

TRI-COUNTY WATER AUTHORITY

REGULAR BOARD MEETING

MINUTES

March 7, 2024

The Board of Directors of Tri-County Water Authority met in the second-floor conference room, 944 Whitley Avenue, Corcoran, California, on Thursday, March 7, 2024, at the hour of 1:00 p.m. The meeting was conducted both in person and via Zoom.

Chair VanderHam presided and Secretary Wilkins kept the minutes.

DIRECTORS PRESENT: Cory VanderHam
Craig Andrew
Wade Magden
Michael Nordstrom
Myron Schotanus

DIRECTORS ABSENT:

OTHERS PRESENT: Deanna Jackson, Executive Director
Staci Wilkins, Board Secretary
Jason Howard, McCormick Barstow
David Cameron, HansonBridgett
Amer Hussain, Geosyntec
Steve Jackson, Next Gen Water
Jared Hutchings, Angiola Water District
Brandon Hutchings, Sentry Ag Services
Susan Long, Tule Trust
Max Dugan, Geosyntec
Andrew McHaney, Gladstone Land
Amanda Peisch-Derby, DWR
Dusty Ference, Kings County Farm Bureau
Ragan Anthony, AECOM
John Gebhardt
Gabe Gaeta, Six-33 Solutions
Geoff VandenHeuvel, California Milk Producers
Nicole Bonna, Manulife Investments

Chair VanderHam called the meeting to order at 1:00 p.m.

PUBLIC COMMENT - None

PUBLIC HEARING

1. Pursuant to Water Code Section [Water Code Section 10728.4], conduct a Public Hearing regarding revisions to the Tulare Lake Subbasin Groundwater Sustainability Plan (GSP).

Executive Director reported that the full GSP, including the most recent revisions, was not ready to be released and considered. Mr. Howard explained that since the meeting had been noticed specifically for today, the Board could vote for a continuance of the Public Hearing to a future date. On the motion of Director Nordstrom and seconded by Director Andrew, the Board voted to approve a continuance of the Public Hearing until April 4, 2024. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Aye	Aye	Aye	Aye	Aye

CONSENT CALENDAR

2. Minutes of the Regular Board Meeting held on January 4, 2024, and the Special Board Meeting held on February 1, 2024.
3. Warrants and Finances (12/28/2023 – 02/20/2024)

On the motion of Director Andrew and seconded by Director Schotanus, the Directors voted to approve the Minutes, Warrants and Finances as presented. The Directors voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Aye	Aye	Aye	Aye	Aye

ACTION AGENDA

4. Review adoption of Resolution 2024-01 **A RESOLUTION AUTHORIZING THE ADOPTION OF THE AMENDED TULARE LAKE SUBBASIN GROUNDWATER SUSTAINABILITY PLAN BY THE TRI-COUNTY WATER AUTHORITY GROUNDWATER SUSTAINABILITY AGENCY.**

This item was tabled until the April 4, 2024, meeting.

5. Review and consider adoption of Resolution No. 2024-02 **A RESOLUTION OF THE TRI-COUNTY WATER AUTHORITY BOARD OF DIRECTORS ESTABLISHING PROPOSITION 218 ASSESSMENT BALLOT PROCEDURES AND CALLING FOR AN ASSESSMENT BALLOT PROCEEDING ON A PROPOSED ADOPTION OF A SPECIAL ASSESSMENT.**

The land-based assessment would apply to the parcels covered under the MOU with the County of Tulare for a maximum of \$4/acre. On the motion of Director Nordstrom and seconded by Director Schotanus, the Board voted to proceed with a Proposition 218 assessment ballot and to adopt Resolution 2024-02. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Aye	Aye	Aye	Aye	Aye

6. Review and consider adoption of Resolution No. 2024-03 **A RESOLUTION OF THE TRI-COUNTY WATER AUTHORITY BOARD OF DIRECTORS ESTABLISHING PROPOSITION 218 MAJORITY PROTEST PROCEDURES ON A PROPOSED ADOPTION OF A GROUNDWATER EXTRACTION FEE.**

The Proposition 218 majority protest procedure would apply to the parcels covered under the MOU with the County of Tulare, establishing an extraction fee of \$10/AF. On the motion of Director Schotanus and seconded by Director Andrew, the Board voted to proceed with the Proposition 218 majority protest procedure and to adopt Resolution 2024-03. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Aye	Aye	Aye	Aye	Aye

7. Review and consider **action to update Board meeting dates.**

Special meeting dates are needed to continue working on GSP revisions for the Tule Subbasin. On the motion of Director Schotanus and seconded by Director Nordstrom, the Board voted to set June 27 and August 1, 2024, as special meeting dates and to cancel the regular meeting on July 4, 2024. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Aye	Aye	Aye	Aye	Aye

8. Review and consider action to **update the Groundwater Extraction Allocations Policy and Procedures.**

Executive Director Jackson presented changes to the Groundwater Extraction Allocations Policy and Procedures with the addition of precipitation credits. On the motion of Director Schotanus and seconded by Director Magden, the Board approved the changes to the Groundwater Extraction Allocations Policy and Procedures. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Aye	Aye	Aye	Aye	Aye

COMMUNICATIONS/DISCUSSION ITEMS

9. Director’s Reports/Comments/Suggestion

None.

10. Communications

None.

11. Reports of General Interest

- a) Tulare Lake Subbasin Update – Amer Hussain/Deanna Jackson

Mr. Hussain reviewed the recent meetings the Subbasin had attended with members of the State Water Board. SWRCB is concerned that the Subbasin is not focused enough on reducing subsidence and relying on “wet years”. The Adaptive Management approach was positively received.

GSP revisions will include a well registration program, pumping allocations with annual review, increased monitoring at rural domestic sites, and a well mitigation program funded by fees to ag pumpers.

b) Tule Subbasin Update – Amer Hussain/Deanna Jackson

The Probationary Hearing date for the Tule Subbasin was announced for September 17, 2024. Public workshop dates were announced for April 5 (Zoom) and April 8 (in person), with public comments on the draft staff report to be submitted no later than noon on May 7, 2024.

The Subbasin recently had meetings with members of the State Water Board who continued to stress the importance of reducing subsidence, especially around critical infrastructure, and a mitigation program to address impacts on domestic wells.

c) Multi-Benefit Land Repurposing Grant Update – Max Dugan

Upcoming meeting details and dates were announced for MLRP strategies for growers and RFPs for Department of Conservation grant fund applications. A draft of the local MLRP is estimated to be ready in April.

d) Allensworth Recharge Project – Amer Hussain

The design is complete. Project continues to be delayed due to access for the cultural and biological surveys.

e) Legal Counsel Update – Jason Howard

None.

f) Other Updates, as appropriate

None.

CLOSED SESSION

12. **CLOSED SESSION** – The Board entered into Closed Session at 2:31 p.m.

- a. Conference with Legal Counsel regarding potential litigation
Anticipated Litigation [Govt. Code Section 54956.9(d)(4)] (3 potential cases)

* Directors Nordstrom and Andrew left the meeting at 3:00 pm

13. **RETURN TO OPEN SESSION**

The Board returned to Open Session at 3:08 p.m. There was no reportable action taken.

ADJOURNMENT

14. There being no further business to come before the Board on the occasion of the March 7, 2024, meeting, Chair VanderHam adjourned the meeting at 3:08 p.m. until the Special Meeting to be held on April 4, 2024, at 1:00 p.m., in the Tri-County Boardroom or as otherwise directed by the Board.

Attest:

A large, stylized handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke.

Cory VanderHam, Chair

A handwritten signature in blue ink that reads "Deanna Jackson" in a cursive style.

Deanna Jackson, Executive Director