

**MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 14, 2021**

This meeting was held by conference call due to local Covid-19 requirements. Chair McCutcheon called the regular meeting to order at approximately 8:30 a.m.

DIRECTORS PRESENT: Steven P. Dias; Barry McCutcheon, Chair; Dianne Sharp

DIRECTORS ABSENT: Michael Murray, Vice-Chair

OTHERS PRESENT: Dennis Mills, GM and Board Secretary
Ray Carlson, Legal Counsel (phone)
Jim Maciel, Armona CSD (phone)
David Stanfield (phone)
Geoff VandenHuevel, Milk Producers Council (phone)
John Doyel, City of Hanford, (phone)
Bryant Platt, DWR Subbasin POC (phone)
Lita Spencer, Westchester Group (phone)
Sebastian Silveira, Griswold LaSalle (phone)

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 THE REGULAR MAY 11, 2021 MEETING

Manager Mills relayed that he was still working on one section of the May 11, 2021 meeting minutes. For that reason, the consideration of the May 11, 2021 meeting minutes was deferred.

COMMUNICATIONS

Manager Mills reported on the following:

- Grant funding specifics are currently being developed by the State Legislature. The general approach seems to be to make the same amount of funding available to all subbasins.
- DWR has made the re-appropriated amount of the Round 3 planning grant award available to the Tulare Lake Subbasin parties and is asking for guidance on how to add this amount to the current grant budget. Feedback had been received from the DWR Grant administrator, MKR GSA consultants and the Tulare Lake GSA managers on the matter.

- DWR communicated that they did not like the adjusted SMC values that were loaded by the MKR GSA into the SGMA portal. Manager Mills didn't have any specifics other than that, as he was still trying to reach Amer Hussain.
- An adjudication case has been filed in the Cuyama Subbasin. The legal case seems to be an outcome from parties being treated differently in the GSA and some feeling the reasoning wasn't fair.
- Steve Jackson is no longer with Sandridge Partners. It was communicated that he had been replaced by Carlo Wilcox at TCWA.
- Question was received from the El Rico GSA on interest for a potential Native Yield study for the Tulare Lake subbasin being funded from future DWR grants.
- It was learned that Pete Reitkert is selling his ranch in Corcoran ID.
- DWR recently released a document called Draft Drinking Water Well Principles and Strategies.
- DWR announced a Drought Funding information session over Zoom on Thursday, September 16 from 9-10 am.

MANAGER'S REPORT

State Board Letter on Tulare Lake GSP

Manager Mills reported that he had been made aware of a letter from the State Board staff to DWR SGMA staff that critiqued the 2020 Tulare Lake GSP. The letter seemed odd in that it was not sent to the Tulare Lake GSAs, and the State Board is not tasked with commenting on GSPs in SGMA. Instead that seems more in the purview of DWR, with the State Board being involved only if DWR deems the Subbasin GSP as inadequate, rather than approved or incomplete. However, Manager Mills related that some parts of the letter would likely be in the review letter that eventually comes from DWR.

Water Budget

The State Board letter suggested that the 2020 TLS GSP projects didn't seem to completely stem modeled groundwater level declines by 2040. Manager Mills explained that this was not new information to the Tulare Lake GSAs. In 2019, several TLS groundwater model runs were undertaken to evaluate this outcome and from those efforts the decline in modeled groundwater levels appeared to result from conditions in adjacent subbasins. However, the State Board staff didn't mention that in the letter to DWR.

Groundwater Levels and Potential Drinking Water Impacts

The State Board letter suggested that the 2020 TLS GSP does not describe how water levels at or near the Measureable Objectives (MOs) or Minimum Thresholds (MTs) may impact domestic wells, public water systems, other beneficial users or land use. It expressed concern about a potentially significant number of domestic wells that may be impacted if groundwater elevations decline to the MOs and MTs. It cited publicly available sources of info on the topic (The Water Foundation, UC Davis, others). It also made a suggestion to mitigate impacts to domestic wells by replacing or repairing impacted wells. It also made suggestions about groundwater well permits and working with Kings County.

Manager Mills discussed the way that TLS MOs and MTs were developed and how they were developed with historic groundwater level declines in mind. He relayed that the MKR GSA intended for groundwater levels to decline less in the SGMA Implementation period than had occurred in the previous years. From County well permit records it is evident that groundwater level declines have been experienced in this area since those records have been collected. For that reason it seemed odd to think that now that the GSAs intended to improve conditions over time the State Board would suggest something as extreme as repairing or replacing domestic wells that are impacted by declining groundwater levels. Also, Manager Mills relayed that local GSA had been working with Kings County on well permits.

Groundwater Quality

The State Board letter suggested that the 2020 TLS GSP should include a plan to revisit the assertion that no causation can be drawn between groundwater levels and groundwater quality. It expressed wanting a process to evaluate whether GSA implementation caused or exacerbated an MT exceedance for groundwater quality. It expressed wanting more explicit definitions of MTs and MOs for degradation of groundwater quality. And it expressed wanting monitoring of uranium and gross alpha because there were historic observations of the constituents in GAMA database in the area.

Manager Mills reviewed the issue of groundwater quality in the area and the known evidence that groundwater level does not correlate to groundwater quality for several different quality constituents. Also, he explained that with wells that are perforated over hundreds of feet through multiple aquifers, using sampled wells for groundwater quality evaluation like what was described was nearly impossible. Further, given that there isn't a relationship between groundwater level and degradation of groundwater quality, it continued to seem very difficult to develop an explicit MT or MO on this topic. Lastly, the issue of certain areas and zones having uranium and gross alpha is a very localized issue and has not been seen to be pervasive in the area (i.e. Hardwick). Given this the suggestion related to monitoring for this type of constituent seems unlikely to be helpful in managing towards an MT or MO.

Subsidence

The State Board letter suggested that the 2020 TLS GSP should include the following issues that were not discussed in the GSP: Corcoran levees needing to be raised for flood protection; SWK GSA claims of "impacts" and a study connecting subsidence to increasing arsenic concentrations.

Manager Mills relayed that the issue of the Corcoran levees and the claims by SWK GSA of subsidence impacts relate to issues in adjacent GSA areas. Related to the referenced study, Manager Mills relayed that he was aware of the study and was concerned that the State Board was using a broad study that intended to develop general relationships in an attempt to impose requirements without showing any local evidence of the claimed impact. He relayed that he had knew one of the study's authors and wanted to contact her to see if the study's conclusions were being accurately represented by State Board staff.

Interconnected Surface Water

The State Board letter expressed concern about perched groundwater areas and that they were not identified as Groundwater Dependent Ecosystems (GDEs) or environmental uses of groundwater in the 2020 TLS GSP.

Manager Mills relayed that it appeared that State Board staff was relying on published information by others to justify this comment. There are some groups that have claimed that there are GDEs in the TLS area. However, the depth to static groundwater in most of the area is greater than 50-feet below groundwater surface, meaning that groundwater is too deep to sustain surface plants. There are some areas of the subbasin where the A-Clay ponds groundwater in local areas from river seepage or leached irrigation water. However in the MKR GSA area, there does not appear to be any GDEs or environmental uses of groundwater.

Projects

The State Board letter suggested that the information on projects in the 2020 TLS GSP was too vague to understand whether their implementation is feasible and likely to prevent Undesirable Results (URs) in the subbasin. Also, the letter suggested that there were no real criteria that would trigger project implementation and that funding for efforts was unclear and no clear commitment to implement projects.

Manager Mills reviewed how the different GSAs in the TLS were pursuing projects. He relayed that although the GSP spoke to the pursuit of project strategies and adaptive management, the State Board letter seemed to be wanting certainty. The GSAs know that many things are possible, but stating for certain how they will be pursued and developed is not information we currently have.

After reviewing information from the State Board letter and describing various aspects of the local issues related to those topics, Manager Mills suggested that a conceptual response be developed on these topics for the Board to consider at the next regular meeting, if time allows. He also recommend that the GSA work to secure a consultant to help address coming GSP comments. The Board member agreed with both recommendations.

KCWD – Land IQ Cropping Information Update

Manager Mills reported that over the last month he was able to use the GIS Shapefiles provided by Land IQ to calculate acre-feet (AF) per month by field. The estimated values seemed low for permanent crops, but high for fallow fields. Manager Mills provided comments and they were reviewed. Also, noted some fields (golf course, school grass areas) were not initially provided.

A meeting with the consultant was arranged and fallow fields were discussed a lot. Land IQ have had difficulty with estimating fallow field estimates because the values approach zero, and their sensors produce noise at that limit. They are trying to address it, but Manager Mills thought it likely would be easier to exclude fields labeled as fallow. Also, after some re-consideration, the permanent crops appeared reasonable given ET distribution though the year.

Manager Mills pursued applied water information from growers and Murray Farms and Louis Giacomazzi were willing to provide information. The Murray Farms info seemed to match the Land IQ estimates well for the almond orchards provided. He hadn't yet worked through the Giacomazzi info yet.

Manager Mills also sent the GIS Shapefile information to P&P and pursued efforts to make the information more useful. First, P&P segregated the Greater Kaweah field areas and provide the info to them and Lakeside for consideration. Second, unique identifier per field based on Township/Range/Section were developed for roughly 4,000 fields in the area. Third, P&P developed a summary spreadsheet by section for crop demand over the period. Fourth, P&P developed Shapefiles that reflected crop by color, so they would provide better understanding. Also it was planned that P&P would identify fields with highest ET in WY 2020, and would eventually link that information to ownership and with well locations.

KCWD – Ramboll Basin Investigation Update

Manager Mills reported Ramboll had completed a Basin Investigation study for Kings CWD. He discussed the comments that results of the study that showed that six of the seven sites investigated had good soils for recharge basins and recommended pursuing development of recharge efforts at all sites except Garner because of denser soils there. Manager Mills noted that the following things came to light in the study that were unexpected:

- Coarser sand was generally found at the Last Chance, Griswold, Railsback and Cody sites, than was found at Esajian Basin.
- Last Chance, Railsback, Cody and Esajian were found to have very uniform soils.
- There didn't appear to be an observable A-Clay layer at Railsback or Cody.
- Although the central area of Griswold has denser soils at the surface, there appears to be significant sand beneath that layer. Also, the far area to the north appears to be very sandy at the surface.

Review and Update of Current Project List

Manager Mills reported that Kings CWD had recently updated their near-term and long-term project list and planned to update it on their website. The update to the project list generally reflected the new information gained through the Ramboll Investigation. The Board supported the reordering of priority based. Manager Mills reported that construction and design efforts continue on the Esajian Basin and the Griswold Basin.

UPDATE ON ONGOING EFFORTS

None

DIRECTOR REPORTS

Director Sharp reported that two wells in the City of Hanford well field had collapsed with compression failures and investigation into associated issues were ongoing.

SET NEXT MEETING DATE

The regular October Board of Directors meeting was tentatively set for October 12, 2021 at 1 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 10 a.m.

Respectfully submitted,

Dennis Mills

MKR MIN 210914