

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

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

**DIRECTORS PRESENT:** Art Brieno; Barry McCutcheon, Chair; Michael Murray, Vice-Chair

**DIRECTORS ABSENT:** Steven P. Dias

**OTHERS PRESENT:** Dennis Mills, GM and Board Secretary  
Ray Carlson, Legal Counsel      John Doyel, Hanford  
Bill Tos      Shawn Corley, Lakeside IWD  
Bill Giacomazzi      Cheyne Strawn, Hanford  
Mike LaSalle      Julianne Phillips, Kings Co.  
Rick Cody      Jim Maciel, Armona CSD

**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 NOVEMBER 12, 2019 MEETING**

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

**AYES:** Art Brieno, Barry McCutcheon, Michael Murray

**NOES:** None

**ABSTAINED:** None

**ABSENT:** Steven P. Dias

**COMMUNICATIONS**

None

## GSP DEVELOPMENT

### GSP Development Budget Update

Manager Mills reported that invoices received for the GSP Development had totaled \$1,666,651.27. Wood had relayed that expenses through December 1 had totaled \$1,767,532 and the current approved budget was \$1.75 million. Wood had submitted a request a few weeks prior for a budget increase of \$100,000, for a total budget of \$1.85 million. Manager Mills relayed that he had discussed the budget increase with Wood and the reasons behind it and asked if the directors were willing to authorize the additional needed budget. Director Brieno made a motion to approve the budget increase contingent on the other GSAs also approving the increase. Vice-Chair Murray seconded the motion and Chair McCutcheon called for the vote. The vote for all of the Directors was as follows:

AYES: Art Brieno, Barry McCutcheon, Michael Murray

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias

### Round 3 SGM Grant Application

Manager Mills reported that Round 3 SGM Grant application had been submitted on time, but it had required significant work to revise the initial developed language into a clear package. He relayed that many parties provided support letters, several in the last few days before submittal. He noted that two support letters were unfortunately not included in the packet. He also relayed that the consultant had just communicated that the total cost for the effort ended up being \$13,400. Also the consultant relayed that DWR had reported that \$50 million was available in grant funding, and \$53 million had been requested, so there appeared to be an excellent chance the application would be funded.

### Draft Tulare Lake Subbasin GSP

#### ***Draft GSP Comments***

Manager Mills reported that the organizations that had submitted comments on the Draft GSP were The Nature Conservancy, a bundle of NGOs including Clean Water Action, Local Government Commission and Audubon CA, the California Poultry Federation and Westlands Water District. He also reported that the individuals that submitted comments were Bill Miguel, Colleen Courtney, Doug Verboon (representing a few other signed individuals) and Bill Tos. Manager Mills reported on various details of the comments and discussed with the Board how he envisioned the comments would be addressed in the Final GSP.

#### ***Groundwater Modeling Analysis***

Manager Mills reported that over the last month he had been working with Wood on what appeared to be issues with the groundwater modeling projections for the subbasin. These projections were very difficult for the GSA and the consultant to develop, but the modeled results produced some odd information. Upon review of the results it appeared that the vast

majority of overdraft being observed was outside the Tulare Lake Subbasin, causing increasing outflows that were skewing the subbasin water balance projections. Several adjustments were made to the groundwater model to improve its handling of conditions surrounding the subbasin. The issue does not appear to be fully resolved but is much improved.

Manager Mills relayed that he viewed that the issues were defects in the groundwater model. Significant efforts had to be made to convince the consultant that these defects existed. As such he view that the work doesn't meet expectation for professional services and he doesn't believe the GSA should pay for the efforts.

Manager Mills reported that sustainable yield estimates have been in development and reminded the Board of previous discussions highlighting that the information in the Draft GSP developed by the consultant was not adequate. The estimate of sustainable yield continues to be something that is being worked by several parties. Manager Mills highlighted that while there was identifiable average annual overdraft in the subbasin, it appears the rough amounts of groundwater recharge are close to the amounts of groundwater pumping and that the planned projects are sufficient to address the overdraft. Through a certain combination of water budget values Manager Mills suggested his view of sustainable yield was roughly 300,000 acre-feet per year in the overdrafted condition and roughly 400,000 acre-feet per year in the sustainable condition after GSP Implementation. Given average cropped acres in the subbasin this appeared to be an average of roughly one acre-foot per acre on irrigated acres.

#### ***GSP Plan Manager "Committee"***

Manager Mills reported on discussions related to the GSPs Plan Manager and presented an option where a committee of all five GSA managers would be submitted as the GSP Plan Manager. The issue between the GSAs is that we are required to police each other, yet at the same time required to have one party be the contact with DWR. This has led to difficulty selecting the Plan Manager. Director Brieno made a motion to authorize Manager Mills to proceed with discussions with other GSA on the GSP Plan Manager Committee concept as described. Vice-Chair Murray seconded the motion and Chair McCutcheon called for the vote. The vote for all of the Directors was as follows:

AYES: Art Brieno, Barry McCutcheon, Michael Murray

NOES: None

ABSTAINED:None

ABSENT: Steven P. Dias

#### ***Process to Develop Final GSP***

Manager Mills reported the following envisioned process from now through GSP Submittal. The GSP Consultant is developing a revised GSP that considers the GSAs comments and public comments received. That revised document is planned to be available to GSA staff for review on Dec. 13. GSA staff will review and comment on this revised document over the next few weeks in an effort to develop the Final GSP. After the Final GSP is produced, 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.

#### County Sustainable Supplies Resolution

Manager Mills reported that County staff had recently developed a Sustainable Supplies Resolution (SSR) and attempted to have the Board of Supervisors consider it on Nov 26. However the resolution had not been provided to the standing Ag Advisory Committee or Water Commission that both advise the Board of Supervisors on such matters. Consequently the County's Chief Administrative Officer requested that the resolution be pulled from consideration on the Nov 26 agenda, and this was supported by the Supervisors.

Manager Mills relayed that generally the SSR is very broad directive to County staff on matters that are not well defined. The SSR appears to describe the County's authority as beyond other agencies who more directly deal with surface and groundwater issues. Also the SSR states that the "County disfavors the sale or exchange of any water sourced within the County outside of the County". Again, there are no definitions on what "water sourced within the County" is or what kind of sales and exchanges the County disfavors. There are concerns related to entities like Lakeside IWD that are on the Kaweah system, where most of the other parties on the system are in Tulare County, that the SSR might somehow pose a new restriction to their ability to manage their existing surface supplies with other parties along the same river system. Lastly, the SSR does not appear to be cost neutral for the County, unless they shift the burden of described monitoring onto other agencies.

#### Potential Kings County Well Ordinance Revisions

Manager Mills reported on efforts to work with the County to revise current well ordinances to incorporate GSA requirements. The current County well ordinances mostly focus on groundwater quality. It is hoped that with the GSP being submitted in January, that efforts to revise the Well ordinance could be accomplished in 2020. Manager Mills reported that there had been discussions of utilizing a "will serve letter" concept that could require well permit seekers to document GSA requirement commitments before approving the County well permit.

#### 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 January Board of Directors meeting was set for January 14, 2020 at 1 p.m. This Board meeting will be meeting where the MKR GSA considers adopting the Final GSP for the Tulare Lake Subbasin and approving its submittal to DWR.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 3:05 p.m.

Respectfully submitted,

Dennis Mills  
MKR MIN 191210

DRAFT