – Two committee members provided comments concerning the Plan. Ed Henry offered extensive comments of a technical nature re the Plan content and its handling of the technical and graphical information therein. Richard Garcia commented on the need for the Plan to stress the protection of natural waterways within the Subbasin given their significant and historic role in providing groundwater recharge.

For those board members who wish to scan the individual comment documents, a PDF link is provided at the Mid-Kaweah GSA website midkaweah.org.