

**MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
REGULAR MEETING MINUTES
TUESDAY, MAY 10, 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,
Michael Murray, Vice-Chair (phone)

DIRECTORS ABSENT: Steven P. Dias

OTHERS PRESENT: Dennis Mills, GM and Board Secretary
Ray Carlson, Legal Counsel (phone)
Bill Giacomazzi
Johnny Gailey, Delta View Water Association (phone)
Geof VandenHuevel, Milk Producers Council (phone)
Shawn Corley, Lakeside IWD (phone)
Steve Jackson (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:

- SWK GSA is developing a potential letter to State Board on Boswell operations. The current Board of the SWK GSA is John Vidovich, Mark Grewal - Angiola WD, Kim Brown - Wonderful, Jim Wilson and Mike Nordstrom. Vidovich and Boswell have been in an open conflict for over two years and this appears to be the next phase of the conflict. The point seems to be that John Vidovich believes that the pumped groundwater that Boswell is storing in their floodwater facilities in the southern Lake Bottom are losing significant amounts to evaporation and is concluding that is very wasteful. He doesn't view evaporation of surface water the same way. Vidovich is planning a reservoir project on the Liberty Ranch property that would appear to be vulnerable to the same criticism. However, Mr. Vidovich says only

surface water would be stored there. It is also unclear why canals like the Blakely Canal that conveys pumped groundwater from his wells to Dudley Ridge and its evaporation is different from the evaporation in the floodwater reservoirs. However, this view could be used to justify the pipeline project that is currently underway near Stratford and Highway 41.

- Lakeside IWD recently made me aware of a Dairy White Paper. The paper contains an Et based view of consumptive use on a Dairy Facility. The paper was authored by 4 Creeks of Visalia.

MANAGER'S REPORT

REVIEW OF LOCAL CONDITIONS INVESTIGATION

Manager Mills reported the following on his communications with several local water supply entities:

A. Hanford

- 1) Not a current emergency for their facilities.
- 2) Plans to notify landowners and renters about outdoor irrigation restrictions through the summer.

B. Home Garden CSD

- 1) Three wells, but one primarily used (depth 1,370 feet) along with an Arsenic treatment system. Bowls currently set at 370 feet BGS.
- 2) Provided DTW levels for the last few years. Primary well was nearing failure last year, but barely avoided it. Home Garden CSD applied for an emergency grant with Self Help's assistance which covered the cost to purchase new bowls and deepen the pump by 70 feet.
- 3) Spring 2021 conditions appear to be identical to Spring 2022 conditions. So the deeper bowls should avoid an emergency this year.
- 4) Plans to notify landowners and renters about outdoor irrigation restrictions through the summer.

C. Kings River-Hardwick Elementary

- 1) They have a domestic well that functions like a small public system and an ag well used to irrigate their landscaping.
- 2) The 310 foot deep domestic well was drilled in 1989 and has a submersible pump set at 250 feet BGS. The well is sealed in the top 150 feet and is perforated from 200 to 300 feet. They installed a flowmeter on their domestic well last year and have said they report to Kings County DPH, DWR and EPA using system ID 1600015.
- 3) Depth to water measurements in that area this spring were roughly 115 – 140 feet BGS.

D. Armona CSD, Hardwick WC, Kit Carson Elementary, and Pioneer Union Elementary were contacted, but have not yet responded.

DISCUSSION OF POTENTIAL MITIGATION PLAN ELEMENTS

Manager Mills reported the following on the effort:

A. DWR general criticisms:

- 1) The use of the groundwater model to project conditions into the future and then setting MTs to avoid that condition. What they wanted was for the GSAs to define the condition that needed to be avoided and then to develop MTs that avoided that condition.
- 2) They are OK with GSAs defining MTs locally, but obvious impacts have to be mitigated in order to not be considered Significant and Unreasonable. Examples of this would be wells going dry due to declining groundwater levels or ditch systems experiencing subsidence and diminished capacity.

B. Water Level Decline

- 1) DWR criticized the exclusive focus on ag uses in the 2020 GSP and provided examples where the shallowest wells were used to determine targets for the GSP.
- 2) That style of approach is still underway and I should have more information from Geosyntech later this week. The evaluation has taken longer than I wanted.
- 3) Generally the belief is that using domestic wells as a guide for setting protective levels (aka MTs) will raise the targets, but we are not sure yet by how much.
- 4) Also, the multiple aquifer system complicates matters. Most domestic wells appear to be perforated either above the A-Clay or above the E-Clay. So MTs for the aquifer below the E-Clay would not be limited by this issue. However, given the perched water above the A-Clay, it is hard to see how pumping limitations would benefit users in that zone.

C. Subsidence

- 1) TLS GSA managers and consultants had a meeting with DWR staff to discuss the approach. It seemed to go well, although I'm not sure DWR staff completely bought in.
- 2) Consultant is focusing on "differential" subsidence as the issue to be avoided or mitigated. DWR seemed OK with that, but still wanted ties back to total subsidence. They also made comments about linking seasonal water levels to subsidence management. This seems to make sense in the context of all time low levels, but not outside of that.

D. Water Quality

- 1) Manager Mills received the second briefing on the approach to re-do this section last week. The approach is largely to set MTs as MCL limits unless existing GW quality already exceeds them. If GW Quality exceeds current limits then the MT would be the Max concentration ever recorded for that site.
- 2) The approach is to not have any particular reading trigger too much, but look for trends at the monitoring sites. If the trend conveys something increasing, then that will be studied to see if the issue relates to actions by the GSA.
- 3) Generally it sounds reasonable, but I'm still reviewing the draft and hope to provide comments by the end of the week.

2020 TLS GSP REVISION EFFORTS

Manager Mills reported the following on the effort:

Who Pays for Mitigation?

- 1) GSA with jurisdiction would charge groundwater pumpers in the area of the facility that are pumping from zone that is understood to be causing the issue.
- 2) A groundwater pumping charge related to impacts seems most logical to me in the first half of the Implementation Period.

- 3) Parties that are pumping more than the de minimis amount of 2.0 AF/acre/year.
- 4) Parties that are being transitioned from their existing pumping pattern to a sustainable pumping amount, whose pumping is causing continued groundwater declines.

Water Level Declines

- 1) Supply Reliability, not Supply Availability
- 2) CA Aqueduct
 - i. Critical infrastructure of Statewide Importance
 - ii. MTs set at historic low recorded levels and MOs set 10 feet above.
 - iii. Pumping restrictions would be enforced if levels approached the MT in order to protect the facility.
- 3) Domestic Wells
 - i. Health & human safety infrastructure. Compensation would be to re-drill facility, not purchase of new bowls or lowering of pumps.
 - ii. Compensation would be provided for wells drilled after a certain year – 2000, 2010, 2015, or 2020
 - iii. Compensation percentage would increase over time during the Implementation Period. Thought is that issue is more the preceding conditions in early years and much less last half of the Implementation Period.
 - iv. Compensation not provided if there is mixed use on the parcel, or if nearest non-domestic well is owned by the same party.
 - v. Each site that applies for mitigation funds would be evaluated by the GSA and compared against a Best Management Practice (BPM) standard for wells. Effort to ensure the owner hadn't pursued a facility that was easily understood to be unreliable.
 - vi. County or GSAs develop and enforce new set-back policies that provide more reliable wells. Example of ag wells not located closer than 660 feet away from all other wells. If that isn't possible, then owner must sign a waiver that removes facility from accessing mitigation funds.
 - vii. If owner receives mitigation funds he/she must agree to develop a replacement facility that is viewed as sustainable to the GSA through what is expected during the Implementation Period.
 - viii. For rural communities w/o a centralized water system, like Grangeville, the GSA would contribute to a "fix", but not private wells. Or as an alternative, residents could sign a waiver, foregoing mitigation funds, so that they were not required to develop a community water system.
- 4) Rural Schools
 - i. Critical local infrastructure
 - ii. If domestic well goes dry from GW level declines, mitigation is provided, similar to domestic wells.

Subsidence

- 1) CA Aqueduct
 - i. Critical infrastructure of Statewide Importance
 - ii. 1-mile buffer on each side
 - iii. Less than 1-inch of inelastic subsidence per year

- 2) Rivers/Floodwater Channels
 - i. Critical local infrastructure
 - ii. Mitigation made available if capacity is reduced by more than 5 %.
 - iii. Mitigation could be contribution of 75% of repair costs. No land purchase and no on-going costs.
- 3) Municipal Wells
 - i. Critical local infrastructure
 - ii. Mitigation made available if they collapse due to subsidence.
 - iii. Mitigation would be to re-drill “comparable” facility.
- 4) Canals
 - i. Important local infrastructure
 - ii. Focus is on “differential” subsidence, as most subsidence isn’t detrimental depending on direction.
 - iii. Mitigation made available if capacity is impacted by more than 10%.
 - iv. Mitigation would contribution of 75% of repair costs. No land purchase and no on-going costs.

UPDATE ON ONGOING EFFORTS

Fall 2021 SGM Implementation Grant

None

Report of Round 3 Planning Grant

None

DIRECTOR REPORTS

None

SET NEXT MEETING DATE

The regular June Board of Directors meeting was tentatively set for June 14, 2022 at 1 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 2:15 p.m.

Respectfully submitted,

Dennis Mills
MKR MIN 220510