

**MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY  
JOINT POWERS AUTHORITY  
REGULAR MEETING MINUTES  
TUESDAY, JUNE 14, 2022**

This meeting was held by conference call due to local Covid-19 conditions and requirements. The regular meeting was called to order at approximately 1 p.m.

**DIRECTORS PRESENT:** Barry McCutcheon, Diane Sharp  
Steven P. Dias (phone), Michael Murray, Vice-Chair (phone)

**DIRECTORS ABSENT:** None

**OTHERS PRESENT:** Dennis Mills, GM and Board Secretary  
Ray Carlson, Legal Counsel (phone)  
Garret Miller (phone)  
Amer Hussain, GeoSyntec (phone)  
Johnny Gailey, Delta View Water Association (phone)  
Geof VandenHuevel, Milk Producers Council (phone)  
Shawn Corley, Lakeside IWD (phone)  
Jay Weiner (phone)  
Dave Stanfield (phone)  
Steve Jackson (phone)  
Brandon Sergeant (phone)

**ESTABLISH QUORUM**

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

**CONFLICT OF INTEREST**

None.

**PUBLIC COMMENT PERIOD**

None.

**APPROVAL OF PREVIOUS MINUTES**

Manager Mills relayed that he had not had time to develop the minutes from previous meetings.

**COMMUNICATIONS**

Manager Mills reported that:

- Bryant Platt is leaving DWR on May 20 and Amanda Peisch-Derby will take over as DWR Point Of Contact (POC) for the TLSB.
- DWR released a Dry Well Susceptibility Tool and Reporting System.
- Kings County reached out on the status of pending GSA Verifications.

**MANAGER’S REPORT**

**MKR GSA WELL PERMIT VALIDATION EFFORTS**

Manager Mills reported that there had been 11 GSA Verifications processed in the last month. Eight were domestic wells and three were ag wells. Roughly 5-9 verification were still in process, with two being special circumstances and the others just working through the process.

Manager Mills reported on the Santiago GSA Verification for permit W2205-001 for a new domestic well for a home being built in the Montecito Ranch Estates Development. All of the developed lots in this development appear to be using more than the de minimis two AF/year given their home size/pools/landscaping. There is a map that was developed back in 2005 about where private wells and leach fields are allowed throughout the development. It appears that plan was developed when there were no homes around the development. However, now there is an existing well across the back fence, roughly 30-50 feet away from Mr. Sanitago’s proposed well location. Locating the well as proposed is definitely going to cause a new problem for the existing domestic well. Manager Mills’ recommendation was that the GSA only provide the GSA Verification if Mr. Santiago hire a qualified professional to develop a modified plan for the well and leach field system that could provide sufficient distance to protect the neighbor’s existing wells. He also recommended that the GSA Verification only be provided if there was wording included that made it clear that the GSA views that the Montecito development needs a municipal water system, and that this many private domestic wells in this close a space is contrary to the GSA’s view of sustainable infrastructure. This will need to link back to potential future mitigation. Director Sharp made a motion to pursue Manager Mills’ recommendation and Vice-Chair Dias seconded the motion. Chair McCutcheon called for a vote, and the vote for all of the Directors was as follows:

AYES: Barry McCutcheon, Steven P. Dias, Michael Murray, Diane Sharp

NOES: None

ABSTAINED:None

ABSENT: None

Manager Mills reported on the Gorrell and Droogh GSA Verifications for permit W2206-006 and W2206-007 for replacement domestic wells along Furlong Drive in Hanford. Along Furlong Drive there are eight roughly 2.5 acre lots east of 11th Ave & west of Pioneer Middle School that are not hooked to Hanford water system. All of the large lots have significant areas of landscaping, appearing that they use more than the de minimis two AF/year. One lot has about one acre of walnuts. Manager Mills’ understanding was that based on the ag use the City decided to not extend service to these lots. However, Director Sharp shared that the City had been required to pursue a forced consolidation in the area and the area residents had refused City water service for various reasons. Vice-Chair Dias made a motion to have Manager Mills work with Hanford staff to develop a solution to enable the applicants to receive GSA Verifications while limiting any potential mitigation given the owners’ choice not to receive water service

from Hanford. Director Sharp seconded the motion and Chair McCutcheon called for a vote. The vote for all of the Directors was as follows:

AYES: Barry McCutcheon, Steven P. Dias, Michael Murray, Diane Sharp

NOES: None

ABSTAINED: None

ABSENT: None

#### Assembly Bill 2201

Manager Mills reported that this bill would generally make the Governor's EO the permanent responsibility of the GSAs, including County 9b responsibilities. Geof VandenHuevel made comment that he had conversations with the bill's author and believed his intentions were good. He relayed that the bill was developed out of the author's experience when ag interests developed wells that negatively impacted a nearby community's municipal system. He relayed that there were meetings planned with him in the near future to hopefully relay the issues the valley would have with the bill. Manager Mills asked the Board if they wanted him to develop a letter to the author expressing concerns similar to the Mid-Kaweah GSA letter, and they responded in the affirmative. Also, it was recommended that Manager Mills check with Assemblyman Salas on his position towards the bill.

#### 2020 TLS GSP Revision Efforts

##### *Water Level Declines*

Manager Mills reported that as part of the GSP Revision effort, the subbasin consultants were evaluating OSCWR database records for depth of wells across the subbasin. OSCWR is arguably the most complete database available. However, it has historic logs in it that are no longer active because of redrilling, so records prior to 2000 are being excluded. Then because of redrilling in the most recent drought cycle, 2012-2016, an additional 10% of the shallowest records are being excluded. This synthetic method is working in many areas, but it also has problems in others. Manager Mills is arguing that in areas where there is a conflict between monitored levels and estimated projective levels, that historic low levels (like 2015) with a buffer would be used in that situation.

##### *Subsidence*

Manager Mills reported that efforts have been focused on differential subsidence rather than total subsidence. There have been evaluations of infrastructure density and where subsidence is occurring to develop hazard areas. Consultants have used published info to establish issues for infrastructure types meaning vulnerability. They have then combined those two things to establish a risk map.

Manager Mills relayed that there were still issues that remain with the effort. There still doesn't seem to be any linkage between the evaluation of differential subsidence and active groundwater management. Manager Mills still understands that DWR's primary want is Minimum Thresholds set on total subsidence, not differential subsidence. Also, DWR wants the

subbasin to say that subsidence will be eliminated in the Implementation Period, and we aren't really saying that yet.

#### *Groundwater Quality*

Manager Mills reported that the Revised GSP will include more monitoring on Salinity (as TDS), Nitrate (as N), Arsenic, Uranium, 1,2,3 TCP, Sulfate, and Chloride. Also, evaluations are always over more than one event and will evaluate whether GSA actions are impacting quality trends.

#### *Next Steps*

There was a discussion about the Board meeting in July and efforts to approve the required GSP Revisions prior to the July 27 deadline. The Board decided to not have their Board meeting on the second Tuesday of the month, but instead shift that meeting to Thursday 07/21/22 at 1 pm.

#### Potential Mitigation Plan Efforts

##### *Water Level Declines*

Manager Mills reported on efforts to develop a mitigation plan for domestic wells that go dry because of general level declines. The thought is that the MKR GSA would not mitigate ag wells that go dry, and would not mitigate situations caused by pumping impacts of adjacent pumpers. There would be requirements that wells were constructed to meet a BMP standard to avoid compensating bad decision by owners. There have also been ideas that the percent compensation would increase over time as GSAs influence is more significant. Also the current view is that no compensation would be provided if closest ag well is owned by same party.

Manager Mills tried to provide information on the potential financial magnitude of the mitigation plan being discussed. He relayed that initial estimates indicate roughly \$500K – \$750K would be needed annually in mitigation funds for the MKR GSA area. In terms of a land based assessment, that would be roughly \$5.00-\$7.50/acre just for domestic well mitigation. There are currently SAFER grant funds available for domestic well failures through Self Help. After this report, the Board discussed this information.

##### *Subsidence*

Manager Mills reported that facilities being discussed as part of subsidence mitigation efforts are flood channels, canals and deep municipal wells. Manager Mills tried to provide information on the potential financial magnitude of the mitigation plan being discussed. He relayed that initial estimates indicate roughly \$250K would be needed annually in mitigation funds for the MKR GSA area. In terms of a land based assessment, that would be roughly \$2.50/acre just for subsidence mitigation. After this report, the Board discussed this information.

#### Potential GSA Policies

##### *Meter/Registration Requirement*

Manager Mills reported that he recommends the GSA develop a policy requiring:

- All new wells (GSA Verification Requirement) need flow meters with instantaneous readings and totalizers.
- All wells currently in use required to be registered with the GSA by January 1, 2023 and allow regular monitoring
- All wells currently in use required to have flow meters with instantaneous readings and totalizers by January 1, 2024
- Monthly meter readings are to be submitted to the GSA every quarter (three months).

Manager Mills discussed these recommendations with the Board, and they asked him to bring them back at a future meeting for further discussion.

#### *Fallowing Requirement*

Manager Mills reported that he recommends the GSA develop a policy requiring:

- All parcels 10 acres or more required to maintain a minimum fallowing of 10% by 2024.
  - Facilities like roads, canals, basins, barns and solar fields constitute fallowed area.
  - The hope is to develop areas that are easily identifiable, so that verification could be accomplished by aerial imagery.
  - Fallowing might be planned to increase to 15% in 2030 if necessary.
- The hope is to reduce fallowing over time as more recharge projects are developed to address overdraft.

Bill Tos made comment that he would rather the GSA set a maximum per acre pumping limit and let growers figure out whether to fallow or change their crop to something else. Manager Mills discussed these recommendations with the Board, and they asked him to bring them back at a future meeting for further discussion.

#### *Max Pumping per Cropped Acre*

Manager Mills reported that he recommends the GSA develop a policy requiring:

- 4.0 acre-feet per cropped acre per year max, including pre-irrigation.

Manager Mills discussed these recommendations with the Board, and they asked him to bring them back at a future meeting for further discussion.

#### *Recharge Credit*

Manager Mills reported that he recommends the GSA develop a policy requiring:

- If intentional recharge is accomplished by an owner, the credit can be used to justify additional pumping.
- If sufficient monitoring is performed to document the amount of recharge accomplished, the documentation is provided to the GSA in a timely manner and the GSA is allowed to monitor.
- Supplies can be accessed for a period of five years after the year of recharge:
  - If the recharge is within 3 miles of the groundwater pumping, 90% of the recharge can be recovered.

- If the recharge is between 3-6 miles of the groundwater pumping, 45% of the recharge can be recovered.

Manager Mills discussed these recommendations with the Board, and they asked him to bring them back at a future meeting for further discussion.

#### *Well Spacing Requirement*

Manager Mills reported that he recommends the GSA develop a policy requiring:

- For new ag wells:
  - Required 660 foot distance from other adjacent wells, if possible.
  - If located less than 660 feet from existing domestic well, may be implicated in future mitigation efforts if necessary.
- For new domestic wells:
  - Required 200 foot distance from adjacent domestic wells, if possible
  - If located less than 660 feet from existing ag well, not a candidate for mitigation if levels decline and replacement required.

Manager Mills discussed these recommendations with the Board, and they asked him to bring them back at a future meeting for further discussion.

#### *Public Water System Requirement*

Manager Mills reported that he recommends the GSA develop a policy requiring:

- That if more than five homes are in adjacent or nearly adjacent parcels, the GSA will view that a Public Water System is necessary to provide reliable infrastructure for their domestic water supply.

Manager Mills discussed these recommendations with the Board, and they asked him to bring them back at a future meeting for further discussion.

#### Issues along GSA Boundary – Lakeside IWD

Manager Mills briefly reported that the Greater Kaweah GSA is starting a pumping cap policy in Oct 2022. Lakeside IWD is now trying to provide landowners with “credit” for seepage from canals across their area, which is 1/3 in the MKR and 2/3 in the GK. However given that it doesn’t appear the MKR will impose a pumping cap during the same crop year, the suggestion for that period is to “allocate” the seepage from all LIWD canals to the area in the GK. There is also a longer term issues being that LIWD’s basin facilities are mostly in the MKR GSA and how much credit the GK landowners would receive from them in a wet year. Also there is an additional issue of Hanford’s WWTP flows that are used as an irrigation supply in the MKR area. The Board asked Manager Mills to bring them back at a future meeting for further discussion.

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**UPDATE ON ONGOING EFFORTS**

**Fall 2021 SGM Implementation Grant**

Manager Mills reported that the GSA had just received a draft contract late last week the draft is still being reviewed. Also he relayed that KRCD is very interested in the contract, as they are trying to arrange bidding docs for the river dredging and levee work.

**Report of Round 3 Planning Grant**

Manager Mills reported that there were new efforts to video wells with no WCRs and install loggers in some wells. Also he reported that the GSA is in the process of requesting another extension for the grant.

**DIRECTOR REPORTS**

None

**SET NEXT MEETING DATE**

The regular July Board of Directors meeting was tentatively set for July 21, 2022 at 1 p.m.

**ADJOURNMENT**

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

Dennis Mills  
MKR MIN 220614