

**TULARE COUNTY WATER COMMISSION**  
**3:00 p.m. on Monday, June 12, 2017**  
**MEETING NOTES**

**Members Present:**

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

**Members Absent:**

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

**Staff Present:**

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

**Members of the Public Present:**

Michael Prado  
Nilsa Gonzalez  
Kristin Dobbin  
Vincent Salinas  
Chad Wegley  
Mike Hurley  
Bob Puls  
Donald Ikemiga  
Ken Bowers  
Bob Irvine  
Michael Tharp  
Kevin McCusker  
Tamara Kelly  
Casey Creamer  
Shane Smith  
Morgan Halpenny  
Others present

1. Call to Order

The meeting was called to order at 3:02pm.

2. Public Comment Period

Michael Peado commented that he did not receive notification of the cancellation of the May Water Commission meeting. He would like to be added to the notification list so he can receive updates on meeting schedules and cancellations.

3. Approve February 13, 2017 and April 10, 2017 minutes

Due to lack of quorum, minutes were not approved.

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. Presentation by Water Quality Coalitions in Tulare County receiving an update on Irrigated Lands Regulatory Programs in the County (Discussion)

The Water Commission received a presentation from representatives of the three water quality coalitions in the County on the progress of the Irrigated Lands Regulatory Program. The presentation included a brief update, history of the program, current status of the three coalitions in the County, the work that has been completed by the coalitions, and an overview of the ongoing items the coalitions are working on. Below is the list of speakers:

David DeGroot, Tule Basin Water Quality Coalition  
Casey Creamer, Kings River Water Quality Coalition  
Donald Ikemiya, Kaweah Basin Water Quality Association

See attached presentation. Discussion and questions followed.

5. Receive a report and discussion from staff on proposed changes to Water Commission bylaws, duties and ordinance. Request clarification on Section 9 of the Tulare County Water Commission Bylaws regarding membership. (Discussion, Possible Action)

Staff provided the redline document of the latest version of the Water Commission bylaws to review. Commissioner Schafer noted the typo with the word “matter” that needed to be added back into article three. The recommended changes previously discussed were added along with some clarifications provided by County Counsel.

No action was taken due to lack of quorum, however discussion followed.

Commissioner Boyer asked for clarification on approval of minutes for meetings that any Commissioner did not attend. Counsel provided direction, if a Commissioner was not present at a meeting, it would be useless to vote for approval of those meeting’s minutes. However, at any meeting that does not have a quorum, staff will still prepare minutes or notes to capture the presentations and discussions transpired at those meetings, but those may not be deemed or marked as official minutes of the Water Commission.

Staff shared that currently the bylaws state a quorum is five voting Commissioners, however, the bylaws do not state or take into account the matter of vacant seats. Possible language could be added if it is the will of the Commission to allow action to be taken with the majority of seated Commissioners during a period of open vacancies. If making a quorum is anticipated to be a problem, the bylaw language could be changed to a lower quorum number than five members. In addition, if the Commission deems a member has a problem with attendance in meetings, currently there is no provision for removal in accordance with a commissioner’s attendance record.

Ed Needham commented for the Commission to consider adding a provision of term limits for Commissioners to serve on the body.

6. State Legislation Update (Discussion, Possible Action)

- a. SB 252 – Passed out of the Senate on May 30<sup>th</sup>. The bill is currently in the Assembly and has been referred to the Water, Parks and Wildlife Committee and the Local Government Committee. At this time, No hearing dates have been set.
- b. AB 313 – This bill passed out of the Assembly and is currently in the Senate Judiciary Committee. At this time, no hearing date has been set.

7. Subcommittee Reports

- a. Discussion on Water Commission Subcommittees, current members, and next steps (Discussion, Possible Action)

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.**

Staff distributed the current list of Water Commission Subcommittees. Commissioner Kadara requested of staff to be placed on the Disadvantage Communities Subcommittee. It was requested to continue this item for the next Water Commission meeting.

## 8. Staff Reports

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

Staff reported the Board of Supervisors took action on June 6 to become a GSA in order to provide coverage for the open white areas left in the County, that are not currently covered by another GSA. The County plans to work with the local established GSAs in developing the GSPs for these white areas.

Supervisor Vander Poel shared the Greater Kaweah GSA and East Kaweah GSA overlap issue has been resolved and non-overlapping maps have been submitted to DWR. That is one major overlap in our County and we have another yet to be resolved in the Alpaugh area.

Commissioner Schafer asked if the Board of Supervisors discussed their potential responsibility in overlapped lands. Supervisor Vader Poel shared that we know the County can serve as a backstop, and our goal is to try and resolve those overlap matters locally.

## 9. Commissioners Comments

Commissioner Boyer inquired on the status of the current vacancies on the Water Commission and asked if those have been selected, filled or remain open.

Supervisor Vander Poel shared that perspective selections have been made by the Supervisors and those are being presented to the Board for ratification at the next Board of Supervisors meeting.

Commissioner Boyer asked if the Commission can look into other possible methods of groundwater recharge besides the traditional recharge basin method, and possibly receive a presentation on those other alternate methods.

Commissioner Schafer inquired on the status of the Tulare County Groundwater Ordinance that staff is preparing. Staff shared the ordinance is currently being reviewed by County Counsel.

Commissioner Schafer provided an update on Tule River flows, the Lake Success spillway, and the sandbag operation. Commissioner Schafer also asked if staff could look into possibly scheduling a presentation from the CA Department of Water Resources to the Water Commission on the topic of the Oroville Dam Emergency.

Supervisor Vander Poel shared a letter he received from Southern CA Edison informing the public of a proposed study plan on the Kaweah Project, and will hold a study plan meeting on June 21, 2017 from 1-4pm at the Wyndham Visalia.

Staff shared a notice of intent and information sent the Water Commission on the South Water Banking Authority EIS study.

## 10. Adjourn

Meeting adjourned at 4:06pm.

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. Burrel 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.**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk of the Board's Office at (559) 636-5000