

**MINUTES** of the regular meeting of the Board of Directors of Southwest Kings Groundwater Sustainability Agency ("SWKGSA") held on March 11, 2020 at the office of the Agency, 286 W. Cromwell Avenue, Fresno, California.

**DIRECTORS PRESENT:** Kimberly Brown, Dudley Ridge Water District  
Steven Jackson, White Area representative  
Bernard Puget, Dudley Ridge Water District  
Jim Wilson, Tulare Lake Reclamation District 761

**DIRECTORS ABSENT:** Mark Grewal, Tulare Lake Reclamation District 761 None

**OTHERS PRESENT:** Dale Melville, Provost & Pritchard Consulting Group  
Joe Hopkins, Provost & Pritchard Consulting Group  
Lauren Layne, Baker, Manock and Jensen  
Antonio Solorio, Westlands Water District  
Riley Jones, Tulare Lake Compost  
Dennis Tristao, J.G. Boswell  
Hylon Kaufmann, Ranch Systems

Chair Brown called the Board meeting to order at 3:00 p.m.

**MINUTES**

Upon a motion by Director Jackson and second by Director Puget, the minutes from the January 27, 2020 regular meeting of the Agency were approved as presented by the following vote:

Brown	Puget	Grewal	Wilson	Jackson
Aye	Aye	-	Aye	Aye

**FINANCIAL REPORTS**

Mr. Hopkins presented the Treasurer's Report with the budget to-date. After a short discussion, Director Puget motioned to accept the Treasurer's Report. The motion was seconded by Director Jackson and the Board voted to adopt the motion. Following the vote, Chair Brown announced that the directors voted as follows:

Brown	Puget	Grewal	Wilson	Jackson
Aye	Aye	-	Aye	Aye

Mr. Hopkins then presented the warrants to be ratified as paid, and the warrants to be paid. After a short discussion, Director Puget motioned to ratify the prior warrants as paid and pay the current warrants. The motion was seconded by Director Jackson and the Board voted to adopt the motion. Following the vote, Chair Brown announced that the directors voted as follows:

Brown	Puget	Grewal	Wilson	Jackson
Aye	Aye	-	Aye	Aye

**SUBBASIN ISSUES**

Mr. Melville presented the draft well water metering policy for discussion and input from the Board. Legal counsel informed the Board that the policy cannot be adopted without a public hearing. Mr. Melville recommended that a hearing be set for April 8, 2020, and also asked that any comments from the Board be provided by March 18, 2020. After a short discussion, Director Puget motioned to set a public hearing for April 8<sup>th</sup> at 3:00 p.m. The motion was seconded by Director Jackson and the Board voted to adopt the motion. Following the vote, Chair Brown announced that the directors voted as follows:

Brown	Puget	Grewal	Wilson	Jackson
Aye	Aye	-	Aye	Aye

Mr. Melville provided an update on the proposed Kings County water policy. The stated intent of the policy was to give County staff direction on water issues without them having to go the County Board of Supervisors for direction when various issues arise. However, it lacked input from the GSAs and other water entities in Kings County. Mr. Melville noted that the GSAs have expressed concerns with the draft policy and that a discussion is to be scheduled with County staff prior to a March 23 joint County Water and Ag Commissions meeting.

Mr. Hopkins reported that the Tulare Lake Subbasin has applied for Prop. 68 grant funding for SGMA planning. The Subbasin collectivity requested \$500,000 to fund model refinements, monitoring, and coordination. Some funds have already been expended by the Subbasin, so the grant would also seek to recover those expenses. Preliminary awards have been provided by the DWR, and the Tulare Lake Subbasin has been allotted \$350,000. Details have yet to be provided by the State regarding schedule, agreements, and similar grant conditions.

Mr. Hopkins then informed the Board that a request was made for Technical Support Services from DWR to drill monitoring wells. The initial request is awaiting DWR approval, however, a request was received for more information. Per DWR's process, once the initial request is approved, a more detailed request will be made.

Mr. Melville provided a reminder on the SWKGSA's proposed cost-sharing formula between the GSAs in the Tulare Lake Subbasin. The current cost sharing agreement defined in the Interim Operating Agreement was based on acreage as the basis of each GSA's funding contribution. It was understood that the current formula would need to be adjusted once additional data was available; that is the now the case. Staff has proposed a revised cost-sharing method to the other Subbasin GSAs to consider pumping volumes in the cost-sharing formula. The Board continued to concur with the proposed approach and directed staff to continue discussions with the other Subbasin GSAs to effectuate a more equitable cost-sharing basis than in the Interim Operating Agreement.

Mr. Melville informed the Board that a comment letter was received on the GSP from the Department of Fish and Wildlife ("DFW"). DFW was essentially re-iterating their comments provided in a November 27, 2019 letter to the GSAs regarding their concerns that environmental uses of water were not adequately considered.

Mr. Hopkins provided an update on the first Annual Report for the GSP that is due on April 1, 2020. The Board was informed that data for the SWKGSA was provided to the consultant, and we are awaiting rough draft of the report.

As a follow up to the January 27, 2020 Board meeting, Mr. Melville provided an update to Director Jackson's request that a letter be provided to DWR to express the concern sustainability should be reached sooner than identified in the plan. It was stated that this letter would be tabled until the April 8, 2020 Board meeting, to refine the message with the Ad Hoc Committee of Directors Jackson and Brown. If the SWKGSA decides to comment on the GSP, comments are due to DWR by April 15, 2020.

#### **REPORT OF COUNSEL**

Ms. Layne gave a brief update on two tolling agreements with Westlands Water District; one for SWKGSA and one for all Tulare Lake Subbasin GSAs (both attached to and made part of these minutes). The agreement essentially preserves each districts' right to file a claim on the GSP beyond the DWR comment period. Due to time constraints related to Westlands' understanding of the statute of limitations, the agreements had been previously signed by Executive Director Melville. After a short discussion, Director Puget motioned to ratify both tolling agreements. The motion was seconded by Director Jackson and the Board voted to adopt the motion. Following the vote, Chair Brown announced that the directors voted as follows:

Brown	Puget	Grewal	Wilson	Jackson
Aye	Aye	-	Aye	Aye

Ms. Layne then gave a legislative update on bills AB 2052, AB 2093, and SB 931. After a short discussion, Director Jackson motioned to oppose the bills and have counsel generate opposition letters. The motion was seconded by Director Puget and the Board voted to adopt the motion. Following the vote, Chair Brown announced that the directors voted as follows:

Brown	Puget	Grewal	Wilson	Jackson
Aye	Aye	-	Aye	Aye

#### **OTHER BUSINESS**

Mr. Melville gave an update on the San Joaquin Valley Water Blueprint, noting that Dr. Sunding's report is on the SWKGSA's website, and a funding approach is being discussed based on participation and water needs.

#### **DATE, TIME, AND LOCATION OF NEXT BOARD MEETING**

The Executive Director noted that the next Board meeting will be a regular Board meeting on April 8, 2020 at 3:00 p.m.

**ADJOURNMENT**

There being no further business to come before the Board, Director Puget motioned to adjourn the meeting. The motion was seconded by Director Jackson and the Board voted to adopt the motion. Following the vote, Chair Brown announced that the directors voted as follows:

Brown	Puget	Grewal	Wilson	Jackson
Aye	Aye	-	Aye	Aye

Chair Brown adjourned the meeting at 3:50 p.m.

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Steven D. Jackson, Secretary-Treasurer

APPROVED:

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Kimberly M. Brown, Chair