

**TULARE COUNTY WATER COMMISSION**  
**3:00 p.m. on Monday, March 13, 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  
Susana De Anda, At-Large Appointee  
Paul Boyer, District 1 Appointee

**Members Absent:**

Larry Peltzer, At-Large Appointee  
Rudy Mendoza, TCAG Representative

**Staff Present:**

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

**Members of the Public Present:**

Aaron Fukuda  
Ken Bowers  
Nilsa Gonzalez  
Steve Baker  
Kristin Dobbin  
Vincent Salinas  
Reed Schenke  
Kevin McMuster  
Michael Tharp  
Bob Irvine  
Richard Garcia  
Denise Kadara  
Others present

1. Call to Order

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

2. Public Comment Period

None at this time.

3. Approval of the January 9, 2017 and February 13, 2017 minutes

Commissioner Larson commented in regards to the amount of detail in the minutes. Discussion followed. It was recommendation to staff to condense the detail on the minutes and focus on capturing discussion on actin items.

Motion for approval of the January 9, 2017 was made by Commissioner Larson, second by Commissioner

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Schafer. Motion approved.

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

4. Presentation by Stephen Baker, Operation Unite, on 10 Year Fractured Rock Study completed in Placer and Nevada Counties

Steve Baker, a hydrogeologist, from Operation Unite presented information from a 10 year fractured rock aquifer study in Nevada and Placer counties, a project organized by Operation Unite. The study was conducted from the year 2006-2016 at a cost of roughly \$250,000, see presentation attached.

In summary, the study found:

- seasonal precipitation creates a variation in production
- results of dewatering in fractured zones
- variability's of wells differ in fractured rock
- low storage capabilities within fractured rock settings
- its best to keep the fractures in fractured rock full with water
- more is needed to motivate the public to take action on water policy

Discussion and questions followed.

5. Presentation and Discussion by RMA Interim Director Reed Schenke receiving an update on County's Flood control operations.

Interim RMA Director Reed Schenke and Flood Control Engineer Ross Millar presented an update that included the County's flood control duties, outlined recent projects, upcoming projects, and impacts from recent winter storms. See full presentation attached. Discussion and questions followed.

6. Discussion and action regarding a position on H.R. 23, Guiding Responsibility on Water Act

Supervisor Vander Poel stated this item was on the agenda at the last meeting, however there was not a quorum to take action, so it was recommended to continue the discussion at today's meeting to see if the Water Commission wanted to take a position of endorsement to the decision made by the Tulare county Board of Supervisors on H.R. 23.

Commissioner Larson asked for a point of clarification on the Board of Supervisors position on the bill. Supervisor Vander Poel clarified that the Board of Supervisors took action at a regular meeting prior to the item being discussion at the Water Commission due to a request from the Congressman Valadao's office, and the Board did take an official position for support to H.R. 23.

Commissioner Schafer shared the Tule River Association voted in favor of H.R. 23. Some feel the bill is a good start, but some areas, specifically centered on the San Joaquin Restoration Act, does not go far enough. Commissioner Schafer motioned to endorse the decision made by the Board of Supervisors.

Commissioner De Anda asked for clarification that the Board of Supervisors is asking for the advisory Water Commission to make a decision to support their action.

Supervisor Vander Poel explained that normally the bill would have come before the Water Commission first for a recommendation that would in turn be given to the Board of Supervisors, however due to the time sensitivity and the request of the Congressman, it was not the case this time.

Commissioner De Anda shared some concerns with the legislation and would abstain from a vote by the Water Commission.

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Commissioner Brogan commented in agreement that there was not much purpose for the Water Commission to act since the Board of Supervisors has already taken an action of support on behalf of the County.

No action was taken.

Commissioner Boyer shared that himself and Commissioner Mendoza were not in attendance at last month's Water Commission meeting because they were in Washington DC, and part of their work was advocating in support of this H.R. 23.

#### 7. Update from staff on proposed changes to Water Commission Bylaws

Carrie Crane updated the Commissioners of staff's progress of drafting up proposed changes to the Water Commission's by-laws based upon discussions from the January meeting. The current draft is being reviewed by counsel and staff is working to have a draft ready to review and provide feedback in the next Water Commission meeting.

Commissioner Schafer shared he has some additional changes to be considered and will submit those suggestions to County Counsel prior to the April meeting.

#### 8. State Legislation Update

Carrie gave the State Legislation update on behalf of Deputy CAO Denise England, as follows:

SB 252 by Senator Dodd that pertains to well permitting in critical over drafted basins, is set for hearing on March 28, 2017 in the Senate Committee on Natural Resources and Water.

AB 313 by Assemblyman Grey pertains to state water rights overhaul, and this bill currently sits in the Assembly Committee on Water, Parks and Wildlife. As of now, no hearing has been set.

Staff presented to the Commissioner a letter from ACWA sent to CDFA and the Department of Water Resources in regards to ongoing conservation framework in proposed legislation. The association is advocating for local control, flexibility and alignment with SGMA timelines.

Commissioner Schafer commented that SB 252 by Dodd is not a good bill for anybody in our area including the County, and ACWA took an opposition position on the measure. Commissioner Schafer motioned for the Water Commission to take a position of opposition on SB 252.

Due to the Legislation Update and SB 252 not labeled as an action item on the agenda, the Water Commission could not take a position at this time. The bill will be placed on the next meeting's agenda for action.

Supervisor Crocker suggested that staff present options or advise the Commissioners in the agenda legislation, to be acted upon, giving ample time for research and the development of information on the legislation in advance of the meeting.

Supervisor Vander Poel suggested that the "urgency provision" in the bylaws would allow staff to add an item on the Water Commission's agenda to be used for action later in the legislative process, when necessary, allowing the Commission to respond to a possible emergency action item.

Discussion continued and no action was taken.

#### 9. Subcommittee Reports

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No reports. Commissioner Kadara inquired as to who was seated on the Disadvantaged Communities sub-committee. Carrie shared that was one of the areas of changes suggested to be reflected on the Commission's bylaws and duties, and staff was working on tracking down that data.

## 10. Staff Reports

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

Carrie shared the SGMA progress in the County is the same as reported last month.

Supervisor Vander Poel added that one of the major overlap issues in Tulare County between the Greater Kaweah and East Kaweah GSAs, has been diligently worked on for the resolution of the overlap and progress has been made.

- b. Form 700 Filings

Carrie reminded the Commissioners that their annual reporting of Form 700s are due April 1, 2017.

## 11. Commissioners Comments

Supervisor Crocker shared that the Supervisors will be meeting with the CA Department of Water Resources staff on Wednesday in Sacramento regarding SGMA and if there is anything of significance that the Commissioners would like discussed, please reach out to any of the County Supervisors.

## 12. Adjourn

Meeting adjourned at 4:23pm.

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