

**MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
REGULAR MEETING MINUTES
TUESDAY, NOVEMBER 12, 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 Doyel, Hanford
Fred Pitman Bill Toss
Bill Giacomazzi Dennis Tristao, J.G. Boswell

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 OCTOBER 8, 2019 MEETING

Chair McCutcheon asked if there was a motion regarding the draft minutes. Vice-Chair Murray Director Brieno made a motion to approve the draft October 8, 2019 meeting minutes. Director Dias seconded the motion and the Board unanimously approved the meeting minutes of October 8, 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 reported that the invoice being paid to Wood this month was roughly \$53,000. Wood estimates that roughly \$76,000 of effort remains to complete the GSP, which

would equate to a total GSP cost of \$1,822,000. Manager Mills said he was still working with the consultant on the estimated remaining costs and that this will be presented to the other GSAs next Friday. Also, Progress Report and Reimbursement Request #5 was submitted to DWR at the end of last week.

Round 3 SGM Grant Application Update

Manager Mills reported that the grant application deadline had been extended to November 15 due to the Governor's recent Emergency Declarations for California wildfires. A review of the draft application scope revealed a need for greater clarity and several other adjustments. Manager Mills said he would be reviewing the budget section of the application very soon and the edits made to the scope as well.

Draft Tulare Lake Subbasin GSP

Draft Groundwater Model Report

Manager Mills reported that he had not reviewed the Model Report fully, but based on what he had reviewed the calibration appeared reasonable. However, the future projections developed for the Tulare Lake subbasin and associated water balances do not appear reasonable. Generally, it appears that the areas surrounding the Subbasin are not changing, or implementing sustainable management, in a similar fashion to the Subbasin.

One very significant issue is that the Consultants included significant fallowing in certain scenarios that were not "approved" by the GSA managers. This has led to a lot of concern, by the County in particular, about the ramifications of what has been evaluated. Manager Mills met with the Consultants last Monday to go through these concerns and they are working to address them. However, he has not yet been satisfied that the matter is fully resolved.

GSA Comments from 10/24 Meeting

Manager Mills reported a summary of the GSA comments that were provided to the GSP Consultant after a review of the Draft GSP. The comments generally included the following: 1) Hanford's current population was listed as 98,000 vs 58,000. 2) The section on Sustainable Yield was not sufficient, and generally appeared to have been forgotten as a requirement. 3) As was mentioned in the GW Model Report discussion, there remain significant questions about the Water Balance portrayed. 4) Water Quality and Land Subsidence sections both needed work clarifying standards and how things related to what was viewed as "significant and unreasonable". 5) There were some GW levels in a table that appeared to be in conflict with already observed levels. 6) Related to climate change, there was no incorporation of the concept of observing impacts and address them if they materialize. Instead addressing the potential impacts was included in general plans as if the efforts were already planned for implementation. 7) Projections used a below average hydrologic period, which skewed the "benefits" of all efforts to be less than expected. 8) Improved consistency was a major theme that was hit by all GSAs. 9) The El Rico GSA revised water rights section pretty significantly because a lot of things were inaccurate.

Dealings with Kings County

Noticing Issue

Manager Mills reported that on October 15 the Board of Supervisors was presented a proposal by the County Counsel's office related to notifying the Tulare Lake Subbasin GSAs about improper GSP noticing. The issue appeared to be that the County Counsel's view that all Appendices in the Draft GSP needed to be circulated for the entire 90 day period prior to the Draft GSP's public hearing to preserve the County's ability to adequately comment. The recommendation to the Board of Supervisors was to have the County Counsel send written notice to the GSAs regarding their view that notice was insufficient for the December 2, 2019 public hearing. Attorney Carlson disagrees with the view of the County Counsel and developed an opinion on the matter for use if needed. Manager Mills also prepared written remarks on the matter if needed. The oddity is that several other GSPs in Kings County have had this same issue, but the County Counsel's office only addressed this with the Tulare Lake Subbasin. In the end, Supervisor Pederson was very helpful at the Board of Supervisors meeting and diffused the situation well. He relayed that he trusted GSAs to have the County's interests in mind.

Consultation Meeting

Manager Mills reported County staff and Supervisor Verboon met with the GSA managers at TLBWSD's office in Corcoran on November 6, 2019. The County staff that attended the meeting were Lee Burdick (County Counsel), Julianne Phillips (SGMA liaison) and Rebecca Campbell (CAO). The County representatives offered no feedback from their review committee. Jeof Wyrick talked about a backdrop to where we are, given that the CAO and current County Counsel weren't in the mix when these things occurred. County Counsel relayed that the extent of their comments on Final GSP will be determined by how well their Draft GSP comments are addressed. County Counsel made a very weak attempt to convince the GSA reps that the "Alleged Failure to Provide Sufficient Notice" item presented to the Board of Supervisors was an attempt to be helpful to the GSAs. There was a discussion about meters and what initial implementation would be like. The County's primary concern appears to be how County revenue might be affected as projects are developed or lands are fallowed.

Potential KRCD Monitoring Partnership

Manager Mills reported that a letter was received from Kings River Conservation District on October 30 requesting a meeting to discuss a long-term partnership to maintain, fill data gaps and enhance KRCD's existing subsidence network. He relayed that this matter was planned to be discussed soon with the Subbasins' GSA managers.

Process to Develop Final

Manager Mills reported the following envisioned process from now through GSP Submittal. The GSP Consultant is reviewing and will address comments provided by the GSAs. Then the GSP Consultant will address Public Comments received through Public Hearing on Dec 2. A Final GSP will be developed by first week of January. Then the GSA Boards will consider, adopt and authorize submittal to DWR at January GSA Board meetings. Then after approval, the GSP will be submitted to DWR in print and through their required on-line system.

The GSP Development Grant reporting will be finished and application made for the 10% retention repayment. In Spring 2020, the Subbasin GSAs will have to renegotiate the cost share split in the TLS Interim Operating Agreement. The Southwest Kings GSA has submitted a proposal for consideration. The first Annual Report for 2020 must be developed and submitted to DWR by April 1. Also, efforts related to a Prop 218 election for GSA Funding must be undertaken during roughly the same time.

Prop 218 Services Update

Manager Mills reported this effort is waiting on him to develop a budget for the next several years, and he has struggled to find available time to do that.

2020 Annual Report

Manager Mills reported this effort hasn't started yet, but it needs to start very quickly.

UPDATE ON ONGOING EFFORTS

None

SET NEXT MEETING DATE

The regular December Board of Directors meeting was set for December 10, 2019 at 1 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 4:10 p.m.

Respectfully submitted,

Dennis Mills
MKR MIN 191112