

**MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 10, 2019**

Chair McCutcheon called the regular meeting to order at approximately 1:00 p.m.

DIRECTORS PRESENT: Art Brieno; Steven P. Dias; Barry McCutcheon, Chair;
Michael Murray, Vice-Chair

DIRECTORS ABSENT: None

OTHERS PRESENT: Dennis Mills, GM and Board Secretary
Ray Carlson, Legal Counsel John Draxler, Hanford
Johnny Gailey, DVWA John Doyel, Hanford
Geoff Vanden Heuvel, Milk Producers Council
Mike LaSalle Bill Giacomazzi

ESTABLISH QUORUM

It was determined that a quorum was present at the meeting.

CONFLICT OF INTEREST

None.

PUBLIC COMMENT PERIOD

None.

APPROVAL OF MINUTES OF AUGUST 12, 2019 MEETING

Chair McCutcheon asked if there was a motion regarding the draft minutes. Director Dias made a motion to approve the draft August 12, 2019 meeting minutes. Vice-Chair Murray seconded the motion and the Board unanimously approved the meeting minutes of August 12, 2019. The vote for all of the Directors was as follows:

AYES: Art Brieno, Steven P. Dias, Barry McCutcheon, Michael Murray

NOES: None

ABSTAINED: None

ABSENT: None

COMMUNICATIONS

None

GSP DEVELOPMENT

GSP Development Budget Update

Manager Mills relayed that the current balance of Tulare Lake Subbasin GSP Development funds in MKR GSA accounts was roughly \$12,000. Indications from the consultant Wood were that the August invoice is expected to be roughly \$155,000. This means that it is likely that the MKR GSA will need to hold payment of Wood's August invoice until DWR processes Reimbursement Request #4. That request was accepted at the local office on August 29 and is expected to be received by October 13.

Related to the GSP Budget Increase that was authorized last month, the South Fork Kings (SFK) Board met on August 15th and their Board passed the request with a qualification. Based on Manager Mills' understanding of what was expressed at the meeting he developed appropriate documentation. However, upon review the SFK Manager relayed that she viewed what her Board had passed very differently. She was then asked to develop something that was acceptable for the SFK conditions. She and the SFK attorney developed language that would have allowed the SFK not to pay their share of approved budget if the consultant, Wood, did not produce the Draft GSP and Final GSP by certain dates. This was a non-starter for Wood and it also appeared to be unworkable through the current contract and the MKR Board.

As an alternative Bill Pipes developed language that if Wood did not produce the deliverables due to their negligence the GSAs would seek the remedies already in the existing contract. SFK appears to be satisfied with this and the language is being considered by Wood management. Bill Pipes says since they are the holdup they will keep working and he will get me the revised Budget/Scope letter agreement to sign as soon as possible.

Draft Tulare Lake Subbasin GSP

Manager Mills reported on the Draft Executive Summary for the Tulare Lake Subbasin GSP. He relayed that in his view there were some issues that still needed to be addressed and noted details such as the population of Hanford. He relayed that the Southwest Kings GSA and the SFK GSA had already provided their comments on the Executive Summary.

Related to the Draft Tulare Lake Subbasin GSP, Manager Mills reviewed the notices that were sent out on September 3rd, the documents that were sent out and made available on September 6, and the presentations that were currently planned over the next month.

Manager Mills discussed a recommended process for receiving Draft GSP comments with the Board. His recommendation included accepting written comments that identified the commenting party, both through traditional mail and email, up through the end of the Public Hearing on December 2nd. However, oral comments would only be received at the Public Hearing. The Board discussed the matter and supported the recommendation.

Manager Mills reported that there would be a meeting of the Tulare Lake Subbasin GSA parties on Friday and that they will be reviewing and developing issues related to schedule from now through GSP submittal. He then relayed his thoughts on how that process might unfold and the Board relayed their thoughts on portions of the process.

Other Recent GSP Releases

Manager Mills relayed that the Mid-Kaweah GSA, released their GSP on July 31 and comments are due on September 16 (45 day review). The North Fork Kings GSA released their GSP on July 22 and comments are due on October 21. The Central Kings GSA, released their GSP on August 30 and there was not clarity yet on when comments are due. The Kings River East GSA has yet to be released.

Basin Point of Contact

Manager Mills reported a on a recent set of views expressed about the future Tulare Lake Subbasin Point of Contact (POC). Manager Mills was recently invited to a meeting on folks that were believed to be POCs for local subbasins in an effort to share what is known and understood about the DWR GSP submittal process. Manager Mills made the other GSAs in the subbasin aware of the invitation and that the POC selection should be discussed. The El Rico GSA's manager responded by expressing that the El Rico GSA wouldn't support the MKR GSA's manager as the subbasin POC and suggested that Mark Gilkey, the Tulare lake Basin WSD manager would be their preference. The SFK GSA manager responded by suggesting that Kings River CD staff should be considered for the position. Julianne Phillips, from Kings County also expressed that she is very interested in the position. I spoke with a few other GSA managers that were uncomfortable with all of those possibilities.

Manager Mills recommended to the Board that 1) the role of the POC be better defined through GSA agreement, 2) and to have the MKR GSA manager be the POC for 2020. The reasons he gave were that the first POC needs to live in the subbasin and drink the groundwater here. The MKR GSA manager is the only person available that currently fits that criteria. Also, it would seem wise to select a POC that made the majority of landowners comfortable, rather than selecting the one that would make only the largest landowner comfortable. Lastly, having a GSA Manager bear this responsibility would also be the least cost option for the Subbasin. The Board discussed the recommendation and reasoning and agreed with Manager Mills.

UPDATE ON ONGOING EFFORTS

None

SET NEXT MEETING DATE

The regular October Board of Directors meeting was set for October 8, 2019 at 1 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 3:30 p.m.

Respectfully submitted,

Dennis Mills
MKR MIN 190910