



**MID-KAWEAH GROUNDWATER SUSTAINABILITY AGENCY BOARD OF
DIRECTORS MEETING MINUTES**

May 14, 2024 @ 3:00 PM
City of Tulare Council Chambers
491 North M Street
Tulare, CA 93274

MEMBERS PRESENT: Blake Wilbur, Steve Nelsen, David Bixler, Liz Wynn, Trisha Whitfield (Alternate)

MEMBERS ABSENT: Dave Martin

GSA MEMBER STAFF PRESENT: Aaron Fukuda, Valerie Kincaid, Kathi Artis, James Fisher, Diana Zegarra, Georgina King, Derrik Williams

PUBLIC ATTENDEES: Geoff Vanden Huevel, Johnny Gailey, Mark Larsen, Phil Mirwald, Alex Peltzer, Nick Bartsch, Bruce Howarth, Ngodoo Atume, Richard Garcia, Amanda Piesch-Derby, Dave Van Groningen, and Peter Petrellis.

1. CALL TO ORDER – Chair Nelsen called the meeting to order at 3:00 p.m.
2. PUBLIC COMMENT – Chair Nelsen called for public comments. None were forthcoming.
3. GENERAL BUSINESS
 - a. **Approval of Minutes of Regular Meeting on April 9, 2024.** By a motion of Director Bixler, seconded by Director Wilbur, and unanimously carried by all directors present, the April 9, 2024 meeting minutes were approved.
 - b. **Financial Reports**
 - i. Financial Statements – Ms. Artis presented the financial statements. By a motion of Director Wilbur, second by Alternate Director Whitfield, and unanimously carried by all directors present, the financial report as presented was approved.
 - c. **Legal Counsel Report.** - V. Kincaid provided the report. The SWCB held its first probation hearing in the Tulare Lake Subbasin on April 16, 2024. The staff report recommended designating the entire Tulare Lake Basin as probationary. The SWCB adopted the Probation Designation Resolution.
 - d. **MKGSA Advisory Committee Update** - Mr. Fukuda gave the update. The Committee met on May 9, 2024. The Committee reviewed the Emergency

Ordinance and the Reserve Policy and recommended having them moved to the Board for consideration. Mr. Fukuda also gave GSP Updates on SMCs for groundwater levels, SMCs for subsidence, and the schedule for completing GSP revisions.

e. **MKGSA Groundwater Sustainability Plan Update**

- i. State Water Resources Control Board – Kaweah Subbasin Probationary Hearing Draft Staff Report – Mr. Fukuda gave the update. Deficiencies to be addressed are Chronic Lowering of GW levels with insufficient criteria, Land Subsidence, degradation of GW Quality, and depletion of interconnected surface water. The report provides corrective action measures, recommends subbasin be put on Probation, no GSA for the “Good Actor Clause,” and meters for groundwater pumping greater than 200 acre feet. Workshop Schedule – Virtual: June 24th at 11:00 AM, In Person – June 27th at 5:30 PM (Sequoia HS, 1040 N. Woodland Ave, Visalia, CA). The Probation Hearing is set for November 5th, 2024, at 9:00 AM at SWRCB in Sacramento.
- ii. Department of Water Resources Inadequate Determination of the Revised 2020 Groundwater Sustainability Plan Submitted for the San Joaquin Valley – Kaweah Subbasin Update
 1. Kaweah Subbasin Technical Team Subsidence Core Team Update – Direction on Coordinated Recommendation for Minimum Thresholds for Subsidence – Georgia King gave the update on Minimum Threshold. Derrik Williams gave the update on Land Subsidence.
 2. Kaweah Subbasin Technical Team Water Level Core Team Update – Direction on Coordinated Recommendation for Minimum Thresholds for Groundwater Levels – Derrik Williams gave the update.
 3. Kaweah Subbasin Mitigation Program – Direction on Coordinated Recommendation – Mr. Fukuda gave a report on the status of the Mitigation Program to date and advised the Directors to review the draft Mitigation Program.
 4. Mid-Kaweah GSA Well Mitigation Plan – Direction on Coordinated Recommendation – Mr. Fukuda gave a report on the status of the Mitigation Plan to date and advised the Directors to review the draft Mitigation Plan.

f. **MKGSA GSP Implementation Workplan**

- i. Discussion and Consideration of Resolution No. 2024-04 – Resolution of the Mid-Kaweah Groundwater Sustainability Agency Adopting the Version 1.0 Kaweah Water Market Pilot – Mr. Fukuda gave the update. Pilot Water Market workshop May 16th. Markets Auctions May 24th and June 14th. Extend the Resolution to June 30th, 2024. By a motion of Director Wilbur, seconded by Director Wynn, Resolution No. 2024-04 of the Mid-Kaweah Groundwater Sustainability adopting the Version 1.0 Kaweah Water Market Pilot amendment passed by the following roll

- call vote: Ayes- Directors Nelson, Witfield, Wilbur, Bixler and Wynn, Nays – None, Abstain – None.
- ii. Discussion and Consideration of Amended Emergency Ordinance to Establish an Extraction Limitation for the Mid-Kaweah Groundwater Sustainability Agency Service Area – Mr. Fukuda gave a report on the proposed updates and changes to the Emergency Ordinance. By a motion of Director Bixler, seconded by Director Wilbur, the Amended Emergency Ordinance to Establish an Extraction Limitation for the Mid-Kaweah Groundwater Sustainability Agency Service Area passed by the following roll call vote: Ayes- Directors Nelson, Witfield, Wilbur, Bixler and Wynn, Nays – None, Abstain – None.
 - iii. Discussion and Consideration of Mid-Kaweah Groundwater Sustainability Agency Designated Reserve Fund Policy – Mr. Fukuda presented the MKGSA Reserve Fund Policy in draft form. By a motion of Director Wynn, second by Director Bixler and unanimously carried by all Directors present, the MKGSA Designated Reserve Fund Policy was approved.
4. INTERIM GENERAL MANAGER’S REPORT – Mr. Fukuda gave the report. Mr. Fukuda attended the Sustainable Conservation webinar on April 24th, ACWA on May 7th – 9th, and was attending the GRA SGMA Summit in Sacramento on June 5th and 6th.
 5. CALIFORNIA GROUNDWATER COALITION
 - a. Board of Directors Meeting Update – Mr. Fukuda provided a written update on the California Groundwater Coalition.
 6. LEGISLATION
 - a. Assembly Bill 828 – Discussion and Consideration of Position – Mr. Fukuda led the discussion on AB 828 Connolly (Petaluma). MKGSA Staff recommended an oppose unless amended position. After discussion by a motion of Director Wilbur, seconded by Director Bixler and unanimously carried by all Directors present, the MKGSA approved an oppose unless amended position on AB828.
 7. BOARD/STAFF UPDATES, FUTURE AGENDA ITEMS OR OTHER TOPICS OF INTEREST – No Updates
 8. CLOSED SESSION –
 - a. Gov’t Code 54956.9 – Anticipated Litigation: One Case
Upon returning to open session, Ms. Kincaid reported that no actions were taken in closed Session.
 9. ADJOURNMENT: Next Regular Meeting – June 11, 2024