

**MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 13, 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)
Johnny Gailey, Delta View Water Association (phone)
Dusty Ference, Kings County Farm Bureau (phone)
Jay Weiner (phone)
Jim Frost (phone)
Sebastian Silveira (phone)
Clayton Smith, Congressman Valadao's office (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

None.

MANAGER'S REPORT

TULARE LAKE SUBBASIN GSP REVISION UPDATE

Manager Mills reported on an existing lawsuit in Kings County Superior Court between Sandridge/Boswell/Reclamation District (RD) 825 related to existing agreements and use of the RD 825 facilities to store pumped groundwater. This was reported to provide greater context on why the Southwest Kings GSA requested that a section be incorporated in the GSP Addendum at the last minute, prior to submission to DWR. Manager Mills also reported that the TLS has

received no response from DWR yet. As of the GSA meeting date, no comments have been submitted/posted to DWR GSP Portal yet on the GSP Revision.

DWR ROUND 1 IMPLEMENTATION GRANT UPDATE

Manager Mills reported that the \$7.6 million implementation grant agreement has been executed. GSA staff understood, from DWR staff, that the agreement will still proceed given the current GSP approval situation. CEQA Exemptions have been submitted to DWR staff as requested. Also consultants are beginning to be engaged. The El Rico GSA is trying to move forward with Luhdorff & Scalmanini for the subbasin groundwater model update. Manager Mills requested more information on budget/schedule burn-rate.

WELL REGISTRATION POLICY DISCUSSION

Manager Mills presented the Board a draft Groundwater Well Registration Policy that was largely based on a draft policy document developed back in 2020, at the beginning of the Covid pandemic. The policy states that the “MKR GSA views that a well registration requirement is necessary to develop a defensible view of groundwater use in the MKR GSA, that this requirement will aid and promote the sustainable management of groundwater and that it is in the best interest of the MKR GSA, its landowners, businesses and residents.” Also the draft policy states that “The purpose of this Policy is to require the registration of all active groundwater wells in the jurisdiction of the MKR GSA, and the development and maintenance of a well registry for the MKR GSA, and to establish other regulatory requirements in connection with these purposes.”

The details of the policy were reviewed and discussed by the Board. Director Sharp encouraged the language related to the enforcement of violations to be modified from “shall” to “may”, which would imply Board consideration. The Board supported that edit. After all comments were provided Manager Mills relayed that he would attempt to finalize the policy and bring it to the Board for consideration and approval at the next Board meeting.

FLOWMETER POLICY DISCUSSION

Manager Mills presented the Board a draft Groundwater Well Registration Policy that has been in development over the last several months. The policy states that the “MKR GSA understands that it has the authority to require that “groundwater extraction facilities within the management area of the GSA be measured by a water-measuring device satisfactory to the GSA” and that “all costs associated with the purchase and installation of the water-measuring device shall be borne by the owner or operator of each groundwater extraction facility” through Section 10725.8 of the California Water Code.” Also the draft policy states that “Parties within the MKR GSA that have active groundwater wells are required to have flow meters. The configuration of the installation shall conform to a drawing prepared by the permittee and shall conform to the technical standards set forth by MKR GSA.” Manager Mills discussed how other GSAs were pursuing policies based on satellite estimates of field level crop evapotranspiration and conveyed to the Board that those policies seem much more complicated than requiring meters on wells which could be regularly monitored by well operators to understand usage.

However it was acknowledged that satellite evaluations would also be needed for use to understand if there were reporting issues from flow meters.

The meter requirements in the policy included the following, “Flow meters on groundwater wells must: 1) Have a totalizer with the ability to totalize tenths of an acre-foot (AF); 2) Read instantaneously in either gallons per minute (GPM) or cubic-feet per second (CFS); 3) Be selected appropriately for the operating flow of the groundwater well; 4) Be installed consistent with the manufacturer’s specifications; and 5) Have an accuracy of at least plus or minus five percent (+/- 5%) when installed consistent with manufacturer’s specifications and operating within intended flow ranges.”

The details of the policy were reviewed and discussed by the Board. Director Sharp again encouraged the language related to the enforcement of violations to be modified from “shall” to “may”, which would imply Board consideration. The Board supported that edit. After all comments were provided Manager Mills relayed that he would attempt to finalize the policy and bring it to the Board for consideration and approval at the next Board meeting.

WELL PERMIT VERIFICATION EFFORTS

Manager Mills reported that there had been a total of 52 GSA Verifications since April. 19 of those verifications (~37%) had been ag permits and 33 of those (~63%) had been domestic permits. Manager Mills also reported that the Christian Santiago verification, which had been discussed in previous meetings, had been processed. He conveyed that the distance from existing domestic well to the south was increased to 100 feet away. This was viewed as reasonable to protect the adjacent well. The new well was also planned to be drilled deeper than the existing well and blanked in the zone of the adjacent well. Manager Mills also relayed that he would continue to prioritize processing of dry domestic well GSA Verifications, which the Board supported.

ASSEMBLY BILL 2201

Manager Mills reported that the Assembly Bill appears to have recently "died" on the Assembly floor.

LAST CHANCE CANAL SYSTEM SUBSIDENCE

Manager Mills reported that Kings CWD had recently surveyed the Last Chance East Main, Center Branch, West Main and Shore side ditch. The survey area was roughly a mile north and south of Hwy 198. All canals reflect that there is very little fall in them anymore. Basically they operate as flat pools now. Over the last two years, it appears that roughly 1.5 feet of subsidence occurred in that area. Subsidence is very likely part of what has happened, but there has not been a significant effort to dredge those canals in several decades. Also it is difficult to say how long this condition has been the case as the entire system capacity has declined over time as irrigation methods transition to drip from flood. This situation is now being considered by the Last Chance Board. Manager Mills’ view is that gravity turnouts need to be converted to lift pumps and projects need to be pursued to restore or improve capacity.

MITIGATION PLAN ELEMENT DISCUSSION (IF TIME ALLOWS)

None.

2018 AUDIT REPORT (IF TIME ALLOWS)

None.

ISSUES ALONG GSA BOUNDARY (IF TIME ALLOWS)

None.

SET NEXT MEETING DATE

The regular October Board of Directors meeting was tentatively set for October 11, 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 220913