

**MID-KINGS RIVER
GROUNDWATER
SUSTAINABILITY
AGENCY
JOINT POWERS
AUTHORITY**

**MEETING OF THE AUTHORITY
BOARD OF DIRECTORS**

Barry McCutcheon
Chair

Michael Murray
Vice-Chair

Dennis Mills
Secretary

Ray Carlson
Legal Counsel

Tuesday, January 14, 2020 – Convenes at 1:00 p.m.

Kings County
Water District
City of Hanford
County of Kings

Kings County Water District's Board Room
200 North Campus Drive, Hanford, California

200 North Campus Dr.
Hanford, CA 93230
Phone: (559) 584-6412
Fax: (559) 584-6882

----- **REGULAR MEETING AGENDA** -----

All items on this agenda, whether or not expressly listed for action, may be deliberated upon and made subject to action by the Board of Directors. The Board of Directors may consider items in any order. Materials related to an item on this agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection at the KCWD District office, 200 N. Campus Drive, Hanford, California, during normal business hours.

I. CALL MEETING TO ORDER (1:00 PM)

II. ESTABLISH QUORUM

III. CONFLICT OF INTEREST

Any Board member who has a potential conflict of interest must now identify the item and recuse himself from discussing and voting on the matter and shall not be present during the discussion, vote, and any other disposition of the matter other than at the time that the general public speaks on the issue if the member exercises the right to speak as a member of the general public (Gov. Code § 87105).

IV. PUBLIC COMMENT PERIOD

The public may address the Board of Directors on any item relevant to the GSA authority. To comment on an agenda item, the speaker should be recognized by the conducting officer when the agenda item is announced. The conducting officer will indicate whether speakers are to make their comments before or after any staff comment or report. Comments by individuals and entities will be limited to five minutes or as may be reasonable as determined by the conducting officer.

V. APPROVAL OF MINUTES OF DECEMBER 10, 2019 MEETING

VI. COMMUNICATIONS

VII. Final GSP CONSIDERATION

- A. GSP DEVELOPMENT BUDGET UPDATE
- B. VIDOVICH LETTERS RE SUBSIDENCE, PUMPING LIMITS AND GSP APPROVAL
- C. PRESENTATION ON FINAL GSP
- D. CONSIDERATION OF RESOLUTION 2020-01,
ADOPT THE FINAL TULARE LAKE SUBBASIN GSP AND AUTHORIZE SUBMITTAL TO DWR
- E. CONSIDERATION OF RESOLUTION 2020-02,
AUTHORIZE TULARE LAKE SUBBASIN GSP PLAN MANAGER

VIII. 2020 ANNUAL REPORT

IX. UPDATE ON ONGOING EFFORTS

X. SET NEXT REGULAR MEETING DATE

XI. ADJOURNMENT (~4:00 PM)

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the GSA Authority to provide a disability-related modification or accommodation in order to participate in any public meeting of the GSA Authority. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the GSA. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, facsimile, or written correspondence to the GSA Authority Secretary, at the office of KCWD, at least 48 hours before a public GSA meeting.

RESOLUTION NO. 2020-01

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
APPROVING AND ADOPTING A GROUNDWATER SUSTAINABILITY PLAN
FOR THE TULARE LAKE SUBBASIN**

The Board of Directors of the Mid-Kings River Groundwater Sustainability Agency Joint Powers Authority does hereby find as follows:

A. WHEREAS, the Mid-Kings River Groundwater Sustainability Agency Joint Powers Authority (“Authority”) is a California joint exercise of powers authority formed and existing under and by virtue of the provisions of the Joint Exercise of Powers Act, codified at California Government Code §§ 6500-6599.3, inclusive, and created in order to exercise the powers and duties of a Groundwater Sustainability Agency (“GSA”) under the Sustainable Groundwater Management Act (“SGMA”); and

B. WHEREAS, in August 2014, the California Legislature passed, and in September 2014 the Governor signed, legislation creating SGMA “to provide local groundwater sustainability agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater” (Water Code § 10720(d)); and

C. WHEREAS, groundwater sustainability under SGMA is to be achieved through the adoption and implementation of groundwater sustainability plans (“GSPs”), which can be a single plan developed by one or more GSA or multiple coordinated plans within a basin or subbasin (Water Code § 10727); and

D. WHEREAS, the Authority was created as a joint powers authority under a joint powers agreement on November 22, 2016, and submitted notice of its election to form a GSA to the Department of Water Resources (“DWR”) on January 31, 2017, pursuant to California Water Code § 10723.8; and

E. WHEREAS, the Authority is authorized to exercise all the powers authorized to a GSA by SGMA; and

F. WHEREAS, the Authority’s jurisdictional area is located in the northeast portion of Kings County and overlies a portion of the Tulare Lake Subbasin (number 5.022-12 identified in DWR Bulletin 118-2016). The Tulare Lake Subbasin is designated by DWR as critically overdrafted. Under SGMA, GSAs in critically overdrafted subbasins are required to submit separate and/or joint GSPs to DWR by January 31, 2020; and

G. WHEREAS, there are five GSAs in the Tulare Lake Subbasin: the Authority, South Fork Kings GSA, Southwest Kings GSA, El Rico GSA, and the Tri-County Water Authority GSA (collectively, the “Tulare Lake Subbasin GSAs”). One GSP is being developed for the Subbasin; and

H. WHEREAS, the Authority gave notice to the California Department of Water Resources through a letter dated April 10, 2018 that it was initiating development of a Groundwater Sustainability Plan for the portion of the Tulare Lake Subbasin within the boundaries of the Authority; and

I. WHEREAS, the Authority has conducted public outreach, including holding public board, holding public workshops, making presentations, mailing notices and posting notices on its public website; and

J. WHEREAS, on September 6, 2019, the Authority provided a 90-day notice to the County of Kings that it would be conducting a public hearing on December 2, 2019 to adopt the Tulare Lake Subbasin GSP, pursuant to Water Code § 10728.4.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Authority finds as follows:

1. The above Recitals are true and correct and the Board of Directors so finds, orders, and determines.
2. The Board of Directors hereby approves and adopts the Tulare Lake Subbasin GSP in substantially the form presented, subject to such final corrections, revisions or modifications as the General Manager shall approve in cooperation with the other GSAs overlying the Subbasin.
3. The Board of Directors authorizes the Authority staff to take such other actions as may be reasonably necessary to file the Tulare Lake Subbasin GSP with DWR by January 31, 2020, and implement the purpose of this Resolution.

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Authority on January 14, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

BARRY McCUTCHEON, CHAIRMAN,
BOARD OF DIRECTORS

ATTEST:

DENNIS MILLS, BOARD SECRETARY

CERTIFICATE OF SECRETARY

I, Dennis Mills, the duly appointed Secretary of the Board of Directors of the Mid-Kings River Groundwater Sustainability Agency Joint Powers Authority, do hereby certify that the foregoing is a true, full and complete rendition of a Resolution passed and adopted at a Regular Meeting of the Board of Directors of the Mid-Kings River Groundwater Sustainability Agency Joint Powers Authority, duly held at Hanford, California, on January 14, 2020.

DATED: January 14, 2020.

DENNIS MILLS, BOARD SECRETARY

RESOLUTION NO. 2020-02

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY TO AUTHORIZE A PLAN MANAGER FOR THE
TULARE LAKE SUBBASIN GROUNDWATER SUSTAINABILITY PLAN**

The Board of Directors of the Mid-Kings River Groundwater Sustainability Agency Joint Powers Authority does hereby find as follows:

A. WHEREAS, the Mid-Kings River Groundwater Sustainability Agency Joint Powers Authority (“Authority”) is a California joint exercise of powers authority formed and existing under and by virtue of the provisions of the Joint Exercise of Powers Act, codified at California Government Code §§ 6500-6599.3, inclusive, and created in order to exercise the powers and duties of a Groundwater Sustainability Agency (“GSA”) under the Sustainable Groundwater Management Act (“SGMA”); and

B. WHEREAS, the Authority consists of three member agencies: the County of Kings, the Kings County Water District, and the City of Hanford; and

C. WHEREAS, the Authority’s jurisdictional boundaries overly a portion of the Tulare Lake Subbasin; and

D. WHEREAS, the Authority is a party to the a 2017 agreement titled the “Interim Operating Agreement for the Tulare Lake Subbasin to Develop and Implement a Groundwater Sustainability Plan” along with the other four GSAs in the Tulare Lake Subbasin; and

E. WHEREAS, the Authority wishes to submit the Final Tulare Lake Subbasin Groundwater Sustainability Plan (also known as the “Final TLS GSP”) to the California Department of Water Resources (DWR) to satisfy regulatory compliance; and

F. WHEREAS, the Authority understands that DWR requires a Plan Manager be designated as part of the submittal of the Final TLS GSP; and

G. WHEREAS, DWR’S regulations state that a “Plan Manager” is an employee or authorized representative of an Agency, or Agencies, appointed through a coordination agreement or other agreement, who has been delegated management authority for submitting the Plan and serving as the point of contact between the Agency and the Department; and

H. WHEREAS, the Tulare Lake Subbasin GSA representatives have developed a group of candidates viewed as neutral third parties acceptable to serve the GSAs that wish to submit the Final TLS GSP to DWR; and

I. WHEREAS, the Authority understands the Plan Manager position should be a relatively minimal engagement, primarily being a gateway for DWR communication to all the GSAs party to the Final TLS GSP and that this party would not be authorized to communicate of his own accord; and

J. WHEREAS, the Authority understands the GSP Plan Manager position does not carry a specific term, meaning that if necessary another party could be selected at any time; and

K. WHEREAS, the Authority is willing to participate in a reasonable cost-sharing arrangement with the other Tulare Lake Subbasin GSAs that are party to the Final TLS GSP submitted to DWR for the expenses related to the service of the Plan Manager.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Authority finds as follows:

1. The above Recitals are true and correct and the Board of Directors so finds, orders, and determines.

RESOLUTION NO. 2020-02

2. RESOLVED FURTHER, that the Authority hereby authorizes staff to approve a party, from the group of approved candidates, as a neutral third party to serve the GSAs that wish to submit the Final TLS SGP to DWR with the Plan Manager for the Tulare Lake Subbasin.

3. RESOLVED FURTHER, that Authority staff is authorized and directed to take such further actions as they deem necessary or appropriate to implement the foregoing resolutions.

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Authority on January 14, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

BARRY McCUTCHEON, CHAIRMAN
BOARD OF DIRECTORS

ATTEST:

DENNIS MILLS, BOARD SECRETARY

I, DENNIS MILLS, the duly elected, qualified and acting secretary of the Mid-Kings River Groundwater Sustainability Agency Joint Power Authority, do hereby certify that the foregoing is a true, full and complete rendition of a Resolution passed and adopted at a Regular Meeting of the Board of Directors of the Mid-Kings River Groundwater Sustainability Agency Joint Powers Authority, duly held at Hanford, California, on January 14, 2020.

DATED: January 14, 2020

DENNIS MILLS, BOARD SECRETARY

RESO/Reso 2020.02