

**MID-KAWEAH GROUNDWATER SUB-BASIN JOINT POWERS AUTHORITY
GROUNDWATER SUSTAINABILITY AGENCY BOARD**

SUMMARY MINUTES

Thursday, December 14, 2017 4:00 p.m.

City of Visalia Administration Building
220 North Santa Fe Street – Visalia, CA 93292

MEMBERS PRESENT: Howard Stroman (Alt.), Greg Nunley, Dave Martin, David Bixler, Steve Nelsen, Greg Collins

STAFF PRESENT: Mike Olmos, Leslie Caviglia, Aaron Fukuda, Paul Hendrix, Ken Richardson, Joe Carlini, Kathy Artis, Ken Richardson, Gladys Ruiz

OTHERS PRESENT: Blake Wilbur, Tammy Kelly, Bob Ludakens, Richard Garcia

1. CALL TO ORDER REGULAR SESSION:

Chair Nelsen opened the meeting at 4:07 p.m.

2. PUBLIC COMMENT:

Chair Nelsen called for comments from any members of the public present at the meeting. There were no comments made.

3. GENERAL BUSINESS:

a. Approve Minutes of November 9, 2017 Board Meeting

Director Bixler called attention to the reconciliation needed concerning the board members indicated as being absent and the 5 to 0 vote. The correction was arrived upon and it was then moved by Director Bixler, seconded by Director Martin and unanimously carried to approve the minutes as corrected.

b. Review and Approve Member Contributions to Administrative and Planning Expense Budgets of one-third each for Tulare ID, City of Visalia and City of Tulare*

P. Hendrix reiterated that an expense budget had been approved at the November 9th meeting, but that the Board was unable to agree on member contributions thereto. He added that discussions had since taken place as among the Management Committee as to the JPA formation documents, the prior understandings of each member stemming from the GSA formation in the fall of 2015, and in reaction to the legal opinion distributed concerning the then-current situation.

Mr. Hendrix then put forth a Management Committee recommendation which was that, when coupled with a date certain to reset all Member contributions to the

administrative and planning budgets, an equal sharing of such expenses will continue through the end of FY 2019-20. He then called out the specific elements of the recommendation as identified in the Agenda Item 3.b staff report, which are:

- 1) Administrative and planning expenses to be shared equally, i.e., one-third each, among the three GSA Members through FY 2019-20 (ending June 30, 2020).
- 2) Extraordinary income such as grants to be likewise shared equally among the Members as is currently specified in the JPA.
- 3) Beginning in FY 2020-21, the Members' relative contributions to the administrative and planning/implementation budgets are to be revised. The revisions to said contributions and their resetting for FY 2020-21 and future years is to be founded on, among other things, the information and findings developed by GEI or other GSA consultants regarding water budgets and need for projects and management actions per the GSP, the benefits and beneficiaries of such projects, the various funding mechanisms as may be defined or determined to be applicable for the different jurisdictions or GSP Management Areas that may be established, and on an analysis of the administrative functions of the GSA in serving its Members during GSP implementation and/or during any residual planning efforts.

Director Collins then inquired as to methods to collect revenues by the GSA in the future, including property assessments, to which Mr. Hendrix indicated that GSAs have authority to do so pending legal protocol and Board direction at the GSP implementation phase. Director Collins also asked what sources of grant funding may be available to cover future costs, and Mr. Hendrix indicated that a Prop 1 planning grant is currently being sought, and that additional state grant programs may be forthcoming.

Director Stroman asked about an earlier recommendation regarding Member contributions made at the November 9th board meeting and the basis therefor. Mr. Hendrix stated that this earlier contribution split was based on an evaluation of parameters used by adjacent GSAs such as size, population and also water balance estimates. He added that this recommendation did not receive the full support of the Board and thus was not acted upon. Director Stroman then sought confirmation that the current one-third sharing recommendation was consistent with past practice, and that at the onset of FY 2020-21 new funding criteria will be implemented to determine Member contributions to the budget. Mr. Hendrix responded that the current recommendation was consistent with the prior years' collections from Members and that as of July 1, 2020 new contribution arrangements will be implemented as approved by the Board.

With no further discussion, by the motion of Director Bixler, second by Director Nunley and unanimously carried, the Management Committee recommendation for Member contributions to the GSA's administrative and planning expense budgets as

articulated in the Agenda Item 3.b staff report, i.e., one-third each for the current fiscal year and through FY 2019-20 followed by a reset of said contributions for future years commencing with FY 2020-21, was approved.

c. Advisory Committee Meeting – Status

P. Hendrix announced that, with now a full slate of Advisory Committee members, a meeting of the Committee has been scheduled for December 18th, and that more frequent scheduling of these meetings can be anticipated in the future.

4. ADJOURNMENT:

Chair Nelsen adjourned the meeting at 4:23 p.m.

Groundwater Sustainability Agency
Board Chair

Attest:

Groundwater Sustainability Agency
Board Secretary

* Staff reports and/or other documents provided.

Mid-Kaweah GSA
Agenda Item Report

February 7, 2018

Agenda Item 3.b: Regular Meeting Schedule

Report Author: Paul Hendrix

Staff Recommendation:

It is recommended that the Board establish a bimonthly schedule for regular GSA meetings, starting with February 13th.

Background Discussion:

Starting in September 2015, the Board met monthly to establish the GSA, appoint officers, and to put in place other administrative functions. In November 2016 the Board established a quarterly meeting schedule, with special meetings held as needed. Now with sub-basin coordination activities moving into an intensive phase, more frequent regular meetings are in order. The second Tuesday at 3:00 pm will continue to be the day and time for these meetings. As in the past, special meetings may be called as necessary. Further, this schedule will result in a regular meeting each June, at which time the next fiscal year's budget will be up for approval by the Board. The Joint Powers Agreement states that regular meeting dates and times are to be fixed by resolution.

Recommended Motion:

I move to adopt Resolution No. 2018-01, establishing regular meetings of the Mid-Kaweah GSA Board of Directors on a bimonthly schedule, beginning with today's meeting.

Attachment:

Copy of Resolution No. 2018-01

GSA RESOLUTION 2018-01

A RESOLUTION OF THE MID-KAWEAH GROUNDWATER SUSTAINABILITY AGENCY ESTABLISHING MEETING FREQUENCY

WHEREAS, the Mid-Kaweah Groundwater Sustainability Agency was formed by the Tulare Irrigation District, the City of Tulare and City of Visalia through a Joint Powers Agreement; and

WHEREAS, Section 9.c of the Agency's Joint Powers Agreement stipulates that regular meetings of the Board are to be held quarterly, or as the Board determines as necessary, on such dates and times and at such locations as the Board shall fix by resolution; and

WHEREAS, the Board adopted Resolution No. 2016-01 establishing regular meetings to be held on the second Tuesday of the first month in each quarter of the calendar year; and

WHEREAS, the Board has determined that a heightened level of activities and future decisions of the Board require that a bimonthly schedule be established for future regular meetings of the Agency.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Mid-Kaweah Groundwater Sustainability Agency establish a schedule of regular meetings to be held on the second Tuesday every other month at 3:00 pm at the City of Tulare Council Chambers, said schedule to begin on February 13, 2018.

PASSED, APPROVED, AND ADOPTED this 13th day of February, 2018.

Steve Nelsen, Board Chair

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF TULARE) SS.
CITY OF TULARE)

I, Roxanne Yoder, Board Clerk of the Mid-Kaweah Groundwater Sustainability Agency Board, certify the foregoing is the full and true Board Resolution 2018-01 passed and adopted by the Agency Board at a regular meeting held on February 13, 2018, by the following vote:

Aye(s): _____

Noe(s): _____ Absent/Abstention(s): _____

Dated:

Clerk of the Board

Roxanne Yoder

Mid-Kaweah GSA
Agenda Item Report

February 13, 2018

Agenda Item Wording: Fiscal – Financial Reports – Income/Expenses To-date

Report Author: Kathi Artis – Tulare ID

Background Discussion:

The GSA's financial policies require a financial overview and Profit & Loss Statement through the end of the previous month are to be provided to the Board of Directors at each Board meeting.

Attachments:

Balance Sheet as of January 31, 2018

Profit & Loss Statement for period July 2017 through January 2018

Transaction Detail by Account for checking and money market accounts for period November 2017 through January 2018

Mid-Kaweah Groundwater Sustainability Agency

Balance Sheet

02/07/18

As of January 31, 2018

Accrual Basis

	Jan 31, 18
ASSETS	
Current Assets	
Checking/Savings	
Checking	113,612.72
Money Market	73,959.85
Total Checking/Savings	187,572.57
Accounts Receivable	
Accounts Receivable	143,323.02
Total Accounts Receivable	143,323.02
Total Current Assets	330,895.59
TOTAL ASSETS	330,895.59
LIABILITIES & EQUITY	
Equity	
Retained Earnings	248,997.23
Net Income	81,898.36
Total Equity	330,895.59
TOTAL LIABILITIES & EQUITY	330,895.59

Mid-Kaweah Groundwater Sustainability Agency

Profit & Loss

July 2017 through January 2018

02/07/18

Accrual Basis

	<u>Jul '17 - Jan 18</u>
Ordinary Income/Expense	
Income	
Call For Funds	
GEI Planning	200,001.00
Total Call For Funds	<u>200,001.00</u>
Reimbursed Expenses	
GEI Planning	82,800.00
Prop 1 Grant Application Exp	19,978.04
Total Reimbursed Expenses	<u>102,778.04</u>
Total Income	302,779.04
Expense	
Audit Expense	3,200.00
Consulting Fees	
Consulting Fees-GEI	152,910.31
GEI Fees - Grant Applic 01-201	29,967.06
GEI Fees - MKGSA - 02.2017	4,558.17
Total Consulting Fees	<u>187,435.54</u>
Legal	30,209.96
Office Expense	137.70
Total Expense	<u>220,983.20</u>
Net Ordinary Income	81,795.84
Other Income/Expense	
Other Income	
Interest Income	102.52
Total Other Income	<u>102.52</u>
Net Other Income	<u>102.52</u>
Net Income	<u><u>81,898.36</u></u>

Mid-Kaweah Groundwater Sustainability Agency
A/R Aging Summary
As of February 1, 2018

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>TOTAL</u>
City of Tulare	0.00	66,667.00	0.00	0.00	0.00	66,667.00
City of Visalia	0.00	66,667.00	0.00	0.00	0.00	66,667.00
Greater Kaweah GSA	0.00	9,989.02	0.00	0.00	0.00	9,989.02
Tulare Irrigation Dist	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	0.00	143,323.02	0.00	0.00	0.00	143,323.02

Mid-Kaweah Groundwater Sustainability Agency
Transactions by Account
As of January 31, 2018

Type	Date	Num	Name	Memo	Account	Amount
Checking						
Check	11/08/2017	1022	Cuttone & Mastro	Audit for the year ended June 30, 2017	Audit Expense	(3,200.00)
Check	11/08/2017	1023	Peltzer & Richardson LC	Legal fees - September and October	Legal	(9,000.00)
Check	11/27/2017		Citizen's Business Bank	Service Charge	Office Expense	(2.28)
Check	12/18/2017	1024	GEI Consultants	Consulting Fees - October	Grant Application	(12,395.04)
Check	12/21/2017		Citizen's Business Bank	Consulting Fees - October	Task Order: MKGSA - 02.2017	(4,558.17)
Check	12/21/2017		Citizen's Business Bank	Service Charge	Office Expense	(4.75)
Check	01/09/2018	1025	Peltzer & Richardson LC	Legal Fees - November and December	Legal	(7,987.50)
Transfer	01/12/2018		Citizen's Business Bank	Funds Transfer	Money Market	50,000.00
Check	01/12/2018	1026	GEI Consultants	Consulting Fees - September	Grant Application	(12,274.10)
Check	01/30/2018	1027	Peltzer & Richardson LC	Consulting Fees - December	Grant Application	(5,297.92)
Deposit	01/30/2018		Deposit	Legal Fees - November	Legal	(225.00)
Check	01/30/2018			Tulare Irrigation District	Call for Funds - Administrative Expenses	33,333.50
Check	01/30/2018			Tulare Irrigation District	Call for Funds - Planning Expenses	33,333.50
Check	01/30/2018			East Kaweah GSA	Reimbursement for Prop 1 Grant Application	9,989.02
Total Checking						71,711.26
Money Market						
Deposit	11/30/2017		Citizen's Business Bank	Interest	Interest Income	15.28
Deposit	12/29/2017		Citizen's Business Bank	Interest	Interest Income	14.78
Transfer	01/12/2018		Citizen's Business Bank	Funds Transfer	Checking	(50,000.00)
Check	01/30/2018	EFT	QuickBooks	Deposit slips	Office Expense	(47.40)
Total Money Market						(50,017.34)
TOTAL						21,693.92

Mid-Kaweah GSA

Agenda Item Report

February 7, 2018**Agenda Item 3.f:** DWR Best Management Practices**Report Author:** Paul Hendrix**Background:**

SGMA required that DWR develop several Best Management Practices (BMPs) documents to serve as guidance for GSAs as they prepare their respective GSPs. BMPs are first disseminated as drafts, allowing for GSAs and stakeholders to provide comments thereon. The last of these BMPs has been released for public comment, and attached are those submitted by the Mid-Kaweah GSA. This BMP, regarding sustainable management criteria, is the most important, as it provides insight as to how the state will review and consider local decisions to define and achieve sustainability by 2040. This was the hallmark of SGMA, in that local areas were able to define their own view of groundwater sustainability and ways to achieve it.

Comments provided by Mid-Kaweah, ACWA and others relate to inferences in the draft BMP as to groundwater conditions projected for 2040 relative to conditions today. Many areas in critical overdraft foresee that reaching stability by 2040 will require a transition period. It is presumed that present groundwater conditions and depths in some regions may not be fully maintained 20 years out, and that sustainability may not be achieved until the end of the 20-year period specified in SGMA.

Attachment:

Comment letter to DWR from the Mid-Kaweah GSA



Mid-Kaweah Groundwater Sustainability Agency

January 8, 2018

Lauren Hersh – Communication and Outreach Manager, SGMP
Calif. Department of Water Resources
P.O. Box 942836
Sacramento, California 94236

Subject: Comments on Sustainable Management Criteria BMP

Dear Ms. Hersh:

Following are comments on the draft BMP regarding Sustainable Management Criteria by the Mid-Kaweah GSA, a joint powers authority located in the Kaweah Sub-Basin of the greater San Joaquin Valley Basin. Its member agencies include the City of Visalia, City of Tulare and the Tulare Irrigation District. Like many other sub-basins in the region, the Kaweah is deemed in critical overdraft, thus a clear understanding of Sustainable Management Criteria to be incorporated in the preparation of GSPs is of considerable importance to us. Both SGMA and the GSP Emergency Regulations introduce a number of new phrases and terminology, and a common understanding of what these mean and their applicability to sustainable groundwater planning is paramount. The subject matter of this BMP addresses much of this new terminology.

Overall, the draft BMP is clearly written and of sufficient detail to guide GSAs in developing their own criteria in a fashion that is understandable to DWR. More specific comments on Chapter 4 of the BMP follow hereafter. In the absence of page numbers in the draft version of the document, comments are referenced by section headings and sub-headings.

- In the section titled Setting Sustainable Management Criteria is introduced a new term “significant and unreasonable conditions,” which term is further explained later under its own sub-heading in this section. This terminology is not addressed in SGMA or the Regulations, and its relationship to Undesirable Results, Sustainability Indicators and Minimum Thresholds needs more context. As more terminology is introduced into the coordination process and GSP preparations, there occurs an increasing chance that misinterpretations or misapplications of these phrases can result.

- In the sub-section titled Use of Management Areas, it should be pointed out that their applicability may be for portions of a GSA and not the entire basin in cases where more than one GSA has been established.
- Under the section titled Minimum Thresholds, sub-heading Required Components for all Minimum Thresholds, item 3 deals with thresholds and their effect on adjacent basins. This same consideration applies as among GSAs within the same basin, and language to this effect should be added.
- Under the section titled Minimum Thresholds, sub-heading Required Minimum Threshold Metrics for Each Sustainability Indicator, it is described that the purpose of the metrics is to ensure consistency within groundwater basins and *between adjacent groundwater basins*. While SGMA requires that GSP(s) do not impede the ability to achieve the sustainability goal of an adjacent basin, and the Regulations speak to reconciling differences among basins' Minimum Thresholds, it may be asking too much to ensure complete consistency in these thresholds as between adjacent basins.
- In this same sub-heading as immediately above, second and third bullets, is mentioned that Minimum Thresholds be set for a basin or management area. It should be noted too that these thresholds may be set within a GSA as well, particularly where there is more than one in a basin.
- Under the section titled Minimum Thresholds, sub-heading Examples and Considerations for Minimum Thresholds, Figures 3 and 4 depict changing groundwater levels and change in storage volume through 2040. What might be inferred here is that, by 2040, these metrics are expected to return to levels as they were in 2015, the "SGMA Benchmark Date." It should be recognized that some basins may determine that these metrics would not return to these levels, and may in fact be lower by 2040, albeit sustainable by that time. Particularly for larger and more complex basins in critical overdraft, the time required for GSAs to set up adequate monitoring networks, reliable extraction measurement methods, and acceptable pumping allocations and associated enforcement powers may be such that stabilizing these metrics requires the full 20-year GSP implementation period to do so.
- Under the section titled Undesirable Results, sub-heading Experiencing Undesirable Results, it is stated that avoidance of defined Undesirable Results *must* be achieved within 20 years of GSP implementation. It should be acknowledged that, with a showing of good cause as identified in SGMA §10727.2(b)(3), up to two five-year extensions of time may be granted.
- In the same sub-heading as immediately above, it is stated that failure to achieve a basin's Sustainability Goal within 20 years will result in DWR's deeming a GSP to be inadequate. Additional context should be added here in situations involving multiple GSAs and GSPs and their interrelationship as established in the corresponding Coordination Agreement. DWR may consider why failure has resulted, and which GSAs have exceeded their established Minimum Thresholds to a degree that caused the basin to not fully eliminate the occurrence of Undesirable Results.
- Under the section titled Undesirable Results, sub-heading Example of Undesirable Results, are several scenarios of how the Measurable Objective, Minimum Threshold, and Interim Milestones shown in Figure 10 play out relative to conditions at the time of the "GSP Adoption Date" in 2020. Similar to the comment made under the Minimum Thresholds

section, it is portrayed in this figure that the Minimum Threshold and Measurable Objective for groundwater levels are at or higher than their status as of 2020. For the reasons stated above, it should be noted that groundwater levels may not practically be stabilized at conditions as of today or 2020. However, the average *rate of decline* in levels by 2040 (absent any approved time extensions) should be arrested for a basin to reach its Sustainability Goal and elimination of Undesirable Results.

- In the same sub-heading as immediately above, the descriptions of Scenarios 1 and 2 seem to imply that Undesirable Results were ultimately avoided because "Groundwater levels at all sites are at or above the Measurable Objective at the end of the 20-year period." Elsewhere in this section, and consistent with our understanding of SGMA and the Regulations, Undesirable Results are avoided when the exceedance of Minimum Thresholds does not occur by the end of the 20-year period. Clarity in the text in this regard should be incorporated in this section.
- Under the section titled Measurable Objectives, sub-heading The Path to Sustainable Groundwater Management, discussed are several paths to achieve sustainability by 2040 with respect to groundwater levels. Path A depicts an approach that, while not perhaps ideal, reflects the reality that, for some basins, it may take the full 20-year implementation period to stabilize levels and implement all projects and management actions to stop any average rate of decline in levels thereafter. GSA decisions to choose this path or others will be in recognition of stakeholder input and adverse consequences of selecting one path relative to others, and we support DWR's notations herein that a path to sustainability is as determined by each GSA within the context of a given sub-basin's Sustainability Goal.
- Under the section titled Sustainability Goal and at the end thereof, it is stated that most of this goal can only be finalized after Undesirable Results and Minimum Thresholds have been defined, and projects and management actions and their implementation have been identified and assessed. The GSAs and stakeholders in some basins may approach this differently, and choose to define a qualitative Sustainability Goal and set of Undesirable Results early on, and then proceed to develop Measurable Objectives and Minimum Thresholds that work to satisfy them. Starting from a broader objective may help to ensure that multiple GSPs do not materialize that are not complementary nor that do not work in concert to achieve the basin-wide Sustainability Goal or avoid Undesirable Results. An effective Coordination Agreement is likely to address the Sustainability Goal and Undesirable Results and, in the Kaweah Sub-Basin, much of the content of this agreement is envisioned to come first before the projects and management actions of individual GSPs are laid out.

Thank you for the opportunity to provide comments on this draft BMP. We look forward to continued communications with DWR as our collective efforts to comply with SGMA proceed.

Sincerely,

J. Paul Hendrix
Manager

Mid-Kaweah GSA
Agenda Item Report

February 7, 2018

Agenda Item 3.h.i: Advisory Committee Appointment

Report Author: Paul Hendrix

Staff Recommendation:

It is recommended that the Board appoint a new member to the GSA Advisory Committee due to the recent resignation of Brett Taylor.

Background:

At its November 2017 meeting, the Board appointed three new members to the Advisory Committee, bringing the total members up to the maximum of eleven as specified per Board policy. These appointments were made from a list of seven applicants received last fall. The Committee member list as of those appointments is attached. Brett Taylor has recently informed the GSA that he no longer desires to serve on the Committee and that he has resigned.

The staff Management Committee recommends that the vacant seat on the Advisory Committee be filled now, as activities of the GSAs and sub-basin coordination are increasing in pace, and the Advisory Committee's work is expected to increase commensurately. Of the seven recent applicants not already appointed as of last November, the Management Committee puts forth three names as follows, one of which to be appointed by the Board:

- Edward Henry – Retired from CA Dept. of Food & Agriculture; formerly served on the City of Tulare Board of Public Utilities and other regional water-related committees; possesses local knowledge on water issues and municipal infrastructure. Resident of Tulare.
- Carole Mederos – Principal at Buena Vista School located in rural Tulare County; serves as Water Operator for the Buena Vista School District; has been involved in groundwater/drinking water quality issues at the school district; married to a farmer operating within the Tulare ID. Resident of Tulare.
- Phil Mirwald – Retired from Calif. Water Service Company, serving in the past as the Visalia District Manager and Corporate Office employee in Bakersfield and Los Angeles; experienced in municipal water supply issues; involved in various civic activities in Visalia area. Resident of Visalia.

Recommended Motion:

I move to appoint _____ to serve on the Mid-Kaweah GSA Advisory Committee.

Attachment:

Listing of Advisory Committee members



Advisory Committee Members

B. Wilbur – Chair J. Nichols – Vice Chair

- Mark Boyes – At-large, Tulare (ag.-related business)
- Eric Charles – At-large, Visalia
- Eric Furtado – At-large, Visalia (Calif. Water Service Co.)
- Richard Garcia – Environmental, Visalia (Sierra Club)
- Mike Lane – At-large, Tulare (Building Industry Assn.)
- Irene Lemons – At-large, Okieville (Okieville-Highland Acres MWC)
- Sopac Mulholland – Environmental, Visalia (Sequoia Riverlands Trust)
- Jim Nichols – Agriculture, Tulare (Nichols Farms)
- Jessi Snyder – DAC, Visalia (Self-Help Enterprises)
- Blake Wilbur – Agriculture, Tulare (SBS Ag.)
- One vacant seat

Mid-Kaweah GSA

Agenda Item Report

February 7, 2018

Agenda Item 3.i.i: Appointments to Kaweah Sub-Basin Management Team

Report Author: Paul Hendrix

Staff Recommendation:

It is recommended that the Board revisit its appointments to the Kaweah Sub-Basin Management Team in accordance with the "MOU for Cooperation and Coordination of the Kaweah Sub-Basin."

Background Discussion:

The subject MOU calls for the appointment of three representatives from each GSA to the Management Team Committee. By Board action in September 2016, the two City Managers and TID's General Manager were appointed to represent the Mid-Kaweah GSA on this Committee. Since that time, the Board has hired a GSA Manager to, among other things, represent the GSA in coordination activities and related discussions within the sub-basin. Given the direct involvement of the new GSA Manager in SGMA compliance for the GSA, it follows that this Manager should participate in the Sub-Basin Management Team process and thereby represent the GSA Members collectively during Management Team negotiations.

The consensus of our Mid-Kaweah staff Management Committee is that the members of the Sub-Basin Management Team remain intact, i.e., the two City Managers and TID's General Manager. A request has been put to the other GSAs that I, as Mid-Kaweah's GSA Manager, be permitted to engage directly in the negotiations as was contemplated as part of my responsibilities when hired. As of this date, the other GSA's have expressed some caution in recognizing more than three representatives to participate directly in discussions at the Management Team meetings. A workable alternative could be that I, as an alternate Management Team appointee, directly participate at every meeting, with one the three main appointees attending as a member of the public on a rotating basis, i.e., every third meeting.

We are at a critical phase in coordination and GSP formulation, and dedicated and consistent participation by representatives in a fashion that represents all of the Mid-Kaweah Members will be key in ensuring a successful outcome for the cities and for Tulare ID. Future Management Team meetings will likely be frequent and complex in terms of the water resource issues under discussion. Management Team recommendations to the GSA boards will essentially entail an approach to share the region's limited groundwater resources, i.e., guiding decisions that could have significant economic consequences across the Tulare County region. The meetings will be

public, thus any representatives from Tulare ID and/or the cities of Visalia and Tulare may attend in addition to appointees to the Management Team.

Recommended Motion:

(1) I move that _____, _____ and _____ be appointed to serve on the Kaweah Sub-Basin Management Team Committee, and (2) that _____ and _____ be appointed as alternates.

Mid-Kaweah GSA

Agenda Item Report







February 7, 2018

Agenda Item 3.i.iii: Sub-Basin Water Budget

Report Author: Paul Hendrix

Background:

GEI has been retained to work for all three GSAs in determining a water budget for the Kaweah Sub-Basin. A water budget takes into consideration all water in and out of the underlying groundwater aquifer on an annual basis or on a long-term average. As may be implied, if "in the black," the budget analysis would mean that groundwater pumping restrictions may be minimal or not needed at all. If "in the red," the analysis indicates that too much pumping has been occurring and that the region is in overdraft. In addition to a water budget determination, GEI will assess the six sustainability indicators required in SGMA and shown below:

Sustainability Indicators	 Lowering GW Levels	 Reduction of Storage	 Seawater Intrusion	 Degraded Quality	 Land Subsidence	 Surface Water Depletion
Metric(s) Defined in GSP Regulations	<ul style="list-style-type: none"> Groundwater Elevation 	<ul style="list-style-type: none"> Total Volume 	<ul style="list-style-type: none"> Chloride concentration isocontour 	<ul style="list-style-type: none"> Migration of Plumes Number of supply wells Volume Location of isocontour 	<ul style="list-style-type: none"> Rate and Extent of Land Subsidence 	<ul style="list-style-type: none"> Volume or rate of surface water depletion

If it is determined that any of these indicators are at “significant and unreasonable” levels in our sub-basin, then future projects and/or management actions will need to be identified in the GSP to eliminate these undesirable results. In a critically-overdrafted sub-basin such as the Kaweah, the water budget is generally known to be significantly "in the red" and thus overdraft, or lowering of groundwater levels, will be one of the key undesirable results to be reckoned with.

Once the sub-basin water budget is determined, the next task for GEI is to parse the budget among the three GSAs. In this way, each GSA will be able to assess their share of the overdraft problem and pursue projects and management actions in its GSP to arrest this problem within the

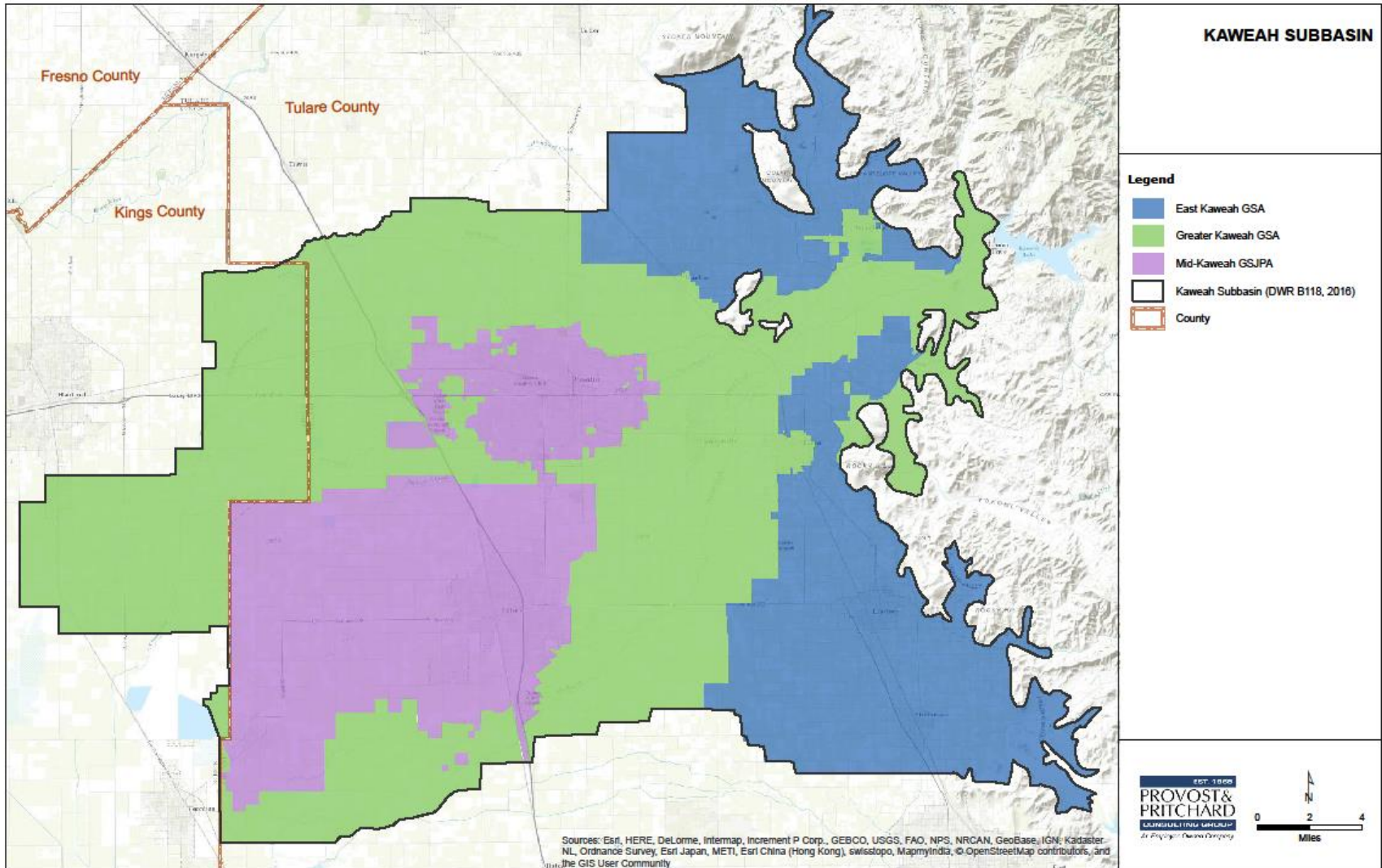
20-year time frame referenced in SGMA. This is not a simple engineering task, and will require some degree of negotiating among the GSAs and their respective stakeholders. Many factors may come into play in these negotiations, not the least of which will be surface water rights and perceived groundwater rights.

Over the next several months, water budget discussions will be held with the Sub-Basin Management Team and within each GSA. GEI will be relied upon to prepare technical studies to form the basis of the discussions and with which to make decisions. It will be critical that these discussions bear fruit in a timely fashion and not result in protracted disputes or perhaps legal challenges. The three GSAs must have some idea as to their own individual water budget, mutually agreed to by the others, prior to any meaningful progress in preparing a GSP to achieve sustainability by 2040.

Attachment:

Map of the three GSAs in the Kaweah Sub-Basin

GSAs in Kaweah Sub-Basin



Mid-Kaweah GSA

Agenda Item Report

February 7, 2018

Agenda Item 3.j: JPA Unanimous Voting Requirements

Report Author: Paul Hendrix

Staff Recommendation:

It is recommended that the Board consider altering the requirement of a unanimous vote for certain actions as currently identified in the Joint Powers Agreement (JPA).

Background Discussion:

Certain actions of the GSA Board are identified in the JPA as needing a unanimous vote of all six members (or alternates), to wit:

- Adoption or modification of budget
- Approval of contracts over \$25,000 or in excess of two-year term
- Admission of new GSA members
- Employment/dismissal of an employee
- Contributions or fees to be paid to the GSA
- Payment of claims against the GSA
- Acquisition/purchase or disposal of property and assets
- Adoption of fees per the Calif. Water Code (SGMA provisions)
- Conversion of annual audit to biennial audit
- Approval of a Groundwater Sustainability Plan (GSP)
- Amendments to the JPA

Discussions have occurred among staff and board members as to the apparent deficiency in this requirement, and that lack of action on some of the above items could impede progress towards meeting SGMA objectives. Legal requirements necessitate that conversion of the audit schedule and amendments to the JPA remain as needing a unanimous vote of the Board. Alternatives to a unanimous voting requirement for many of the other actionable items include:

- (a) A supermajority vote, i.e., five to one
- (b) A simple majority vote, i.e., four to two
- (c) A simple majority vote with an associated requirement that the two "Nay" votes not come from the same GSA Member (equivalent to at least one "Aye" vote coming from all three Members)

Recommended Action:

That the Board consider one of alternatives above for some or all actionable items listed above, with the recognition that the audit frequency change and future amendments to the JPA remain as matters requiring a unanimous vote of the Board. The matter could be considered for action at the next regular GSA meeting.