

**TULARE COUNTY WATER COMMISSION**  
**3:00 p.m. on Monday, January 8, 2018**  
**MEETING NOTES**

**Members Present:**

Pete Vander Poel, Board Representative and Chairman  
Richard L. Schafer, District 5 Appointee  
Dale Brogan, District 2 Appointee  
Zack Stuller, District 1 Appointee  
Tamara Kelly, District 3 Appointee  
Paul Boyer, At-Large Appointee

**Members Absent:**

Larry Peltzer, At-Large Appointee  
Kayode Kadara, At-Large Appointee  
Rudy Mendoza, TCAG Representative  
Chad Wegley, District 4 Appointee  
Kuyler Crocker, Board Alternate Representative

**Staff Present:**

Denise England, Tulare County Board of Supervisors  
Carrie Monteiro, Tulare County Board of Supervisors  
Marit Erickson, County Counsel

**Members of the Public Present:**

Vincent Salinas	Bob Ludekens
Ken Bowers	Richard Garcia
Bob Irvine	Adriana Renteria
Mike Hickey	Kristen McKillop
Nilsa Gonzalez	Charlotte Weiner
Karen Elliott	Dallas Thies
Warren Hutchings	Aaron Fukuda

Others Present

1. Call to Order

The meeting was called to order at 3:00 pm.

2. Public Comment Period - None.
3. Approve November 13, 2017 minutes (Action item)

Motion for approval of the November 13, 2017 minutes was made by Commissioner Schafer, second by Commissioner Kelly. Motion approved.

4. Presentation by NorthStar Engineering regarding County's LAMP document (Discussion, Possible Action)

Kristen McKillop consultant from NorthStar Engineering gave a presentation on the state's

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regulations for the Tulare County's Local Agency Management Program (LAMP) on the Onsite Wastewater Treatment Systems (OWTS) that addresses permitting of septic tanks in the County. The OTWS was put into effect in May 13, 2013 triggering a five year window for local agencies to comply by May 2018. See attached presentation. Discussion followed.

Commissioner Kelly asked about the impact of this program, specifically how many people per year does the County provide permits for new or replacement systems? Staff indicated roughly 500 permits are issued per year. Staff also indicated that by adopting Tier 2, instead of Tier 1, the goal is to allow flexibility on meeting minimum lot size requirements.

Michael Washam informed the Commission that a public workshop is planned for January 9<sup>th</sup> to inform local engineers and those in the building trade, the matter will also be presented to the Tulare County Planning Commission on January 10<sup>th</sup>, and finally to the Board of Supervisors by the end of January.

A motion recommending the Board of Supervisors adopt the draft Local Agency Management Program for OWTS was made by Commissioner Boyer, seconded by Commissioner Kelly. Motion approved.

5. Discussion regarding Water Commission policies and priorities for the 2018 year, review of 2017 Water Commission actions, and discussion of agenda items for the Special Meeting with Board of Supervisors. (Discussion, Possible Action)

Ms. England shared with the Commission a list of potential Water Commission priorities for consideration in the 2018 year. She also shared a copy of the Board of Supervisors 2017 Legislative Platform including areas that pertained to water legislation and policy.

Ms. England highlighted:

- AB 277 by Assemblyman Mathis – still a need in Tulare County to address private wells.
- Prop 218 Reform – sustainable and operational revenue streams.
- SB 623 – two year bill to provide operation and maintenance revenue
- A need to streamline the funding process for small community water systems.
- State Constitution Amendment 4
- Conflict between the Federal requirement to provide Farm Labor Housing and the State priority to provide safe drinking water.
- Allow drinking water funding to also fund fire flow requirements and be included in a water system's capacity calculation.
- Disadvantaged Community Integrated Regional Water Management funding agreement, hope to have in place by Feb. 2018.
- Water deliveries and supply South of the Delta
- Temperance Flat Surface Water Storage Project

Commissioner Kelly shared examples of consolidating water systems of small communities to larger municipal systems, mandated by the State Water Board, but other state agencies required the privately owned utility companies to pay taxes on the asset. The problem is these taxes cannot be paid by from reserves acquired from existing rate payers and the fees are not eligible for reimbursement from grant funds. Discussion followed.

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Commissioner Brogan suggested including language in regards to the subsidence effects that is occurring in the County, due to lack of surface water and other factors. The issue of subsidence not only effects our water delivery systems to agriculture users, but also has negative effects on the Disadvantaged communities throughout Tulare County. Discussion followed.

Ms. England opened the discussion on the 2018 of priorities the Water Commission that would be focused on and discussed with the Board of Supervisors during a joint meeting next week. Discussion followed and the following are suggested agenda items for the joint meeting:

Expectations of the Water Commission by the Board of Supervisors, and vice versa.  
Subsidence effects in the County  
Groundwater Exportation Ordinance  
Implementation of SGMA

6. Legislation Update – Ms. England provided an update on state legislation, specifically SB 623 that would provide funding for water systems for disadvantaged communities. To date no action has been taken, therefore this is a two year bill.
7. Subcommittee Reports - None
8. Staff Reports
  - a. Sustainable Groundwater Management Act
    - i. Implementation in Tulare County

Commissioner Schafer reported the Tule Subbasin is developing the Coordination Agreement in final form and preparing the requirements associated with the subbasin Coordination Agreement for the methodology for each GSP in the subbasin. They hope to complete the Agreement by February.

- b. Prop 1 DAC IRWM Involvement Program Update

Ms. England reported that Tulare County's proposal was approved last year. The funding agreement is currently under legal review and we hope to have a signed agreement by February of this year.

- c. Annual Form 700s

Ms. Monteiro reminded the Commissioners that their annual reporting of Form 700s are due April 1, 2018. Commissioners will be receiving emails to complete Form 700 forms beginning this month.

9. Commissioners Comments - None
10. Adjourn - Meeting adjourned at 4:33 pm.

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