

**MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY  
JOINT POWERS AUTHORITY  
REGULAR MEETING MINUTES  
TUESDAY, JULY 21, 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:** Steven P. Dias; Barry McCutcheon, Chair; Diane Sharp; Michael Murray, Vice-Chair (phone)

**DIRECTORS ABSENT:** None

**OTHERS PRESENT:** Dennis Mills, GM and Board Secretary  
Ray Carlson, Legal Counsel (phone)  
Kathy Bare, Kings Co. Grand Jury  
John Wright, Kings Co. Grand Jury  
Karl teVelde  
John Doyel, City of Hanford (phone)  
Alex Pytlak, GeoSyntec (phone)  
Johnny Gailey, Delta View Water Association (phone)  
Geof VandenHuevel, Milk Producers Council (phone)  
Dusty Ference, Kings County Farm Bureau (phone)  
Jay Weiner (phone)  
Lita Spencer (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 asked if there was a motion regarding the draft April 19, May 10 and June 14, 2022 meeting minutes. Director Sharp made a motion to approve the April 19, May 10 and June 14, 2022 meeting minutes. Director Dias seconded the motion and the Board unanimously approved the meeting minutes of April 19, May 10 and June 14, 2022 meetings with the noted corrections. The vote for all of the Directors was as follows:

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

**NOES:** None

**ABSTAINED:**None

ABSENT: None

### **COMMUNICATIONS**

Manager Mills reported that he received an email from the Southwest King GSA at roughly 1 pm on Tuesday July 19, 2022 requesting that the other Tulare Lake GSAs accept the inclusion of a new topic under section 3.12 of the TLS GSP Addendum on protective efforts. The email was sent to GSA managers only a few hours before the first Tulare Lake GSAs were scheduled to approve the final GSP Revisions. The new topic suggested by the Southwest Kings GSA for inclusion related to storage of pumped groundwater from deep aquifers in shallow basins, evaporative losses and a possible linkage to subsidence. The managers for the El Rico GSA and South Fork Kings GSA responded that a request for modifications just hours before the first GSAs are scheduled to consider approval/adoption of the GSP Revisions was too late for consideration and was unreasonable. Manager Mills relayed to the Board that he consulted with Attorney Carlson and developed a response laying out five main reasons for not viewing the request as reasonable. The first of those reasons was “given the open animosity between Mr. Vidovich and Boswell over the last couple years, it is impossible to not view this as an extension of that well documented conflict.” Mr. Vidovich is the Board President of the Southwest Kings GSA, the entity requesting the change, Boswell is the largest landowner in the El Rico GSA, and there is already an active lawsuit between these parties on this matter.

### **MANAGER’S REPORT**

#### **REVIEW OF 2022 TULARE LAKE SUBBASIN GSP ADDENDUM AND THE REVISED/AMENDED TULARE LAKE GSP**

Manager Mills presented information on the developed 2022 Tulare Lake Subbasin GSP Addendum and the Revised/Amended Tulare Lake GSP.

##### *January '22 Incomplete GSP Letter from DWR*

Manager Mills reviewed several sections from DWR’s January 2022 letter to the Tulare Lake Subbasin (TLS) regarding their incomplete determination of the 2020 GSP. He reviewed the deficiencies noted in the letter related to Water Level Declines, Subsidence and Groundwater Quality. After that review he generally described the 2022 GSP Addendum that was developed to address the deficiencies.

##### *Water Level Declines*

Manager Mills reported on the data sets used to consider the depth of groundwater wells in the subbasin and how wells were segregated into those that pumped from the aquifer above the A-Clay (A Zone), the aquifer above the E-Clay (B Zone) and the aquifer below the E-Clay (C Zone). Manager Mills noted that he drew attention to ways that he disagreed with the method used, but there was not enough time to have the issue addressed prior to the submittal deadline.

Manager Mills explained that there was a significant effort to develop a view of the depth of existing domestic and agricultural wells in the subbasin. Information from the States OSCWR database were used despite its limitations. He noted that with the understanding that groundwater level declines had caused a significant percentage of older wells to be re-drilled, records before 2000 were excluded. Also, with the knowledge that the drought period of 2012-

2016 also included a large number of re-drilled wells, 10% of the shallowest wells were excluded. Based on this set of records that was viewed as reflective of current conditions as possible, the shallowest well depths were considered to evaluate whether they could be protected from long-term level decline.

Manager Mills conveyed that the B-zone in the northern subbasin appears to be where the majority of domestic wells are. The depths of shallow wells in this zone were used to guide where to set Minimum Thresholds (MTs) so that wells wouldn't go dry from long-term level decline. This generally increased the elevation of MTs in this zone. MTs are measures at Representative Monitoring System (RMS) wells, so when a protective level was developed from local wells, it was compared to the water level at the RMS that represented the area. If there was a conflict, the levels in the RMS well guided setting a modified MT.

Manager Mills also conveyed that there is another zone, called the R-zone, that was delineated along the Kings River, where shallow wells were unique. MTs in this area were also set differently, and were acknowledged to be mostly dependent on river seepage.

The C-zone had a few domestics and public wells in it. However these wells were viewed as protected as long as levels in the confined aquifer didn't fall below a buffer above the E-Clay. MTs in this zone were set as an offset over the top of the understood E-Clay, unless that elevation conflicted with the monitored levels in the well.

Manager Mills reported that mitigation for certain dry wells is something that DWR has communicated that they want the GSAs to be responsible for. This issue mostly involves B-zone wells. The TLS GSAs are committing to develop mitigation plans, and there is a very rough outline of topics/components that will be in each plan. The expected components of the GSAs mitigation plans include efforts to protect local landowners in the transition to sustainability. Also TLS GSA efforts to stabilize groundwater levels are planned to include well registration and installation of totalizing flowmeters, development of new recharge basins and increased groundwater recharge from wet year flood water, and development of new floodwater layoff basins.

### *Subsidence*

Manager Mills reported on efforts to address DWR's comments and concerns about subsidence in the TLS, and the data sets used to evaluate conditions in the subbasin. It was reported that analysis was undertaken to evaluate correlating subsidence to groundwater levels and groundwater storage. It was understood that these correlations are not strong. Facilities like flood channels, local canals, regional canals and deep wells were identified as infrastructure potentially impacted by subsidence. Other facilities such as railroads and property impacts such as drainage were also considered. Subsidence triggers were identified as geology in the area that is susceptible to subsidence, deep pumping from pressurized zones below the E-Clay, and groundwater level declines and the connected development and use of deeper wells.

Manager Mills relayed that Undesirable Results (URs) and associated MTs were viewed near the California Aqueduct as an MT rate of 0.1 feet/year until 2039, and then it would change to 0.0 feet/year. In the area away from the Aqueduct, MT levels were set to be protective of

local communities' critical facilities, avoid impacts to a large number of deep wells beyond their current ability to withstand significant structural damage, avoid requiring significant modification to known flood control levees while still acknowledging reduced floodwater from developing projects, and avoid the increase in potential for significant capacity impacts to flood control channels and canals with increased subsidence that cannot be economically mitigated.

Efforts to eliminate subsidence in the TLS were described as including well registration and information on well construction, groundwater pumping monitoring, limits & land following programs/policies, stabilizing long-term groundwater levels so that new wells will not need to be drilled deeper, and identifying the zone(s) or strata that is/are subsiding.

#### *Groundwater Quality*

Manager Mills reported that the 2020 GSP groundwater quality MTs were very vague and mostly pointed to other agencies to identify issues. DWR did not like that MTs were not specific and made it clear the GSA needed to be the implementing agency. In the 2022 GSP Addendum Undesirable Results (URs) were generally defined related to quality degradation discernably linked to GSP Implementation. Minimum Thresholds (MTs) reflected established municipal and agricultural state and federal thresholds when existing groundwater conditions don't already exceed them. However, when existing groundwater quality conditions already exceed municipal and agricultural thresholds, then existing monitored conditions guided how MTs were developed.

#### **RESOLUTION 2022-02 TO APPROVE THE REQUIRED 2022 TULARE LAKE SUBBASIN GSP ADDENDUM AND THE REVISED/AMENDED TULARE LAKE GSP**

Manager Mills presented the MKR GSA Board Resolution 2022-02 which would document the MKR GSA's approval and acceptance of the required 2022 Tulare Lake Subbasin GSP Addendum and the revised/amended Tulare Lake GSP. After some discussion with the Board, Director Sharp made a motion to approve Resolution 2022-02 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

#### **SET NEXT MEETING DATE**

The regular September Board of Directors meeting was tentatively set for September 13, 2022 at 1 p.m.

#### **ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 3:30 p.m.

Respectfully submitted,

Dennis Mills  
MKR MIN 220721