

# TULARE COUNTY WATER COMMISSION

3:00 p.m. on Monday, October 10, 2016

## Minutes

### 1. Call to Order

The meeting was called to order at 3:01pm.

### 2. Public Comment Period

None at this time.

### 3. Approval of July 11, 2016 minutes

Tabled due to lack of quorum.

### 4. Update on Water Policy & Programs from Denise England, Deputy CAO – Govt. Policy & Programs

Staff sent out a list of Denise England's ongoing projects/programs prior to the meeting. There are several governance projects moving for various Tulare County communities. There are several infrastructure projects underway with the most notable being the East Porterville project. Other project recently completed was the emergency drought project on Ave 322 connecting twenty-five homes.

There is a project moving forward for Monson as well as Seville. There are several projects being administered through RMA. England is working on a local agency management plan in response to the regional board on site wastewater treatment policy. Goal is for local agencies to adopt their own plan. The plan will go before the Board for approval in early November.

Questions?

Commissioner Schafer asked if the list was a complete list of all project identified by the DAC (Tulare Lake Basin) and completed last year. England explained that the DAC study did not include projects for drought.

Commissioner Schafer asked are there any water projects that the DACs are complaining about nitrate that are not listed in the summary. England explained all of those projects are listed with the only exception on the list is private domestic wells. We do not know how many private wells have been impacted.

Commissioner Schafer asked are there DAC domestic isolated wells in addition to the communities. England explained yes, we have a list of some of the wells in our database.

Commissioner Schafer asked if drought emergency construction means it is already under construction. England explained that means it could be under construction or there is funding available for construction.

Commissioner Schafer suggested the list lends itself to matrix that identifies project, where they are, what is needed to fund them. Everything that needs to be done to satisfy this so called nitrate program. Is there staff available to assist?

Commissioner Boyer stated there are several communities with nitrate problems. Dog town is on septic and has some homes with nitrates. There are also schools such as Waukena. There are also state systems.

Commissioner Brogan shared he's lived in Tulare County all my life and I've never heard of Dog Town or Oakieville.

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.**

Supervisor Ishida would like Lemon Cove added to the list and suggested we prioritize projects for state help.

#### 5. Discussion on Potential Emergency Groundwater Ordinance

England gave an update and stated an agenda item for the Board has been drafted. The County is required to submit LAMP and we are still short on some data. The groundwater ordinance is expected to go before the Board on November 15<sup>th</sup>. Commissioners will be notified prior to agenda item placement and staff will send out agenda item.

#### 6. Presentation and Letter of Support for the DAC IRWM Involvement Proposal

Under Prop 1, Tulare County has stepped up to be the applicant for the program. A group of twenty plus people have been meeting together since March to come up with a proposal for funding. Each IRWM group will be seeing this presentation and will have the opportunity to comment.

Please see presentation attached.

Commissioner Schafer commented on the PowerPoint, it says conducting a needs assessment of DACS, didn't the 2014 study do that already? England explained it did but it also hasn't been updated. The study needs to be updated and developed so it can continue to be updated in the future.

Public Comment. Michael Salgado requested under funding available, could some of that go to Monson.

Possibly but it's a matter of funding and it depends on if it fits into project timeline.

Commissioner Kayode stated there is a project advisory committee. What is process to get other members? The IRWM will appoint their DAC members and it will be up to Tule group governing body to appoint their representative. We envision that they would solicit nominations for their DAC rep.

Commissioner Schafer asked where 3.4 million comes from. England explained it comes from Prop 1 funding.

Commissioner Schafer, do you anticipate spending 1.5 million in studies? The most would be 2 million in construction.

Commissioner Schafer stated what really troubles me is that we constantly spend millions of dollars in studies and we seldom end up with construction projects out of those funds.

England shared that all these costs must be approved by DWR. We heard they are placing a lot of emphasis on needs assessment. DWR looks at this program and setting it up. There is other Prop 1 funding subsequent to this available for construction. Most likely there will be three more rounds.

Commissioner Schafer asked what role does the Water Commission provide for this program.

Supervisor Ishida asked how is funding coming. Do we have money available now to spend?

England clarified not now. DWR must approve and then contract with county.

Commissioner Boyer commented it would be great if we could do construction right away. This might help projects get shovel ready for funding from other sources. Things I don't see there are the environmental CEQA, NEPA, and other cases a test well could be helpful, and lastly site control.

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.**

Supervisor Ishida shared his concern is that Tulare County will be on the hook for this. I don't want people to have the impression that we are taking all the funding because we are involved.

## 7. Subcommittee Reports

Supervisor Ishida stated he is excited that Supervisor Vander Poel will be taking over the Water Commission.

## 8. Staff Reports

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

The greater Kaweah held their first Board meeting last Monday. They were looking to file shortly to become their own GSA. Eastern Kaweah has a version of their own document that will be circulated. We will have three GSA's in the Kaweah. In Kings, Senator Vidak bill was signed by Governor. They are in process of appointing all those seats. In the Tule Sub-basin, several have filed. The Tri County Water Authority has overlap have with the Alpaugh GSA. On the eastern side, the County will enter a JPA with Porterville, Sausalito, Terra Bella, and Vandalia Water Districts. They have a draft JPA getting circulating. We hope to get it reviewed and finalized by the end of November.

Commissioner Brogan stated regarding the County's involvement in East Tule GSA, we have been hearing for some time about a water marketing plan that they are developing as basis to create the GSA.

England was invited to a meeting down in Rio Bravo in early summer. They have a gentlemen from Australia talking to a group in Kern County about a water shares market similar to one Australia has. During that meeting, he presented the idea. The road map would include two layers of regulatory and permitting for extraction that fits into an accounting system that needs parameters put around it so water is not sold or leaves areas. He wanted to develop a road map to share and it should be coming out within the next couple of weeks. There was talk about using that road map to form a JPA board, but both the county and the City of Porterville said no.

Commissioner Brogan asked if it will geographically limited to the East Tule, Ms. England confirmed.

England clarified yes, it would be carved up in zones.

### b. Legislative Update

- i. AB 1755 (Dodd)- Open and transparent water data act. Signed and chaptered. State Water Board will undertake this endeavor. This commission took oppose stance. Schafer. Another movement of more state control of water movement in the state I do not know where it will end. More regulation and administration by DWR.
- ii. AB 2304 (Levine) – Statewide water market clearing house. Most likely will come back. Did not make it out of Senate.
- iii. SB 1317 (Wolk) - Did not make it out but can expect it will be coming back.
- iv. AB 1390 (Alejo, Gomez, Perea) – Adjudication process. Supposed to streamline adjudication.
- v. SB 37 (Vidak) - Kings East GSA. Passed and signed by the Governor.
- vi. SB 564 (Cannella) - GSA for another region. All three bills signed by the Governor.

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.**

- c. Drought update - Total well failures 1639, current active 633, with interim solutions, and 340 have been resolved.

## 9. Commissioners Comments

Commissioner Schafer state he is very pleased with water policy and program update. Look forward to matrix so that we can develop a pathway to identify projects.

10. Next meeting – Monday, November 14th, 2016, 3:00 p.m. – Board of Supervisors Chambers

11. Adjourn

Meeting adjourned at 4:18pm.

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.**

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