

TULARE COUNTY WATER COMMISSION
3:00 p.m. on Monday, February 12, 2018
MEETING NOTES

Members Present:

Pete Vander Poel, Board Representative and Chairman
Richard L. Schafer, District 5 Appointee
Dale Brogan, District 2 Appointee
Tamara Kelly, District 3 Appointee
Paul Boyer, At-Large Appointee
Chad Wegley, District 4 Appointee

Members Absent:

Larry Peltzer, At-Large Appointee
Kayode Kadara, At-Large Appointee
Rudy Mendoza, TCAG Representative
Zack Stuller, District 1 Appointee

Staff Present:

Denise England, Tulare County Board of Supervisors
Julieta Martinez, Tulare County Board of Supervisors

Members of the Public Present:

Bill Samarin
Vincent Salinas
Ken Bowers
Richard Garcia
Bob Irvine
Nilsa Gonzalez

1. Call to Order

The meeting was called to order 3:00pm.

2. Public Comment Period

Bill Samarin addressed the Commission in regards to what he stated were procedural irregularities at the Eastern Tule GSA meeting. He shared that the Board of Supervisors would also be made aware of his concerns.

3. Approve January 8, 2018 minutes (Action Item)

The minutes were not approved due to lack of quorum.

4. Formation of an ad hoc Water Legislation Sub-committee. (Discussion, Possible Action)

Denise England stated that during a joint meeting with the Tulare County Board of Supervisors a recommendation was made for the Water Commission to take a more active role in legislative matters.

Commissioner Schafer stated that there are a number of groups active on legislation representing

the Central Valley which provide detailed information on legislation, such as the Association of California Water Agencies (ACWA) legislative committee and the Valley Ag Water Coalition, of which he is a member, and he would be happy to serve on a Water Commission Legislative Sub Committee. He suggested working with the staff in scheduling the subcommittee meetings and placing legislative matters on the agenda.

Chad Wegley and Tamara Kelly also volunteered to serve on the legislative subcommittee. The members will be approved at the next Water Commission meeting.

5. Discussion regarding potential Groundwater Exportation Ordinance. (Discussion, Possible Action)

Denise England provided a brief update on the potential ordinance. She shared that both the Water Commission and Agricultural Policy Advisory Committee had reviewed a potential groundwater ordinance and made recommendations to the Board of Supervisors who ultimately chose not to move forward. They opted to look at a groundwater exportation ordinance instead.

Denise was contacted by staff from Kings County who recently started an effort to draft an ordinance modeled after San Luis Obispo County. Both the Kings County Water Commission and Agricultural Committee opposed the effort. The Kings County Board of Supervisors did not move forward. There were several issues including data gaps and insufficient man power to enforce the ordinance as written. The overarching issue that came to light was that of groundwater leaving the larger Tulare Lake Hydrologic Region.

Based on that information, staff put together a framework that could be used to move forward on some type of exportation ordinance that would state that if groundwater is extracted from a high or medium priority basin as defined by DWR and is critically over drafted, then groundwater extracted could not be exported out of the Tulare Lake Hydrologic region. Conversely the Tulare Lake Hydrologic Region goes up into the mountains and foothills so an ordinance could refer to a specific area such as the San Joaquin Valley Groundwater basin, the valley floor.

Denise England asked the Commission for input on this framework. She shared that this concept would require collaboration between four counties in the Valley: Kern, Kings, Tulare and Fresno.

Commissioner Wegley noted that this did not seem to be consistent with work being done in Fresno County. Discussion followed.

6. Legislation Update (Discussion, Possible Action)
a. Success Reservoir Enlargement Project update

Success Reservoir was selected to receive funding and will be in the next Water Resources Development Act bill. The Army Corps included the project for funding.

b. SB 623

SB 623 is now included in the Governor's proposed budget as a trailer bill. Staff will continue to track changes.

c. AB 1668

Commissioner Schafer mentioned that the bill would place new requirements on water management

and planning. It would impact both urban water and agricultural production plans.

Chairman Vander Poel suggested keeping it on agenda for potential action at next meeting.

d. SB 606

Commissioner Schafer stated that SB 606 is similar to AB 1668 and raises the same concerns.

Staff discussed new bills. There is a potential amendment to SB 2: Homelessness. The Rural County Representatives of California (RCRC) are working on language that would allow for infrastructure improvements to assist Disadvantaged Communities (DACs).

AB 260 increases limits for advanced payments for DACs that receive grants and loans.

AB 2050: Small systems authority act is proposing smaller authority entities take on areas where small water system are not meeting drinking water standards. Staff questioned if the Commission should take an oppose position.

e. Board of Supervisors State Legislation visit

Board took action and incorporated items from Water Commission in their annual legislative visit that will take place on February 28, 2018.

7. Subcommittee Reports

None at this time.

8. Staff Reports

a. Sustainable Groundwater Management Act
i. Implementation in Tulare County

All GSA's are moving forward on beginning the development of their plan components. Notice came out this week for Prop 1 GSA planning dollars. We are now within two years of having GSPs adopted and sent up to the State Board.

The Kings River East GSA has done a fee hearing. They are the first.

The Greater Kaweah GSA Board is entertaining 3 boundary modification requests.

The Tule GSA is moving toward completion of a Coordination Agreement and the component of the agreement are under preparation. There is a meeting scheduled for February 21st.

Delano Earlimart GSA is doing outreach in Earlimart and has produced a newsletter in both English and Spanish. They will take on the issue of subsidence due to over pumping at their next meeting.

b. Prop 1 DAC IRWM Involvement Program Update

Update on the Prop 1 DAC IRWM involvement update. Expect to receive funding agreement back from the Department of Water Resources in late March or early April.

c. Annual Form 700s

Form 700s are due April 1, 2018. Commissioners were reminded to fill out the form online.

9. Commissioners Comments

Denise England shared that the Board of Supervisors approved the LAMP last week. It is slated to go to the Regional Board in April for Adoption. Public comment is due to the Regional Board by March 14th.

Commissioner Boyer shared concerns over an area near Corcoran where significant pumping occurs. He believes a coordination agreement with adjacent boundaries will be critical.

Commissioner Schafer stated their hydrogeologist shared that a groundwater model will identify the impact of water transfers from one GSA to another and what needs to be done to make it a reasonable procedure.

10. Next meeting –Monday, March 12, 2018, 3:00 p.m. – Board of Supervisors Chambers

11. Adjourn

The meeting adjourned at 4:02 pm.

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