EASTERN TULE GROUNDWATER SUSTAINABILITY AGENCY JOINT POWERS AUTHORITY

County of Tulare
City of Porterville
Porterville Irrigation District
Saucelito Irrigation District
Teapot Dome Water District
Vandalia Water District
Terra Bella Irrigation District
Kern-Tulare Water District

Eric Borba
GSA Chairman

Steve Kisling
GSA Vice-Chairman

Aubrey Mauritson
Legal Counsel

Bryce G. McAteer
Executive Director

Meeting of the ETGSA Executive Committee

Thursday, April 18, 2019
Convenes at 2:00 p.m.

Transit Multi Purpose Center
15 E. Thurman Ave
Suite D
Porterville, California 93257

info@easterntulegsa.com
www.easterntulegsa.com

----------AGENDA----------

Action items are listed in **bold.**

1. ROLL CALL

2. PUBLIC COMMENT

At this time, members of the public may comment on any item not appearing on the agenda. Under state law, matters presented under this item cannot be discussed or acted upon by the Committee at this time. For items appearing on the agenda, the public is invited to make comments at the time the item comes up for Committee consideration. Any person addressing the Committee will be limited to a maximum of three (3) minutes or the Chairman's discretion. At all times, please state your name for the record.

3. ANNOUNCEMENTS

4. MINUTES

a. **Approval** of the April 2, 2019 Executive Committee Special Meeting Minutes

5. STAKEHOLDER OUTREACH & COMMUNITY ENGAGEMENT

a. Report on ongoing outreach efforts and upcoming events

6. ETGSA MEETINGS REVIEW

a. Report on ETGSA Board Meeting of April 4, 2019
b. Report on ETGSA Stakeholder Committee Meeting of April 11, 2019

7. TULE SUBBASIN COORDINATION

a. Report on Tule Subbasin Coordination and TH&Co Task Items
b. Report on Inter-Basin & Regional Coordination

8. GSP DRAFTING

a. Report on ETGSA GSP Drafting; **may make a recommendation**
b. Discuss and consider new GSP policy matters; **may make a recommendation**

9. NEXT MEETING DATE

a. Next Meeting (Executive Committee) – Thursday, May 16, 2019 at Transit Multi Purpose Center (15 E. Thurman Ave, Suite D, Porterville); **may make a recommendation**

10. ADJOURMENT

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the GSA Authority to provide a disability-related modification or accommodation in order to participate in any public meeting of the GSA Authority. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the GSA. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, facsimile, or written correspondence to the GSA Authority Secretary or to the City of Porterville Public Works Department (559) 791-7804, at least 48 hours before a public GSA meeting.

Executive Committee
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Agenda Packet

Other materials, exhibits, and presentations may be distributed on the day of the Committee Meeting.

Executive Committee
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Agenda Item 4.a

Approval of the April 2, 2019 Executive Committee Special Meeting Minutes

Staff Report to the ETGSA Executive Committee

Subject:	Minutes
Submitted By:	Executive Director
Recommended Action:	Move to approve the Minutes of the April 2, 2019 Executive Committee Special Meeting

Executive Summary:

n/a

Background:

n/a

Fiscal Impact:

n/a

Attachments:

- Exhibit A – Minutes of the April 2, 2019 Executive Committee Special Meeting

EASTERN TULE GROUNDWATER SUSTAINABILITY AGENCY JOINT POWERS AUTHORITY

Agenda Item #4.a
Exhibit A

MINUTES OF THE SPECIAL MEETING OF THE EXECUTIVE COMMITTEE HELD APRIL 2, 2019

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

Members Present:	Eric Borba	Sean Geivet
	Steve Dalke	John Michael Domondon
	Mike Reed	Steve Etchegary
	Eric Limas	Denise England
Members Absent:		
Others Present:	Bryce McAteer	Kathy Briano
	Don Castle	Bill Bennett
	Bill Samarin	Stacie Ann Silva
	Mike Knight	Bill Wallace
	Bill Morgan	Jenny Liu

PUBLIC COMMENT

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

MINUTES

Approval of February 21, 2019 Joint Meeting of the Executive and Stakeholder Committees Minutes

*Member Reed left at this time

Member Geivet moved for approval of the February 21, 2019 Joint Meeting of the Executive and Stakeholder Committee Minutes. The motion was seconded by Member Domondon. The Committee unanimously approve motion, and the motion carried.

STAKEHOLDER OUTREACH & COMMUNITY ENGAGEMENT

Report on ongoing outreach efforts and upcoming events

Executive Director McAteer referred the committee to Agenda Item #4.a, attached hereto and incorporated by reference, a copy of his report on ongoing outreach efforts and upcoming events. Included in his report were Exhibits A-D, copies of various fliers for upcoming and recently held outreach events.

Public comment was received from Bill Samarin and Kathy Briano.

Discussion ensued amongst the committee regarding attendance at the recent outreach events.

ETGSA MEETINGS REVIEW

Report on ETGSA Board Meeting of March 7, 2019

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

Report on ETGSA Stakeholder Committee Meetings of March 14, 2019 and March 28, 2019

Executive Director McAteer provided a report on the ETGSA stakeholder committee meetings of March 14, 2019 and March 28, 2019. Attached hereto and incorporated by reference as Agenda Item #5.b is a copy of his report.

*Member Reed returned at this time.

TULE SUBBASIN COORDINATION

Report on updated draft Historical Tule Subbasin Water Budget and updated draft Estimated Sustainable Yield

Executive Director McAteer provided a report on the updated draft Historical Tule Subbasin Water Budget and updated draft estimated Sustainable Yield. Attached hereto and incorporated by reference as Agenda Item #6.a is a copy of his report. Additionally, the Executive Director provided a brief presentation, attached hereto and incorporated by reference as Agenda Item #6.a Exhibit A, describing this information and the draft estimated reduction in applied groundwater necessary to achieve sustainable pumping rates.

Discussion ensued amongst the committee regarding the new estimates, the general overdraft within the Subbasin and incurred within he ETGSA, and when discussions regarding various rampdown periods for groundwater pumping might begin.

Public comment was received from Stacie Ann Silva.

*Member England arrived at this time.

Report on draft framework for defining Tule Subbasin Sustainability Goal and Undesirable Results; may make a recommendation

Executive Director McAteer provided a report on the draft framework currently under consideration for defining the Tule Subbasin's Sustainability Goal and Undesirable Results. Attached hereto and incorporated by reference as Agenda Item #6.b is a copy of his report. Included in his report were Exhibit A, a copy of the working Discussion Draft, Exhibit B, a presentation describing the draft methodology proposed for developing undesirable results, and Exhibit C, a presentation describing how representative monitoring sites and minimum thresholds might be considered in the Tule Subbasin.

Discussion ensued amongst the committee regarding the various percentages that might constitute an undesirable result, the process of crafting the quantitative components of the undesirable result criteria, and what the process might be to change an undesirable result in the future.

Public comment was received from Stacie Ann Silva and Don Castle

Discussion ensued amongst the committee regarding setting minimum thresholds, and the various alternative criteria provided in the discussion draft.

Member Reed moved to approve the framework presented for defining the Tule Subbasin Sustainability Goal and Undesirable Results. Member Geivet seconded the motion. The Committee unanimously approved the motion, and the motion carried.

Report on Tule Subbasin Coordination and TH&Co Task Items.

Executive Director McAteer provided a report on ongoing coordination activities. Attached hereto an incorporated by reference as Agenda Item #6.c is a copy of his report. Included in his report was Exhibit A, a presentation describing the current timeline for Subbasin Coordination and TH&Co deliverables.

Discussion ensued amongst the committee regarding the future projection scenario runs and the schedule to receive various results from TH&Co.

Report on Inter-Basin & Regional Coordination

Executive Director McAteer provided a report on various inter-basin and regional coordination efforts. Attached hereto and incorporated by reference as Agenda Item #6.d is a copy of his report.

Discussion ensued amongst the committee regarding the San Joaquin Valley Blueprint and the intent of the initiative.

GSP DRAFTING

Report on ETGSA GSP Drafting; may make a recommendation.

Executive Director McAteer provided a report on the ETGSA's GSP drafting. Attached hereto and incorporated by reference as Agenda Item #7a is a copy of his report. Included in his report was Exhibit A, a copy of the draft outline for ETGSA's GSP Section 5.

Discussion ensued amongst the committee regarding the draft outline for projects and management actions (i.e. GSP Section 5), and asked if Legal Counsel had reviewed the outline. The Executive Director reported that he intended to have Legal Counsel undertake a thorough review once the section had been drafted with descriptions of various projects and management actions.

Member Geivet moved to recommend approval of the draft framework for ETGSA's GSP Section 5. Member Etchegary seconded the motion. The committee unanimously approved the 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 #7.b is a copy of his 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 an overview of various considerations when developing sustainable management criteria and the data that the Committees could expect to receive to inform their future discussions on the subject.

Discussion ensued amongst the committee regarding groundwater quality in the vicinity of KTWD.

Management Areas

Executive Director McAteer provided an overview of how management areas are defined in the GSP Regulations and provided the Committee with staff's recommendation on management areas. The Executive Director proposed that there be four initial management area types: a Greater Tule Management Area for the generally agricultural and rural lands, a Community Management Area or series of Community Management Areas for ETGSA's various community areas, an Inter-Basin Agency Management Area encompassing KTWD, and a Subsidence Management Area to be delineated and determined at a future date.

Discussion ensued amongst the committee regarding KTWD's "islands" and whether they should be included in the proposed KTWD management area. Additional discussion ensued regarding the impact of management areas and allocations. The Executive Director noted that management areas are primarily intended to guide different minimum thresholds and the types of projects that might be appropriate to addresses those thresholds, such as projects that address subsidence or municipal water needs.

Public comment was received from Bill Samarin.

Discussion ensued regarding the proposed concepts and how the final draft delineations of the proposed management areas might change. The Executive Director noted that the current draft concepts for the Community Management Areas generally used the Urban Development Boundaries of each community within ETGSA, but that this would likely be adjusted. TBID's WQIP boundary was mentioned as a possible additional boundary to consider for the Terra Bella community.

The Executive Director noted that, in the future, management areas could likely be dissolved or added as necessary.

Member Etchegary moved to accept staff's recommendation for four initial management area types, as presented. Member Geivet seconded the motion. The committee unanimously approved the motion, and the motion carried.

Additional discussion ensued amongst the committee regarding the urban development boundary and Urban Area Boundary of the City and how the boundary is updated. It was discussed that such boundaries are generally a part of General Plan and its update,

*Member Dalke left at this time.
*Member Dalke returned at this time.

Public comment was received from Don Castle.

Discussion ensued amongst the committee regarding the urban development boundary of the City of Porterville.

Public comment was received from Bill Samarin.

Discussion ensued regarding the growth of the City of Porterville and the policies found within its General Plan that guide the build-out and public services approach of the city.

Results of TH&Co Task Items (and implications)

This item was briefly reviewed by the committee.

Mechanisms & Functioning of a Sharing System

Discussion ensued amongst the committee regarding the staff's proposed recommendations on the five key questions presented. Additional discussion ensued amongst the committee regarding different types of allocations and recharge credits, the rate of deterioration or exhaustion of those credits, reporting prices and the confidentiality of transfers.

Public comment was received from Don Castle.

Additional discussion ensued regarding surface water banking and how surface water rights and other policies not administered by the ETGSA would need to be considered.

Public comment was received from Bill Samarin.

Additional discussion ensued amongst the committee regarding transparency in market transactions, and whether reporting prices paid as a result of transfer for hamper or improve the operation of a market. Confidentiality and anonymity of transferors and transferees was also discussed. Additional discussion ensued regarding other water markets and whether prices paid as a result of transfer was reported or required to be reported.

Public comment was received from Bill Bennett.

Discussion amongst the committee continued regarding the reporting of prices paid.

Public comment was received from Bill Bennet.

Member Domondon moved to recommended that groundwater accounts be debited and credited on a monthly basis. Member Reed seconded the motion. The committee unanimously approved the motion, and the motion carried.

Member Etchegary moved to recommended that the ETGSA should allow for prices paid for transfers to be reported. Member Domondon seconded the motion.

Discussion ensued amongst the committee regarding confidentiality and how to enforce that the prices potentially reported be legitimate. There was additional discussion whether maintaining a market board may meet the needs of indicating what prices potential transferors and transferees may be willing to pay. It was discussed that Legal Counsel should review the topic.

Public comment was received from Bill Samarin, Bill Wallace, and Bill Morgan.

Additional discussion ensued amongst the committee regarding whether other GSA considering similar policies intended to require that prices be reported.

Public comment was received from Bill Morgan.

Member Etchegary moved to amend his motion to, "The ETGSA should not allow for prices paid for transfers to be reported. Member Dalke seconded the motion. Members Etchegary, Domondon, Limas, and Dalke moved to approve the motion. Members Geivet, Reed, and England voted no. By a majority vote of the members present, the motion was approved.

Member Etchegeary moved to adopt staff's recommendation regarding market boards and pre-identified transfers (Staff Recommendation – "The ETGSA should both facilitate the maintenance of a "market board" and provide for groundwater account holders to initiate transfers with pre-identified participants."). Member England seconded the motion.

Public comment was received from Bill Samarin.

The committee unanimously approved the motion, and the motion carried.

Member Etchegary moved to adopt staff's recommendation on debiting preferences ("There should be a default debiting preference for all groundwater accounts, but a groundwater account holder should be able to freely adjust their debiting preferences as they see fit."). The motion was seconded by Member Geivet.

Public comment was received from Stacie Ann Silva.

Discussion ensued amongst the committee regarding transitional allocations, allowing groundwater users to utilize transitional allocations prior to other allocations, and a discussion of how other GSAs were handling such questions. Discussion around additional cost to use transitional, what other districts are doing.

Public comment was received from Stacie Ann Silva.

The committee moved to approve the motion, except from Members Domondon and Limas. The motion carried.

Member Etchegaray moved to adopt staff's recommendation on groundwater accounts (Staff Recommendation – "Any verifiable individual and/or entity should be able to maintain a Groundwater Account."). The motion was seconded by Limas. The committee unanimously approved the motion, and the motion carried.

Criteria for Validating a Recharge Project

The item will be discussed at a future date.

Evaluating Transfer Impacts

Discussion ensued amongst the committee regarding transfer impacts, and managing impacts in future and whether an interim policy might be warranted while data is gathered. Discussion ensued amongst the committee regarding the nominal set aside and nominal fee proposed by staff.

Member Geivet moved to adopt staff's recommendation on interim transfer policies (Staff Recommendation – "Until future policies are developed, each transfer should be subject to a nominal fee and a nominal volumetric set-aside."). Member Reed seconded the motion. The committee unanimously approved the motion, and the motion carried.

Member Geivet moved to adopt staff's recommendation on future management of potential transfer impacts (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 Domondon seconded the motion. The committee unanimously approved the motion, and the motion carried.

Member Etchegary moved to adopt staff's recommendation on inter-GSA transfers within the Tule Subbasin (Staff Recommendation – "Yes, 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 Geivet seconded the motion. The committee unanimously approved the motion, and the motion carried.

Historical Use

Discussion ensued amongst the committee regarding the concept of historical use, its definition, and whether historical use should be given consideration in terms of allocating the sustainable yield and transitional groundwater. It was noted by the Executive Director that a more comprehensive overview of various adjudications and other states' groundwater management systems was given at the Joint February Committee Meeting.

Discussion ensued regarding the various abstract definitions of the term, and how verification of historical use might be more based on an "honor system" due to the variety of records that might be available or not available. It was discussed whether a firm definition had yet been provided on the term.

Public comment was received from Stacie Ann Silva.

Additional discussion amongst the committee ensued regarding the nuances of the term.

Discussion ensued regarding Staff's recommendation in their December 2018 memorandum to the Board and the various pools described therein. The committee also reviewed and discussed the stakeholder committee's recommendation on the topic. It was noted that the stakeholder committee chose to reiterate their motion from their November 2018 meeting.

Public comment was received from Bill Bennet.

The Executive Director reviewed with the committee a series of different conceptual approaches on applying historical use to transitional groundwater allocations. It was discussed that the committee should reconvene on this topic at its next meeting.

NEXT MEETING DATE

Next Meeting (Executive Committee) – Thursday, April 18, 2019 at Transit Multi-Purpose Center (15 E. Thurman Ave., Ste. D, Porterville); may make a recommendation

The next meeting of the ETGSA Executive Committee will be on Thursday, April 18, 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, Chairman Borba adjourned the meeting at approximately 4:25 pm.

Respectfully submitted,

_____

Bryce G. McAteer, Secretary to the Board

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Agenda Item 5.a

Report on ongoing ETGSA outreach efforts

Staff Report to the ETGSA Executive Committee

Subject: Summary of March and April ETGSA Outreach Events

Submitted By: Executive Director

Recommended Action: n/a (report is for informational purposes)

Executive Summary:

In addition to its regular Board and Committee Meetings and email correspondence to its Interested Parties List, ETGSA continues to conduct community outreach regarding SGMA, ETGSA, and the development of ETGSA's Draft GSP through a variety of events and other media.

A summary of ETGSA's outreach efforts undertaken during the month of March and April 2019 are listed below:

- *March 12, 2019 (Workshop)* - ETGSA hosted a Community Workshop regarding SGMA and groundwater sustainability planning in Terra Bella at Carl Smith Middle School.
- *March 22, 2019 (Regional Collaboration)* – USGS, in partnership with ETGSA, the Tule Subbasin MOU Group, and FWA, presented on "Subsidence in the Central Valley" and provided an onsite tour of the recently refurbished Extensometer
- *April 2, 2019 (Workshop)* - ETGSA hosted a Community Workshop regarding SGMA and groundwater sustainability planning in Porterville at CHMA.
- *April 9, 2019 (Workshop) –* ETGSA hosted a Community Workshop regarding SGMA and groundwater sustainability planning in Richgrove with DEID at Richgrove Elementary School.

Background:

SGMA requires that, "The groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans…" (WAT § 10723.2). ETGSA undertakes outreach efforts, both individually and in collaboration with regional partners, to ensure that these interests are considered and provided with information pertinent and relevant to SGMA and the

development of ETGSA's GSP. The ETGSA Board of Directors adopted a Communication and Engagement Plan on October 5, 2018 that serves as a living guide to ETGSA's outreach efforts.

ETGSA's Board and Committee meetings occur on a regular basis and, save for closed session as permitted pursuant the Brown Act, are open to the public.

ETGSA continues to encourage its stakeholders to engage the Agency with other opportunities for outreach.

Fiscal Impact: n/a

Attachments: n/a

Executive Committee
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Agenda Item 6.a

Report on ETGSA Board Meeting of April 4, 2019

Staff Report to the ETGSA Executive Committee

Subject: Summary of Recent ETGSA Board Meeting

Submitted By: Executive Director

Recommended Action: n/a (report is for informational purposes)

Executive Summary:

ETGSA's Board of Directors met on April 4, 2019. Below is a summary of the meeting:

Members Present – Director Borba, Director Leider, Director Wheaton, Director Townsend, Director Kisling, Director Penaloza (alternate), Director Corkins, Director Schneider, Director Holmes

Members Absent – Director Reyes

Summary of Actions Taken -

- Approved the March 7, 2019 board meeting minutes with the correction on page 2 revising "board member" to "board members" (*Unanimous)*
- Approved a letter of support for SB 559 (*Unanimous)*
- Authorized staff to undertake the non-material boundary change between ETGSA and DEID GSA (*Unanimous)*
- Authorized staff to apply for and acquire a business card with a limit of $10,000.00. (*Unanimous)*
- Authorized the search for a candidate for the position ETGSA Office Manager, with a proposed salary range of $50,000 to $70,000, and an advertising budget of $1,000. (*Unanimous)*
- Ratified the bills previously paid and approved payment of the bills *(Unanimous)*

Background: n/a

Fiscal Impact: n/a

Attachments: n/a

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Agenda Item 6.b

Report on ETGSA Stakeholder Committee Meeting of April 8, 2019

Staff Report to the ETGSA Executive Committee

Subject: Summary of Recent ETGSA Executive Committee Meetings

Submitted By: Executive Director

Recommended Action: n/a (report is for informational purposes)

Executive Summary:

ETGSA's Stakeholder Committee met on April 8, 2019. Below is a summary of the meeting:

Members Present – Member Konda, Member Bennett, Member O'Sulliovan, Member Castle, Chairman Leider, Member Briano, Member Guthrie, member Watkins

Members Absent – Member Mulholland, Member Magana, Member Parsons, Member Inestroza

Summary of Actions Taken -

- Approved the minutes of the March 28, 2019 Stakeholder Committee Special Meeting (*Majority Yes, 1 Abstention)*
- Moved to schedule a Special Meeting of the Stakeholder Committee on April 25, 2019 (*Majority Yes, 1 No)*

Background:

n/a

Fiscal Impact:

n/a

Attachments: n/a

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Agenda Item 7.a

Report on Tule Subbasin Coordination and TH&Co Subbasin Task Items

Staff Report to the ETGSA Executive Committee

Subject:	Updates Regarding Tule Subbasin Coordination and Task Items
Submitted By:	Executive Director
Recommended Action:	n/a (report is for informational purposes)

Executive Summary:

Coordination amongst the Tule Subbasin GSAs is ongoing. Below is a summary of major areas of coordination, updates from Thomas Harder & Company (hereafter, "TH&Co"), recent or current consensus on certain items, and anticipated next steps:

- **Draft Coordination Agreement**
  - TH&Co completed an update to the Draft Coordination agreement as of March 29, 2019. The updated draft is being re-reviewed by 4Creeks and GSA leads. Certain sections are subject to update and completion following finalization of the Monitoring Plan, Basin Setting, and other documents.
- **Draft Basin Setting**
  - As of February 13, 2019, TH&Co has updated the Draft Basin Setting per the comments of the GSA leads and other work related to its completion. The updated draft is being re-reviewed by GSA leads, who are to supply TH&Co with final comments. Certain sections are subject to update and completion following finalization of the Future Water Budget, decisions regarding GSA Management Areas, receipt of Cal Poly ITRC data, and development of Sustainable Management Criteria.
- **Draft Monitoring Plan**
  - The Draft Monitoring Plan continues to be updated by TH&Co. Staff does not have a good estimation for when it anticipates receiving the updated Plan. Anticipated updates include the addition of certain monitoring sites currently

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also within the Irrigated Lands Regulatory Program Monitoring Plan and, potentially, identification and inclusion of representative monitoring sites.

- **Future Water Budgets & Future Projection Scenario Runs**
  - Development of Future Water Budgets by TH&Co is contingent upon submission of Tule Subbasin GSA Projects and Management Actions, which is being coordinated through the development of Sustainable Management Criteria and Future Projection Scenario Runs. It is anticipated that Future Projection Scenario Runs will be developed ***after*** receiving the results from TH&Co's Area of Subsidence Concern analysis.
- **Sustainable Management Criteria**
  - Executive Director McAteer and TH&Co are finalizing their updates to the Undesirable Result and Sustainability Goal Discussion Draft.
  - **General Consensus:** Representative Monitoring Sites should be used to track sustainable management criteria.
- **Friant-Kern Canal Area of Subsidence Concern Analysis**
  - Results are expected in mid-April.
- **TAC Meeting on April 17, 2019**
  - Will be discussed during the day of the Committee Meeting

Background:

ETGSA is member to the Tule Subbasin MOU Group. This group consists of the various GSAs overlying the Tule Subbasin. More information can be found at: www.tulesgma.com

The Tule Subbasin GSAs have collectively engaged and contracted TH&Co to undertake various scopes of work to assist them in the completion of their GSPs, Coordination Agreement, and various technical matters that must be addressed in a coordinated Subbasin manner. Additionally, R.L. Schafer serves as the Tule Subbasin Coordinator and David De Groot/4Creeks serves as Technical Lead/Grant Lead/Secretary. Lower Tule River Irrigation District serves as Fiscal Agent to the Tule Subbasin MOU Group.

Fiscal Impact: n/a

Attachments:

- Exhibit A: Updated Tule Subbasin Coordination Timeline and TH&Co Task Item Flow Chart

Agenda Item #7.a
Exhibit A

Updated Tule Subbasin Coordination Timeline and TH&Co Task Item Flow Chart

Presentation to ETGSA Executive Committee
April 18, 2019

Coordination Timeline – GSPs & Public Review

Tule Subbasin GSAs

Draft GSP Development
-Ongoing Coordination-
-SMC Development-
-FKC Results-
-FPSRs & Projects Runs-

Present — **April**

Finalize Draft Subbasin Coordination Items
-Finalize SMCs-
-Finalize Future Water Budget-
-Finalize Coordination Agreement-
-General Subbasin Consensus re: GSPs-
-General Inter-Basin Consensus re: GSPs-

June — **September**

Min. 90 Day Public Review Period
-Individual GSA Workshops-
-Coordinated Tule Subbasin Workshops-
-Iterative Review of Public Response-

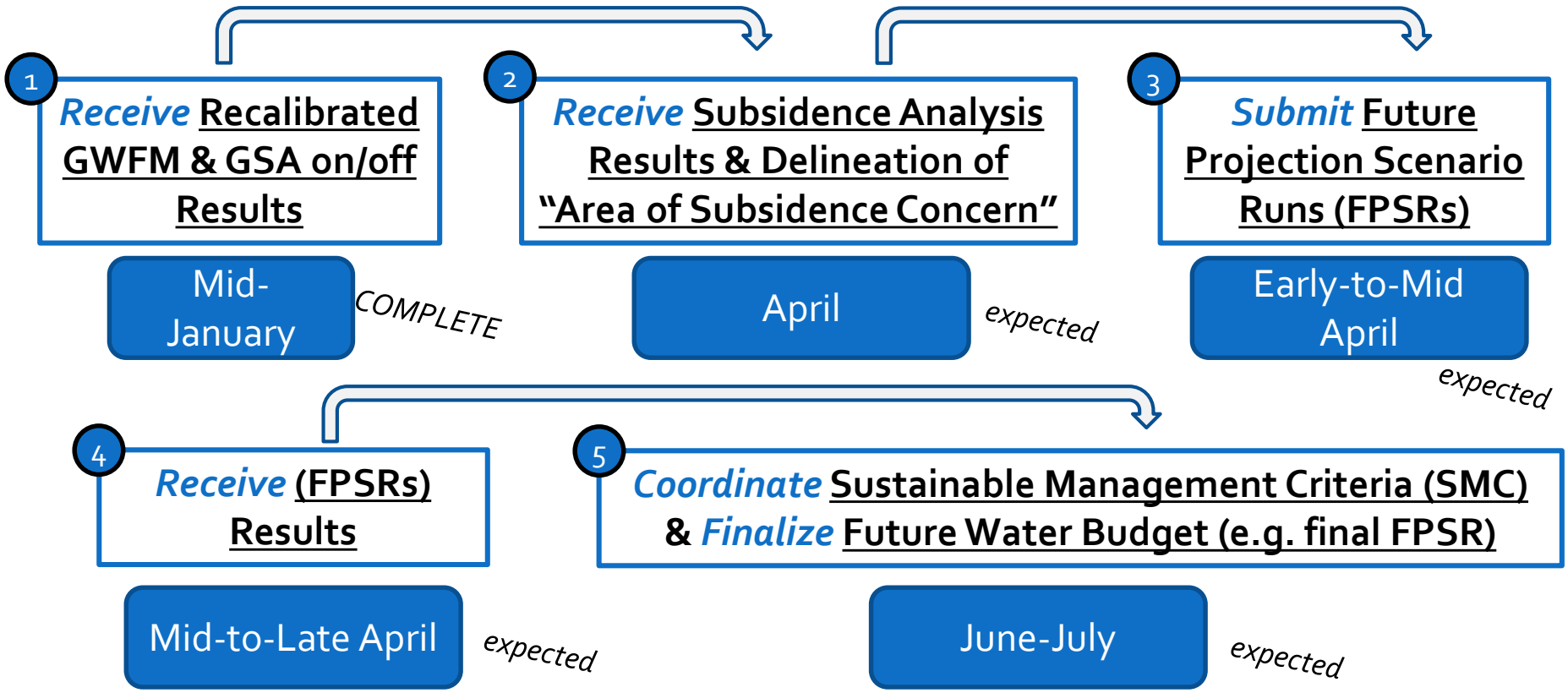
Public Hearing & Adoption
-Coordinate on Final Adjustments (if any)-
-Individual GSA Public Hearings/Adoptions-
-Coordinated Submission-

Jan. 31, 2020

Post-Submission
-DWR begins 60 public comment period-
-DWR has 2 years to review and accept plans-

FOR DISCUSSION PURPOSES ONLY

Flow Chart: TH&Co Task Items



By reviewing TH&Co's results between each of these steps and data deliverables, the GSAs will be able to iteratively:

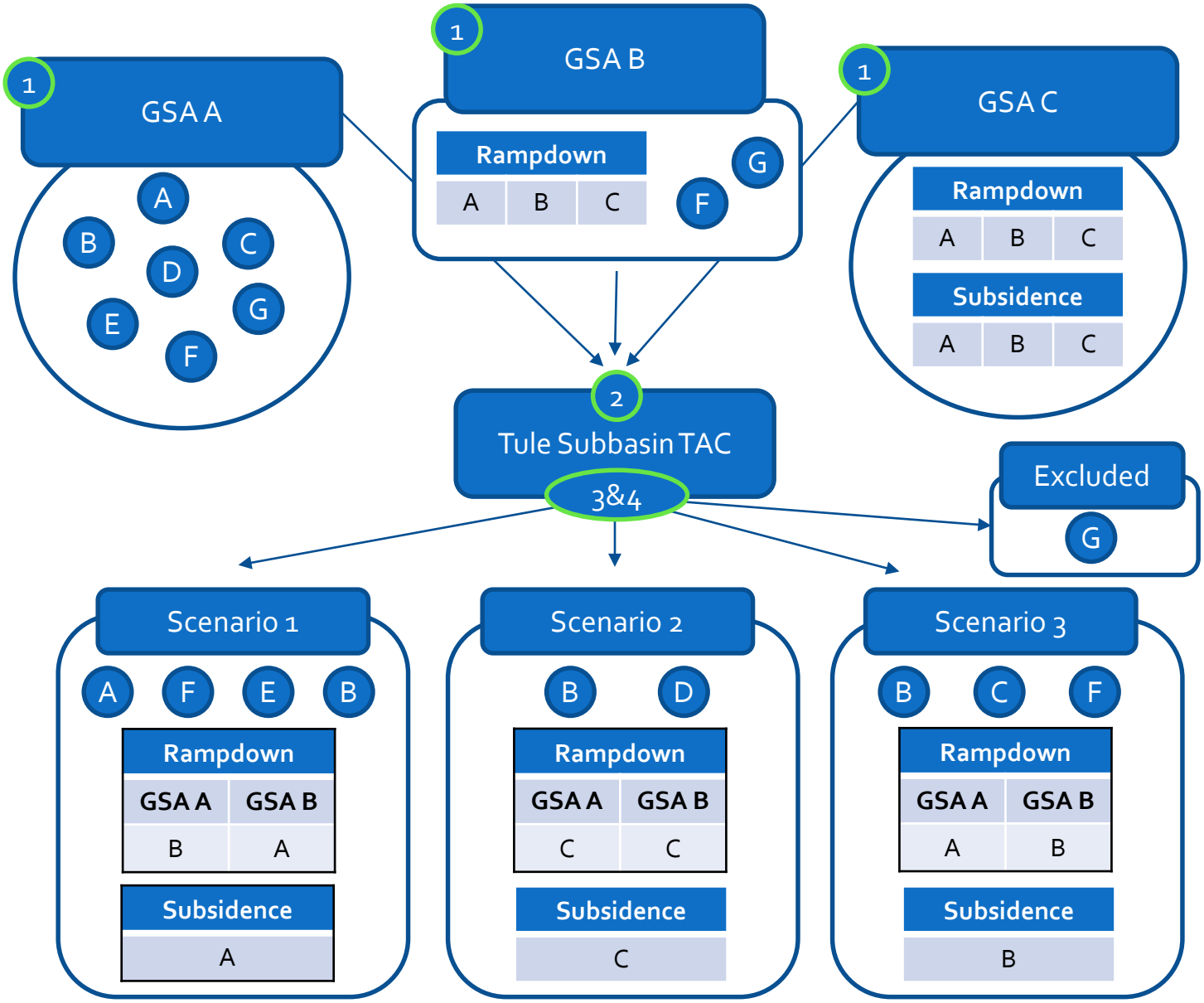
- Consider how they might set SMCs based on the results received,
- And/or propose Projects and Management Actions to help them achieve certain sustainability objectives

FOR DISCUSSION PURPOSES ONLY

EXAMPLE - Subbasin FPSR Finalization

STEPS

1. GSAs Individually Compile Proposed PMAs
2. Proposed PMAs are discussed @ TAC
3. Desired PMAs are Sorted, Arranged & Finalized
4. Desired PMA Scenarios are sent to TH&Co
5. Future Hydrographs, Land Subsidence results, and Water Budgets provided by TH&Co



FOR DISCUSSION PURPOSES ONLY

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Agenda Item 7.b

Report on Inter-Basin & Regional Stakeholder Coordination

Staff Report to the ETGSA Executive Committee

Subject: Inter-Basin and Regional Coordination

Submitted By: Executive Director

Recommended Action: n/a (report is for informational purposes)

Executive Summary:

ETGSA continues to undertake various efforts to coordinate and collaborate with regional partners and stakeholders.

ETGSA is partaking in the development of Friant Water Authority's "San Joaquin Valley Blueprint", an initiative focused on identifying major areas for regional cooperation to provide a strategy for addressing the substantial overdraft occurring within the region. Executive Director is chairing the initiative's "Regional and Technical Considerations Committee".

ETGSA staff regularly meets with other Subbasin Staff and Technical Leads from the adjacent Kern County and Kaweah Subbasins to discuss best practices, GSP development, and necessary inter-basin coordinate.

Background:

n/a

Fiscal Impact:

- n/a

Attachments:

- n/a

Executive Committee
April 18, 2019

Agenda Item 8.a

Report on ETGSA GSP Drafting; may make a recommendation

Staff Report to the ETGSA Executive Committee

Subject:	Drafting of the ETGSA Groundwater Sustainability Plan
Submitted By:	Executive Director
Recommended Action:	n/a (report is for informational purposes)

Executive Summary:

Staff and 4Creeks, Inc. continue to develop the Draft GSP document. Policy direction is sought from ETGSA's Committees and the Board as necessary, and technical matters are further informed by ongoing Subbasin work being undertaken by Thomas Harder & Company (hereafter, "TH&Co"). It is anticipated that the Draft GSP will be completed in June, 2019.

Below is a summary of the current status of the Draft GSP:

- **Chapter 1 (Introduction)**: Subject to final adjustments, Chapter 1 (now broken into 3 sections) is complete. Final adjustments include:
    - Descriptions of relevant land use plans (currently being reviewed by relevant land use agencies)
    - Descriptions of cost and funding (contingent upon projects, management actions, and monitoring plan)
- **Chapter 2 (Basin Setting)**: Subject to final adjustments, Chapter 2 (now, Section 4) is complete. Final adjustments include:
    - Any subsequent updates to the current Draft Basin Setting (likely resulting from ITRC data and staff recommendations)
    - Future Water Budget (contingent upon Subbasin Coordination and finalization of draft projects and management actions)
- **Chapter 3 (Sustainable Management Criteria)**: This section (now, Section 5) is being drafted and outlined. General agreement at the Subbasin-level has provided direction for this section's development, but several items are still to be worked out.

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- **Chapter 4 (Monitoring Networks):** This section (now, Section 6) remains incomplete; Staff and 4Creeks are waiting on TH&Co to provide them with their updated Tule Subbasin Monitoring Plan.
- **Chapter 5 (Projects and Management Actions)**: This section (now, Section 7) is under development. Staff presented a Draft Outline to the Board and Committees for discussion. Staff is assembling Project & Management Action descriptions accordingly from Member Agencies and other interested groups. Staff will continue to seek Committee and Stakeholder input and Board direction as this section is developed.
- **Chapter 6 & 7 (Plan Implementation and References to Technical Studies)**: These sections will be developed iteratively following completion of other Sections, and may be integrated into the aforementioned sections.

Background:

Development of the ETGSA Draft GSP is being undertaken by Staff with assistance from 4-Creeks, Inc. and incorporation of work completed on behalf of the Tule Subbasin GSAs by TH&Co. 4-Creeks and Staff meet twice per month (at minimum) to review progress, review recommendations and Board decisions, and identify next steps

The latest version of ETGSA's Draft GSP Creation Schedule can be found on its website at www.easterntulegsa.com/resources/#gsp. It is anticipated that the Draft GSP will be completed in June, 2019.

Fiscal Impact:

n/a

Attachments:

- **Exhibit A:** Draft GSP Sections 1-3, Table of Contents
- **Exhibit B:** Draft GSP Section 4, Table of Contents

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Exhibit A

ETGSA Draft GSP, Sections 1-3 Table of Contents

Contents

1.1. Purpose of the Groundwater Sustainability Plan..... **Error! Bookmark not defined.**

1.2. Executive Summary [23 CCR § 354.4(a)]..... **Error! Bookmark not defined.**

1.3. References and Technical Studies [23 CCR § 354.4(b)] ..... **Error! Bookmark not defined.**

2.1. Agency Information [23 CCR § 354.6]..... **Error! Bookmark not defined.**

2.1.1. Name, Mailing Address, and Contact Information of the ETGSA [23 CCR § 354.6(a)] ..... **Error! Bookmark not defined.**

2.1.2. Name, Mailing Address, and Contact Information of ETGSA's Member Agencies..... **Error! Bookmark not defined.**

2.2. Legal Authority [23 CCR § 354.6(d)]..... **Error! Bookmark not defined.**

2.3. Organization and Management Structure [23 CCR § 354.6(b)]..... **Error! Bookmark not defined.**

2.4. Plan Manager and Contact Information [23 CCR § 354.6(c)]..... **Error! Bookmark not defined.**

2.5. Cost and Funding of Plan Implementation [23 CCR § 354.6(e)] ..... **Error! Bookmark not defined.**

3.1. ETGSA GSP Plan Area [23 CCR § 354.8(a)(1), 354.8(b)] ..... **Error! Bookmark not defined.**

3.2. Other Tule Subbasin GSP Plan Areas [23 CCR § 354.8(a)(1), 354.8(b)]..... **Error! Bookmark not defined.**

3.3. Tule Subbasin Adjudicated Areas and Alternative Plans [23 CCR § 354.8(a)(2), 354.8(b)]] ..... **Error! Bookmark not defined.**

3.4. Subbasins Adjacent to the Tule Subbasin [23 CCR § 354.8(a)(1), 354.8(b)] ..... **Error! Bookmark not defined.**

3.5. Other Jurisdictional Areas within ETGSA [23 CCR § 354.8(a)(3), 354.8(b)]..... **Error! Bookmark not defined.**

3.5.1. Federal Jurisdictions..... **Error! Bookmark not defined.**

3.5.2. State Jurisdictions ..... **Error! Bookmark not defined.**

3.5.3. Tribal Jurisdictions..... **Error! Bookmark not defined.**

3.5.4. County, City, and Local Jurisdictions..... **Error! Bookmark not defined.**

3.6. Land Use [23 CCR § 354.8(a)(4), 354.8(b)]..... **Error! Bookmark not defined.**

3.7. Water Use Sectors and Water Source Types [23 CCR § 354.8(a)(4), 354.8(b)] **Error! Bookmark not defined.**

3.7.1. Urban/Industrial Water Use and Water Sources..... **Error! Bookmark not defined.**

3.7.2. Agricultural Water Use and Water Sources ..... **Error! Bookmark not defined.**

3.7.3. Managed Recharge ..... **Error! Bookmark not defined.**

3.8. Existing Wells, Well Types, and Density [23 CCR § 354.8(a)(5), 354.8(b)] ..... **Error! Bookmark not defined.**

3.9. Communities Dependent Upon Groundwater [23 CCR § 354.8(a)(5), 354.8(b)] .... **Error! Bookmark not defined.**

3.9.1. Groundwater Dependent Ecosystems ..... **Error! Bookmark not defined.**

3.9.2. Groundwater Dependent Communities ..... **Error! Bookmark not defined.**

3.10. Existing Water Resource Monitoring and Management Programs [23 CCR § 354.8(c)] ..... **Error! Bookmark not defined.**

3.10.1. Monitoring Programs ..... **Error! Bookmark not defined.**

3.10.1.1. Water Quality and Supply: State-Wide Groundwater Monitoring Programs..... **Error! Bookmark not defined.**

3.10.1.2. Water Quality: Consumer Confidence Reports for Drinking Water . **Error! Bookmark not defined.**

3.10.1.3. Surface Water Quality: TBWQC Surface Water Quality Monitoring Plan, 2014..... **Error! Bookmark not defined.**

3.10.1.4. Groundwater Elevation: DCTRA Groundwater Elevation Monitoring Program ..... **Error! Bookmark not defined.**

3.10.1.5. Streamflow: USGS National Streamflow Information Program..... **Error! Bookmark not defined.**

3.10.1.6. Streamflow: Tule River Stream and Diversion Gauges ..... **Error! Bookmark not defined.**

3.10.1.7. Precipitation: DWR California Irrigation Management Information System..... **Error! Bookmark not defined.**

3.10.1.1. Precipitation: USACE Tule River Precipitation Stations ..... **Error! Bookmark not defined.**

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3.10.2.1. Integrated Regional Water Management Plans ..... **Error! Bookmark not defined.**

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3.10.3.5. RWQCB Water Quality Control Plan for the Tulare Lake Basin, 3rd Edition ..... **Error! Bookmark not defined.**

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3.11.2. Groundwater Recharge, Recharge Policies, and Banking ..... **Error! Bookmark not defined.**

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3.12.1.1. Tulare County General Plan 2030 Update ..... **Error! Bookmark not defined.**

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3.13. Summary of Well Permitting Processes in the Tule Subbasin [23 CCR § 354.8(f)(4)]..... **Error! Bookmark not defined.**

3.14. Implementation of Land Use Plans Outside of the Tule Subbasin and their Effect on Achieving Sustainable Groundwater Management within the Tule Subbasin [23 CCR § 354.8(f)(5)] **Error! Bookmark not defined.**

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Appendices..... **Error! Bookmark not defined.**

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Agenda Item #8.a
Exhibit B

ETGSA Draft GSP, Section 4 Table of Contents

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4.2.4.2. Tule River ..... **Error! Bookmark not defined.**

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Agenda Item 8.b

Discuss and consider new GSP Policy Matters; may make a recommendation

Staff Report to the ETGSA Executive Committee

Subject: Current GSP Policy Matters

Submitted By: Executive Director

Recommended Action: *n/a*

Executive Summary:

ETGSA Staff has introduced the Executive and Stakeholder Committees to a series of new policy matters that have been discussed amongst the Committees since their meetings beginning in January 2019. The following recommendations have, thus far, been provided by the Committees:

- *Executive Committee Recommendations on Policy Matters:*
  - Moved to recommend the use of management areas and have staff bring back to the committee draft criteria and visualizations. (*Unanimous*) – February 21, 2019
  - Moved to have staff bring back a summary of potential criteria for groundwater account users. (*Unanimous*) – February 21, 2019
  - Moved to accept staff's recommendation for four initial management area types, as presented. (*Unanimous)* – April 2, 2019
  - Moved to recommended that groundwater accounts be debited and credited on a monthly basis. (*Unanimous)* – April 2, 2019
  - Moved to recommended that the ETGSA should not allow for prices paid for transfers to be reported (*Approved; 4 Yes, 3 No)* – April 2, 2019
  - Moved to adopt staff's recommendation regarding market boards and pre-identified transfers (Staff Recommendation – "The ETGSA should both facilitate the maintenance of a "market board" and provide for groundwater account holders to initiate transfers with pre-identified participants.") (*Unanimous)* – April 2, 2019
  - Moved to adopt staff's recommendation on debiting preferences ("There should be a default debiting preference for all groundwater accounts, but a groundwater account

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holder should be able to freely adjust their debiting preferences as they see fit."). (*Approved; 5 yes, 2 no*) – April 2, 2019

- Moved to adopt staff's recommendation on interim transfer policies (Staff Recommendation – "Until future policies are developed, each transfer should be subject to a nominal fee and a nominal volumetric set-aside.") (*Unanimous)* – April 2, 2019
- Moved to adopt staff's recommendation on future management of potential transfer impacts (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."). *(Unanimous)* – April 2, 2019
- Moved to adopt staff's recommendation on inter-GSA transfers within the Tule Subbasin (Staff Recommendation – "Yes, 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."). *(Unanimous)* – April 2, 2019

- *Stakeholder Committee Recommendations on Policy Matters*
  - Moved to recommend the use of management areas and have staff bring back to the committee draft criteria and visualizations. (*Unanimous*) – February 21, 2019
  - Moved to have staff bring back a summary of potential criteria for groundwater account users. (*Unanimous*) – February 21, 2019
  - Moved to accept staff's recommendation for four initial management area types, as presented by the Executive Director (*Majority yes, 1 no*) – March 14, 2019
  - Moved to accept the staff recommendation on requiring that prices paid for transfers be reported (Staff Recommendation – "The ETGSA should require that prices paid for transfers be reported.") (*Unanimous*) – March 14, 2019
  - Moved to recommend that groundwater accounts be debited and credited no less than monthly. (*Majority yes, 1 no*) – March 14, 2019
  - Moved to accept the staff recommendation on how transfers might be initiated (Staff Recommendation – "The ETGSA should both facilitate the maintenance of a "market board" and provide for groundwater account holders to initiate transfers with pre-identified participants.") (*Unanimous*)– March 14, 2019
  - Moved to accept the staff recommendation on debiting preferences (Staff Recommendation – "There should be a default debiting preference for all groundwater accounts, but a groundwater account holder should be able to freely adjust their debiting preferences as they see fit.") (*Unanimous*) – March 14, 2019
  - 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.") (*Unanimous*) – March 28, 2019

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- 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.") (*Unanimous*) – March 28, 2019
- 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.") (*Majority yes, 1 no, 1 abstention*) – March 28, 2019
- 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.") (*Majority Yes, 1 no*) – March 28, 2019
- 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. (*Unanimous*) – March 28, 2019

Background:

At its January 2019 Board Meeting, the following items were discussed as new policy matters to be discussed and recommended on by the Committees:

- Management Areas
- Sustainable Management Criteria
- Results of TH&Co Task Items and implications on Projects & Management Actions
- Mechanisms and functioning of a sharing system
- Criteria for validating a recharge project
- Defining historical use
- Evaluating transfer impacts
- Inter-GSA transfers

Fiscal Impact: n/a

Attachments:

- **Exhibit A**: ETGSA New Policy Matters
  (to be provided on day of meeting)

Agenda Item #8.b
Exhibit A

ETGSA
New Policy Matters

Bryce G. McAteer

Executive Director, ETGSA

Presentation for the
Executive Committee

April 18, 2019

FOR DISCUSSION PURPOSES ONLY

Table of Contents

New Policy Matters

- **Sustainable Management Criteria**
- **Management Areas**
- **Results of TH&Co Task Items (and implications)**
- **Mechanisms and Functioning of a Sharing System**
- **Criteria for Validating a Recharge Project**
- **Evaluating Transfer Impacts**
- **Inter-GSA Transfers**
- ***Historical Use**

Color Key for Table of Contents

- ***Red Text –** Indicates topic that is addressed in today's presentation
- **Black Text –** Indicates topic that is not addressed in today's presentation

FOR DISCUSSION PURPOSES ONLY

Historical Use

FOR DISCUSSION PURPOSES ONLY

Historical Use & Policy Questions

Defining "Historical Use"

Implies some sort of *time element.*

- *When?* (Since 1960? 1914? 2014?) Or, *What Period* (10 years, 5 years, or X Years between [Beginning Year] and [End Year])?
- How is the time period *justified?*
- How are periods of *dormancy* handled?
- *What is the equation?* Average use, median use, highest & lowest use, or something else?

Implies some sort of *usage/quantity*.

- Is *usage* based on total irrigation, crop type/demand, potentially irrigable (gross acres), or explicit groundwater use?
- What if *crops types* and/or *irrigation practices (i.e. irrigation efficiency)* changed over time?
- Are *different users types* (e.g. Ag, Municipal, Partial Users, etc.) treated differently?
- How is usage *verified* and how are *discrepancies/different sources* treated?

Policy Questions

SGMA does not prescribe a methodology for determining allocations. Assuming aggregate Historical Use *is greater than* Sustainable Yield, should "Historical Use" be considered in terms of allocating…

1) **Sustainable Yield; and/or**
2) **Transitional Groundwater**

and

If so, how?

FOR DISCUSSION PURPOSES ONLY

SGMA, Water Rights, and Allocations

SGMA § 10720.5.(b) – No Modification of Water Rights or Priorities, and No Determination of Water Rights Pursuant to this Part

- "Nothing in this part, or in any groundwater management plan adopted pursuant to this part, determines or alters surface water rights or groundwater rights under common law or any provision of law that determines or grants surface water rights."

SGMA § 10723.2. – Consideration of All Interests of All Beneficial Uses and Users of GW

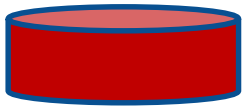
- "The groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans…"

SGMA § 10726.4. – Additional Authorities of Groundwater Sustainability Agency

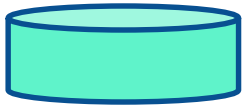
- (a) "A groundwater sustainability agency shall have the following additional authority and may regulate groundwater extraction using that authority:"
- (a)(2) "To control groundwater extractions by regulating, limiting, or suspending extractions… or otherwise establishing groundwater extraction allocations… A limitation on extractions… shall not be construed to be a final determination of rights…"
- (a)(3) "To authorize temporary or permanent transfers of groundwater extraction allocations…"
- (a)(4) "To establish accounting rules to allow unused groundwater extraction allocations issued by the agency to be carried over from one year to another…"

FOR DISCUSSION PURPOSES ONLY

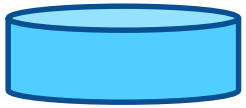
Useable Groundwater, Fees, and Penalties



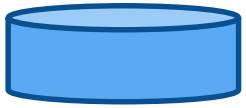
Overuse Penalty: If a groundwater user uses more groundwater than is in their account, they incur a financial **Penalty.** Repeated penalties may result in other punitive and legal actions.



Tier 2 Transitional Volume Option (TVO): Option to use a limited volume of overdraft water; option is potentially tradable and a portion of the option may be eligible for carry-over. Exercise of the option incurs a **Fee.**



Tier 1 Transitional Volume Option (TVO): Option to use a limited volume of overdraft water; option is potentially tradable and a portion of the option may be eligible for carry-over. Exercise of the option incurs a **Fee.**



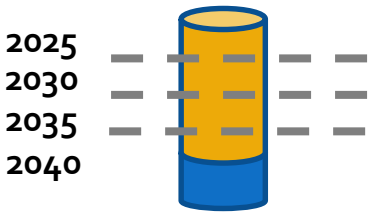
Recharge Credits: Credits received as a result of participating in a recharge bank or other project that recharges the subbasin; use is **at no additional charge.**

Sustainable Yield Allocations: Useable allocations received from shares; use is **at no additional charge.**

FOR DISCUSSION PURPOSES ONLY

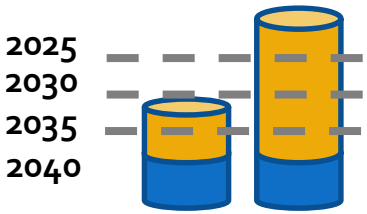
Example 1 - TVO Allowance Pools

All Eligible Lands Same



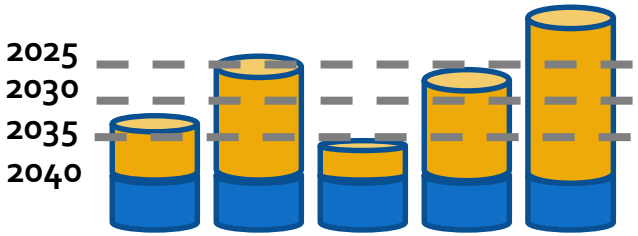
1 TVO Allowance Pool

Eligible Lands Grouped (Several)



Several (e.g. 2-3) TVO Allowance Pools

Eligible Lands Grouped (Many)



Many (>3) TVO Allowance Pools

KEY

- Periodic Ramp Down of TVOs
- TVO Pool (Transitional Volume Options)
- Sustainable Yield Allocation

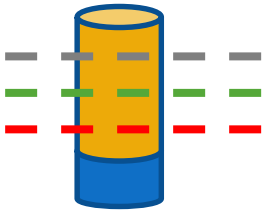
Approach: Smaller TVO Pools are not reduced until initially larger TVO Pools have been reduced to the extent that they equal the smaller TVO pool.

Note – Intra-TVO Pool Tiers not show

FOR DISCUSSION PURPOSES ONLY

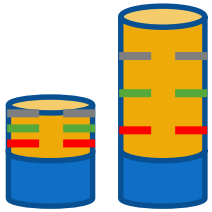
Example 2 – TVO Allowance Pools

All Eligible Lands Same



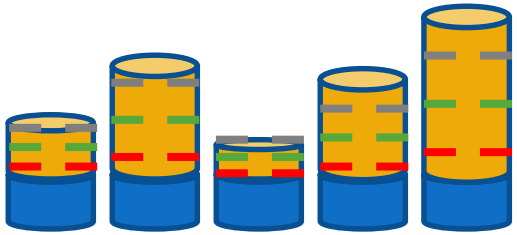
1 TVO Allowance Pool

Eligible Lands Grouped (Several)



Several (e.g. 2-3) TVO Allowance Pools

Eligible Lands Grouped (Many)



Many (>3) TVO Allowance Pools

KEY

- Ramp Down of TVOs in 2025
- Ramp Down of TVOs in 2030
- Ramp Down of TVOs in 2035
- TVO Pools(Transitional Volume Options)
- Sustainable Yield Allocation

Approach: Each TVO Allowance Pool is reduced differently at the beginning of each new 5-year allocation period.

Note – Intra-TVO Pool Tiers not show

FOR DISCUSSION PURPOSES ONLY

Distribution Exercise

SEE SPREADSHEET

FOR DISCUSSION PURPOSES ONLY