

**MINUTES** of the regular meeting of the Board of Directors of Southwest Kings Groundwater Sustainability Agency (“SWKGSA”) held on April 8, 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  
 Mark Grewal, Tulare Lake Reclamation District 761

**DIRECTORS ABSENT:** None

**OTHERS PRESENT:** Dale Melville, Provost & Pritchard Consulting Group  
 Joe Hopkins, Provost & Pritchard Consulting Group  
 Rick Besecker, Provost & Pritchard Consulting Group  
 Lauren Layne, Baker, Manock and Jensen  
 Rebecca Quist, Kings River Conservation District  
 Kiti Campbell, Westlands Water District  
 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 Puget and second by Director Wilson, the minutes from the March 11, 2020 special meeting of the Agency were approved as presented by the following vote:

|       |       |        |        |         |
|-------|-------|--------|--------|---------|
| Brown | Puget | Grewal | Wilson | Jackson |
| Aye   | Aye   | Aye    | Aye    | -       |

**FINANCIAL REPORTS**

Mr. Besecker presented the Treasurer’s Report with the budget to-date, the warrants to be ratified as paid, and the warrants to be paid. After a short discussion, Director Grewal motioned to accept the Treasurer’s Report. 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    | -       |

**METER POLICY PUBLIC HEARING**

Chair Brown opened the public hearing at 3:14 p.m. Mr. Melville noted the meter policy was distributed in the Board packet and notice of the hearing was properly posted and published; he noted that the SWKGSA had not received any written comments. Chair Brown asked for any public comments for the record. No comments were provided, whereupon Chair Brown closed the hearing at 3:16 p.m. Director Grewal motioned to approve the meter policy as presented, a copy of which is attached to and made part of these minutes. 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    | Aye     |

**SUBBASIN ISSUES**

Mr. Melville provided an update on the proposed Kings County water policy. Progress has been stalled due to the Coronavirus situation. The April 9, 2020 special joint meeting of the Water and Agriculture Commission was canceled, and the County has postponed meeting with the GSAs. Mr. Melville expressed his optimism to reach common ground and was encouraged by the County’s willingness to meet.

Mr. Hopkins reported that the Tulare Lake Subbasin has applied for Proposition 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 grant awards have been provided by the DWR; the Tulare Lake Subbasin has been allotted \$450,000 initially and another \$50,000 contingent on later DWR budget allocations.

Mr. Hopkins then informed the Board that a request was made for Technical Support Services from DWR to drill monitoring wells. The initial request has been accepted at the local level and

has been sent to Sacramento for review. Per DWR's process, once the initial request is approved, a more detailed request will be required.

Mr. Melville reminded the Board that he was continuing to get Subbasin support for the SWKGSA's proposed cost-sharing formula between the GSAs in the Tulare Lake Subbasin. 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 no new GSP comments have been received. The only comment letter received so far is 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. The deadline for comments has been extended by DWR to May 15, 2020 due to the Coronavirus situation.

Mr. Hopkins provided an update on the first Annual Report for the GSP that was due on April 1, 2020. DWR has provided leniency on late annual reports, and the consultant is currently finishing the report.

As a follow up to the January 27, 2020 Board meeting, Mr. Melville provided an update to Director Jackson's approved motion that a letter be provided to DWR to express the concern that sustainability should be reached sooner than identified in the GSP. The Ad Hoc Committee of Directors Jackson and Brown have meet to refine the letter, but due to last minute edits, were not ready to recommend Board action. A lengthy discussion ensued regarding the level of detail and the geographical area the letter should address. Director Wilson noted that his ability to deliver water is being impacted now. The Ad Hoc committee will continue to refine the letter and request a Special Board meeting to reconsider the letter content. Comments are due to DWR by May 15, 2020.

#### **REPORT OF COUNSEL**

Ms. Layne reported that letters on behalf of the Agency in opposition of bills AB 2052, AB 2093, and SB 931 have been submitted to the Legislature.

Ms. Layne discussed a confidentiality agreement that has been presented by Westlands Water District to allow the agencies to cooperate with one another. After a short discussion, Director Grewal motioned to direct legal counsel to sign the confidentiality agreement. 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    | Aye     |

Ms. Layne then gave a brief update the tolling agreements between Westlands and the SWKGSA and the intent to extend the tolling to July 30, 2020. Upon legal counsel review, Executive Director Melville will execute the agreement and seek to ratify at the next Board meeting.

#### **OTHER BUSINESS**

In regard to the County's Water Policy, Director Grewal voiced that he would like to see more detail on how they plan to bring water into the County. Director Grewal will coordinate with Mr. Melville on express his insight based on his extensive history of farming in the area.

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

The Executive Director noted that the next Board meeting would be a Special Meeting to review the SWKGSA's comment letter to DWR; date to be determined.

#### **ADJOURNMENT**

There being no further business to come before the Board, Chair Brown adjourned the meeting at 3:46 p.m.

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Steven D. Jackson, Secretary-Treasurer

APPROVED:

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Kimberly M. Brown, Chair