

# TULARE COUNTY WATER COMMISSION

3:00 p.m. on Monday, April 10, 2017

## MEETING MINUTES

### Members Present:

Pete Vander Poel, Board Representative and Chairman  
Mark Larsen, District 3 Appointee  
Kayode Kadara, At-Large Appointee  
Richard L. Schafer, District 5 Appointee  
Kuyler Crocker, Board Alternate Representative  
Dale Brogan, District 2 Appointee  
Paul Boyer, District 1 Appointee  
Rudy Mendoza, TCAG Representative

### Members Absent:

Larry Peltzer, At-Large Appointee  
Susana De Anda, At-Large Appointee

### Staff Present:

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

### Members of the Public Present:

Aaron Fukuda  
Michael Prado  
Nilsa Gonzalez  
Shane Smith  
Kristin Dobbin  
Vincent Salinas  
Chad Wegley  
Joe Williams  
Mike Hurley  
Bob Puls  
Denise Kadara  
Others present

#### 1. Call to Order

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

#### 2. Public Comment Period

None at this time.

#### 3. Approve February 13, 2017 and March 13, 2017 minutes

Motion for approval of the March 13, 2017 was made by Commissioner Boyer, second by Commissioner Schafer. Motion approved.

Approval for February 13, 2017 was tabled for next meeting due to lack of quorum because of abstentions.

Documents related to the items on this Agenda, submitted to the Board after distribution of the Agenda packet, are available for public inspection in the Board of Supervisors Office, 2800 W. Burrell Avenue, Visalia, CA during normal business hours. Such documents are also available online, subject to staff's ability to post the documents before the meeting, at the following website: <http://www.tularecounty.ca.gov/cao/index.cfm/water-commission/agenda-minutes/>

**As a courtesy to those in attendance, please turn off or place in alert mode all cell phones and pagers.**

4. Receive a report and discussion from staff on proposed changes to Water Commission bylaws, duties and the ordinance

Staff provided a packet to Commissioners for review that included: the current Article 9. Water Commission Ordinance; draft of proposed changes to the Tulare County Water Commission bylaws; and a draft of the proposed changes to the Duties of the Tulare County Water Commission. Staff asked for direction from the Commission in moving forward with the draft changes of the presented documents and noted the redundancies found within the current Water Commission Ordinance.

Discussion followed. Staff was directed to move forward in implementing the proposed changes to the Water Commission Ordinance, bylaws, and duties. Any additional changes the Commission would like included, Commissioners are to notify staff by April 30, 2017.

Chairman Vader Poel called for Public Comments.

Ed Needham, Tulare County Farm Bureau and Chair of Tulare County Agricultural Policy Advisory Committee (APAC), commented that these changes are very helpful. Mr. Needham suggested the Commission's Chair hold a meeting with staff two weeks prior to the regular meeting to prepare agenda items. He has found that process to be very beneficial as Chair of APAC. He questioned how Commissioners terms are staggered, facilitated and suggested adding in term limits. Discussion followed.

#### 5. State Legislation Update

- a. SB 252 (Dodd) - Deputy CAO, Denise England, reported SB 252 did pass out of the Senate Committee on Natural Resources & Water on March 28, 2017, it was referred to the Senate Government and Finance Committee. As of today, a hearing date has not been set. It appears the language in this bill is aimed at Tulare County, and Board of Supervisors staff is working to set up a meeting with Senator Dodd in May.

Commissioner Schafer commented that this bill, if passed, would result in additional actions by the County or a City who chooses to issue a construction permit for a well. He shared the CA Association of Water Agencies and the Valley Ag Water Coalition have opposed the bill. He believes the bill is unnecessary and would create a number of unnecessary actions in issuing future well permits and hinder the SGMA implementation process.

Commissioner Schafer motioned the Water Commission send a recommendation to the Tulare County Board of Supervisors to oppose SB 252. The motion was seconded by Commissioner Boyer.

Commissioner Boyer asked for the date staff is trying to schedule a meeting with Senator Dodd, and that date is May 17<sup>th</sup> when the Board is in Sacramento for legislative conference.

Commissioner Boyer encouraged conversations with the author to explore possible amendments or changes to current language in the bill, and recommends a position of opposition unless amendments are made.

Commissioner Brogan commented in regards to the bill's analysis there are some positives in the bill however he sees that Senator Dodd is exerting agencies in his direction of groundwater management before we can implement local control mechanisms under the SGMA law. It appears this bill would take away some of the local control under SGMA and for those reasons he is in favor of the motion and the recommendation to oppose the bill.

Chairman Vander Poel called for Public Comments.

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Kristin Dobbin, Community Water Center, commented in favor of SB 252 and stated Community Water Center's support of the bill. The bill does not hinder the county's well permitting authority, but it does create public transparency around well permitting. She shared this bill is trying to fix the missing component of SGMA which is the component of land use in groundwater management. It does not affect de minus users and replacement wells.

Chairman Vander Poel closed the comment period and called for a vote. Motion approved, Five Ayes, One Noes.

- b. AB 313 (Grey) - Deputy CAO Denise England shared this bill addresses the State Water Resources Control Board and Water Rights in the state. It was referred to the Assembly Committee on Water, Parks and Wildlife on February 12, 2017 and it has yet to be scheduled for a hearing date. No Action taken.

## 6. Subcommittee Reports

- a. Discussion on Water Commission Subcommittees, current members, and next steps

Carrie Crane reported her findings of the current subcommittees of the Water Commission and shared the current rosters of those subcommittees. It was suggested that staff keep at least three Commissioners on each subcommittee, and note in the Water Commission's duties, that these subcommittees do not meet regularly and only meet when necessary on an Ad Hoc basis. Staff will bring this item back in June for action to assign replacements for those Commissioners listed who no longer serve on the County Water Commission.

## 7. Staff Reports

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

England reported that the majority of Tulare County has been covered by exclusive Groundwater Sustainability Agencies (GSA). There are a few pockets of "white area" and two areas of overlap, one in the Kaweah Sub-basin and one in the Tule Sub-basin. England reported on recent State Water Resources Control Board FAQ regarding the determination of "unmanaged areas" and counties involvement. On June 30, 2017 any area of overlap will be deemed unmanaged and a county can be deemed the GSA for that area. To that end Tulare County will be noticing and holding a public hearing in late April or early May to form a GSA to cover any unmanaged areas on July 1, 2017. This will allow all of Tulare County to be covered and no areas will be at risk for probationary status on that date. Tulare County will be entering into agreements with adjacent GSAs for groundwater management for the purposes of implementing SGMA.

## 8. Commissioners Comments

Commissioner Boyer offered many thanks to Commissioner Mark Larsen for his work in the formation of the Greater Kaweah GSA.

## 9. Adjourn

Meeting adjourned at 3:52pm.

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