



EASTERN TULE  
GROUNDWATER  
SUSTAINABILITY  
AGENCY  
JOINT POWERS  
AUTHORITY

**MINUTES OF THE MEETING  
OF THE EXECUTIVE COMMITTEE  
AND STAKEHOLDER COMMITTEE  
HELD FEBRUARY 21, 2019**

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At approximately, 2:00 p.m. on February 21, 2019, at the City of Porterville Transit Main Purpose Conference Room, Chairman Eric Borba, called to order a joint meeting of the Executive Committee and Stakeholder Committee of the Eastern Tule Groundwater Sustainability Agency Joint Powers Authority (“ETGSA”).

Executive Members Present:	John M. Domondon Denise England Steve Etchegaray Sean Geivet	Mike Reed Steve Dalke Eric Borba
Executive Members Absent:	Eric Limas	
Stakeholder Members Present:	John Konda Tom O’Sullivan Kathy Briano James Parsons Jason Guthrie	Bill Bennett Don Castle Matthew Leider Julia Inestroza Sopac Mulholland
Stakeholder Members Absent:	Matt Watkins	Ben Magana
Others Present:	Bryce McAteer Aubrey Mauritson Armando Leal Michael Knight Mehmet McMillan Dale Brogan Terry Schuler Bill Morgan Garrett Busch	Peter Harman Matt Feaver Phil Pierre Richard Garcia Julie Allen Ryan Jensen Don Tucker Stacie Ann Silva

**PUBLIC COMMENT**

Chairman Eric Borba announced the public comment period. No public comment was received.

## MINUTES

### Approval of Stakeholder Committee Minutes of January 10, 2019

Committee member Castle moved for approval of the January 10, 2019 Stakeholder Committee minutes. The motion was seconded by Committee member Briano and the committee unanimously approved the motion.

### Approval of Executive Committee Minutes of January 17, 2019

Committee member Reed moved for approval of the January 17, 2019 Executive Committee minutes. The motion was seconded by Committee member England and the committee unanimously approved the motion.

## STAKEHOLDER OUTREACH & COMMUNITY ENGAGEMENT

### Report on Ongoing Outreach Efforts and Upcoming Events

Executive Director McAteer referred the committees to Agenda Item #4a, attached hereto and incorporated by reference, a copy of his report on ongoing outreach efforts and upcoming events.

## ETGSA MEETINGS REVIEW

### Report on ETGSA Board Meeting of February 7, 2019

Executive Director McAteer provided a report on the ETGSA board meeting of February 7, 2019. Attached hereto and incorporated by reference as Agenda Item #5a is a copy of his report.

## TULE SUBBASIN COORDINATION

### Report on Tule Subbasin Coordination, TH&Co Task Items, Other Inter-Basin & Regional Coordination, and Tule Subbasin TAC Meeting of January 16, 2019

Executive Director McAteer provided a report on ongoing coordination activities. Attached hereto and incorporated by reference as Agenda Item #6a is a copy of his report. Additionally, attached hereto and incorporated by reference as Agenda Item #6.a Exhibit A is a copy of the visual timeline of Subbasin Coordination and TH&Co deliverables presented to the Committees, and, as Agenda Item #6.b Exhibit B, an abridged copy of the TH&Co presentation on the groundwater flow model updates.

\*Executive Committee member Dalke arrived during this agenda item.

Discussion ensued regarding Friant-Kern Canal future supply calculations being prepared by Delano Earlimart ID.

\*Stakeholder Committee Chairman Leider arrived during this agenda item.

Public comment was received from Peter Harman.

Executive Director McAteer continued with his presentation.

## GSP DRAFTING

### Report on ETGSA GSP Drafting

Executive Director McAteer provided a report on the GSP drafting. Attached hereto and incorporated by reference as Agenda Item #7a is a copy of his report.

Public comment was received from Julie Allen, Bill Morgan, and Ryan Jensen.

Discussion ensued amongst the committees regarding CEQA and its relevance to the development and implementation of the GSP.

### Discuss and Consider New GSP Policy Matters; May Make a Recommendation

Executive Director McAteer provided a presentation on new GSP policy matters. Attached hereto and incorporated by reference as Agenda Item #7b is a copy of report on the new policy matters and, as Agenda Item #7.b Exhibit A, a copy of his PowerPoint presentation reviewing ETGSA's New Policy Matters.

### Sustainable Management Criteria

Executive Director McAteer provided a report on the current status of the development of sustainable management criteria.

### Management Areas

Executive Director McAteer reviewed the definition of a management area and local considerations that might apply to ETGSA. He then opened the discussion up to the committee and for public comment.

Discussions amongst the committees ensued regarding the possibility of Kern-Tulare Water District as a management area, the three local issue considerations presented by staff, the possibility of Terra Bella Irrigation District as its own management area due to its unique operations which include delivery of M&I water, and the possibility of developing management areas over time.

Public comment was received from Julie Allen.

Executive Director McAteer further discussed why GSAs may consider management areas and directed the committees to the definition of a management area provided in the presentation.

Public comment was received from Ryan Jensen.

Discussion amongst the committees ensued regarding the possibility of urban use areas as management areas, each irrigation district as its own management area, and non-district lands being its own management area.

The Executive Director recommended, based on the local issues for consideration, that the committees may wish to consider four general management areas to cover urban areas, Kern-Tulare Water District, subsidence, and the remaining general agricultural area.

EXECUTIVE RECOMMENDATION: Executive committee member Etchegaray moved to accept staff's recommendation for separate management areas including urban areas, Kern-Tulare Water District, subsidence, and the remaining agricultural lands. Executive committee member England seconded.

The committee further deliberated the recommendation.

Executive Committee member Etchegaray withdrew his previous motion. He then moved to create management areas around urban lands, Kern-Tulare Water District, Terra Bella ID, the subsidence area, and the remaining ag lands. Executive committee member England seconded the motion.

Discussion amongst the committee again ensued. The committees discussed the need for Vandalia Water District to be its own management area, management areas within the "white area", the option for staff to bring back to the next committee meetings criteria for formations of management areas.

Committee member Geivet moved to recommend the use of management areas and have staff bring back to the committees draft criteria and visualizations. Committee member Reed seconded the motion. There was no further discussion and the Executive Committee unanimously approved the motion.

STAKEHOLDER RECOMMENDATION: Committee member O'Sullivan moved to recommend the use of management areas and have staff bring back to the committees draft criteria and visualizations. Committee member Bennett seconded the motion. Discussion ensued regarding the need to look at management areas within the white lands. The committee then unanimously approved the motion.

Public comment was received from Peter Harman.

Executive Director McAteer reported no specific area of subsidence concern, per the TH&Co subsidence analysis, had yet been identified.

#### Mechanisms & Functioning of a Sharing System

Executive Director McAteer provided a summary of a possible sharing system and reviewed several policy questions would be important to consider before finalizing the system.

Discussions amongst the committees ensued regarding the feasibility of completing this type of sharing system in an expedited fashion. Executive Director McAteer reported there are numerous vendors that could assist with the needed technology.

\*Committee member Etchegaray left at this time.

Public comment was received from Peter Harman.

Discussion amongst the committees ensued regarding whether non-well owners or non-landowners can be permitted to have an account and who might be eligible to create a groundwater account.

STAKEHOLDER COMMITTEE RECOMMENDATION: Committee member Konda moved to have staff bring back a summary of potential criteria for groundwater account users. Committee member Castle seconded. Discussions amongst the committees ensued. The committee then unanimously voted to approve the motion.

EXECUTIVE COMMITTEE RECOMMENDATION: Committee member Geivet moved to have staff bring back a summary of potential criteria for groundwater account users. Committee member Reed seconded. Discussion amongst the committee ensued. The committee then unanimously approved the motion.

#### Criteria for Validating a Recharge Project

The item was pulled from the agenda and will be raised at a future date.

#### Evaluating Transfer Impacts

The item was pulled from the agenda and will be raised at a future date.

#### California Adjudications, SGMA, and the Concept of “Historical Use”

Executive Director McAteer and General Counsel Mauritsen began a presentation discussing adjudications, SGMA, and the concept of historical use.

Discussions amongst the committees ensued regarding the concept of historical use. Concerns were relayed that it may encourage those who have pumped more to be rewarded, and the difficulty in verifying historical use and if a specific parcel had ever been irrigated.

Public comment was received from Ryan Jensen.

Discussion ensued regarding availability of data to determine past use on various parcels.

Public comment was received from Julie Allen.

Discussion ensued regarding staff's recommendation on an allocation method, which includes a pooled mechanism for ag and rural areas for the sustainable yield based on an equal pro rata share based on gross acreage and a separate mechanism for transitional pumping.

Discussion ensued regarding continuing the discussions on historical use. Questions were also raised how historical use is related to prescriptive rights in an adjudication.

No action was taken by either committee.

#### NEXT MEETING DATE

Next Meeting (Stakeholder Committee) – Thursday, March 14, 2019 at Transit Multi-Purpose Center (15 E. Thurman Ave., Ste. D, Porterville)

The next meeting of the Stakeholder Committee is set for March 14, 2019, 2:00 p.m.

Next Meeting (Executive Committee) – Thursday, March 21, 2019 at Transit Multi-Purpose Center (15 E. Thurman Ave., Ste. D, Porterville)

The next meeting of the Executive Committee is set for March 21, 2019, 2:00 p.m.

#### ADJOURNMENT

Since there was no further business to come before the Committee, Chairman Borba adjourned the meeting.

Respectfully submitted,

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Bryce G. McAteer, Secretary to the Board