



EASTERN TULE
GROUNDWATER
SUSTAINABILITY
AGENCY
JOINT POWERS
AUTHORITY

MINUTES OF THE SPECIAL MEETING OF THE STAKEHOLDER COMMITTEE HELD MARCH 28, 2019

At approximately, 2:00 p.m. on March 28, 2019, at the City of Porterville Transit Main Purpose Conference Room, Vice Chair Bill Bennett, called to order a meeting of the Stakeholder Committee of the Eastern Tule Groundwater Sustainability Agency Joint Powers Authority (“ETGSA”).

Members Present:	Bill Bennett	Jason Guthrie
	Tom O’Sullivan	Don Castle
	Julia Inestroza	Matt Watkins
	Kathy Briano	Sopac Mulholland

Stakeholder Members Absent:	John Konda	Ben Magana
	James Parsons	Matthew Leider

Others Present:	Bryce McAteer	Matt Feaver
	Garrett Busch	Julie Allen
	Armondo Leal	Michael Knight
	John M. Domondon	

PUBLIC COMMENT

Vice Chair Bennett announced the public comment period. No public comment was received.

ANNOUNCEMENTS

The Executive Director announced that the Executive Committee Meeting had been rescheduled to April 2, that the ETGSA would be hosting an outreach event in Porterville on April 2 beginning at 5:30pm at 466 E. Putnam Avenue, and that the next Technical Advisory Meeting would occur on April 17 at the Lower Tule River Irrigation District Offices.

MINUTES

Approval of March 14, 2019 Stakeholder Committee Meeting Minutes

Member O’Sullivan moved for approval of the March 14, 2019 Stakeholder Committee Meeting Minutes, as submitted. The motion was seconded by Member Castle. The committee unanimously approve motion, and the motion carried.

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 #5.a is a copy of his report on the new policy matters and, as Agenda Item #5.a Exhibit A, a copy of his PowerPoint presentation reviewing ETGSA’s New Policy Matters. A subset of all the new policy matters were discussed and addressed by the presentation and by the Committee. The policy matters discussed are described below.

Mechanisms & Functioning of a Sharing System

The Executive Director provided the Committee with the remaining key question for this matter, which was regarding the eligibility criteria for creating a groundwater account. The Executive Director provided a recommendation to the Committee and described his reasoning for the recommendation. The Executive Director described that maintenance of a groundwater account did not necessary make an entity eligibility to manage certain functions, such as registering parcels or wells; rather, each function had its own eligibility criteria that would need to be met in order for a user to be able to manage that function.

Discussion ensued amongst the Committee regarding well registration permits, delineating irrigation area boundaries, monitoring and historical use data from Cal Poly ITRC, and the various functions managed through a groundwater account and the eligibility required for each function. Additional discussion ensued amongst the Committee regarding other GSAs in the Tule Subbasin and whether some of them were looking at similar policies on maintaining groundwater accounts.

Public comment was received from John Domondon.

Additional discussion ensued amongst the Committee regarding monitoring the use of de minimis users, and whether and how public water suppliers would have to register.

*Member Mulholland arrived this time.

Additional discussion ensued regarding staff’s recommendation.

Member O’Sullivan moved to accept the staff recommendation on groundwater account eligibility (Staff Recommendation – “Any verifiable individual and/or entity should be able to maintain a Groundwater Account.”). Member Watkins seconded the motion. The committee unanimously approve motion, and the motion carried.

Evaluating Transfer Impacts

The Executive Director presented the Committee with the first question and staff’s recommendation on this matter, which was regarding mechanisms to manage transfer impacts

should sufficient data indicate that such impacts could occur as a result of transfers. Staff reasoned that if impacts can be linked to transfers, then those impacts need to be managed.

Public comment was received from Julie Allen.

Discussion ensued amongst the committee on evaluating impacts, whether policies that might be initiated in the future could have an impact on past actions undertaken during different policies, how different exchange zones might be utilized if deemed necessary.

Member Watkins moved to accept the staff recommendation (Staff Recommendation – “Should sufficient data at a future date indicate that transfers may cause undesirable impacts, the GSA should utilize the most efficient approach(es) to manage those impacts.”). Member O’Sullivan seconded the motion.

Discussion ensued amongst the committee regarding the three management approaches discussed in the presentation (e.g. transfer fees, exchange rates, and trade balance caps) and asked the Executive Director if these were the only methods. The Executive Director discussed that the approaches listed were not exhaustive and that other approaches could also be considered.

The Vice Chair called the question for the motion. The committee unanimously approved the motion, and the motion carried.

Public comment was received from Garrett Busch.

Discussion ensued amongst the committee regarding the second policy question on this matter, which was regarding an interim policy to manage potential unforeseen effects of transfers, and staff’s recommendation. Some members felt that such policies wouldn’t be necessary, and that management of impacts should only occur if such impacts began to occur. Others felt it may be beneficial to have interim policies in the midst of data gathering to ensure unforeseen effects were managed. Additional discussion ensued regarding the criteria and the periodic analysis for returning set-asides resulting from transfers back to transferees.

Public comment was received from Julie Allen.

Member Watkins moved to allow for transfers without nominal set-asides or fees. Discussion ensued on this motion, the Agency’s potential funding sources, perhaps retaining either a nominal set-aside or a fee, and on transfers.

There was no second.

Member O’Sullivan moved to accept the staff recommendation (Staff Recommendation – “Until further policies are developed, each transfer should be subject to a nominal fee and a nominal volumetric set-aside.”). Member Mulholland seconded the motion. Member Watkins opposed the motion, and Member Briano abstained from the vote. The remainder of the committee approved the motion, and motion carried.

The Executive Director presented the final question related to transfers, which was regarding the potential for transfers between Tule Subbasin GSAs, and the staff recommendation.

Public comment was received from Julie Allie.

Discussion ensued amongst the committee regarding not entertaining transfers amongst other Tule Subbasin GSAs until more information had been developed. Additional discussion ensued regarding the GSAs that might wish to entertain such discussions.

Member O'Sullivan moved to accept the staff recommendation (Staff Recommendation – “Yes, the ETGSA should coordinate with other Tule Subbasin GSAs who establish similar accounting and allocation policies in order to establish a process to allow for inter-GSA Transfers.”).

Member Watkins seconded the motion.

Public comment was received from Julie Allen.

Discussion ensued amongst the committee regarding undesirable impacts and Tule Subbasin undesirable results.

The Vice Chair called the question for the motion. Member Mulholland voted no. The remainder of the committee approved the motion, and the motion carried.

*Member Castle left at this time.

Public comment was received from Julie Allen.

Discussion ensued amongst the committee regarding monitoring at the subbasin level and the coordination necessary amongst the Tule Subbasin GSAs.

Historical Use

The Executive Director began a discussion regarding the topic of historical use, asking the committee whether historical use should be considered in terms of allocation the sustainable yield and/or transitional groundwater and, if so, how. The Executive Director reviewed with the Committee various sections from SGMA related to water rights and allocations, a current estimate on the groundwater pumping reduction necessary in ETGSA, and various concepts related to distributing the sustainable yield and transitional volumes.

Discussion ensued amongst the committee regarding expanding the discussion into including both historical use and current need. The Committee also discussed their previous recommendations on the use of pools for distributing the sustainable yield and their previous recommendations on transitional volume options.

It was discussed by the Committee that they felt their previous recommendation on the sustainable yield still held, and that they did not wish to revisit the topic at this time.

Discussion amongst the Committee then focused on distributing transitional groundwater. The use of the Irrigated Lands Regulatory Program as an initial boundary for eligibility was discussed. The committee also discussed the economic effects of various distribution methods, and whether one distribution might be more economically efficient than another.

Public comment was received from Garrett Busch.

Discussion ensued amongst the committee regarding the economic analysis undertaken on this general topic undertaken by a UC Berkeley student earlier in 2018.

The committee then discussed their previous motions from the November 29, 2018 stakeholder committee meeting, and how they coincided with the current discussion on historical use. Additional discussion ensued regarding the complexity of defining historical use, whether the use of surface water should diminish the eligibility of some to receive some transitional water, and focusing on Tier 2 transitional volume options as the sort of water made available to certain eligible lands.

Member Watkins moved to recommend that 1) Tier 1 transitional water be made available to irrigated lands on a proportional basis, with volume and price to be determined, with a carryover policy that it can be carried over into the next five-year period for a fee (to be determined) and exhausted thereafter, and that it be tradeable and that 2) Tier 2 water be made available to irrigated acres through an application-based process based on need with guidelines to be established, and that the Tier 2 water not be eligible for carry over and not be tradable nor marketable. Member O'Sullivan seconded the motion. The Committee unanimously approved the motion, and the motion carried.

Management Areas

The Committee began a brief discussion regarding their previous recommendation on management areas, the boundaries used to delineate the community-based management areas, and whether such management areas restricted transfers or changed the distribution of the sustainable yield.

Public comment was received from Mike Knight.

The Executive Director noted that each public water supplier would likely need to provide the ETGSA with their service area boundaries, and reminded the Committee that the Agency's most recent analysis indicated that there were over 40 active public water suppliers likely operating within ETGSA. These service areas are different from the previously discussed community management areas.

Public comment was received from Julie Allen and Armando Leal.

NEXT MEETING DATE

Next Meeting (Stakeholder Committee) – Thursday, April 11, 2019 at Transit Multi-Purpose Center (15 E. Thurman Ave., Ste. D, Porterville); may make a recommendation

The next meeting of the ETGSA Stakeholder Committee is scheduled to occur on Thursday, April 11, 2019 at Transit Multi-Purpose Center (15 E. Thurman Ave., Ste. D, Porterville).

ADJOURNMENT

Since there was no further business to come before the Committee, Vice Chairman Bennett adjourned the meeting at approximately 4:00pm.

Respectfully submitted,

Bryce G. McAteer, Secretary to the Board