



MINUTES

Meeting of the

Technical Advisory Committee

**Friday, November 2, 2018 at 10:00 a.m. at the office of
Provost & Pritchard Consulting Group
130 N. Garden Street, Visalia, CA 93291**

Teleconference Location:

Park Lane Hotel - Lobby
36 Central Park S
New York, NY 10019

Meeting Attendees:

Tim Gobler – Wutchumna WC (Chair)
Mike Hagman – Lindmore ID
Calvin Monreal – Lindmore ID
Craig Wallace – Lindsay-Strathmore ID (by phone)
Tom Weddle – Exeter and Ivanhoe IDs
Dale West – Stone Corral ID
Mike Camarena – City of Lindsay
Aaron Bock – County of Tulare; County of Tulare - Landowner
Matt Klinchuch – EKGSA Technical Consultant (Vice Chair)
Joseph Hughes – EKGSA Legal
Karen Yohannes – Stakeholder
John Yohannes - Stakeholder
Alan Becker – Sun World
Stacie Ann Silva – NewCurrent
Robert Linderman – Landowner
Paul Adams – Booth Ranches
Fergus Morrissey – Booth Ranches
Susan Simon – Tulare County RMA
Allan Lombardi – Landowner & EKGSA AC Member
Liesbet Olaerts – Self Help
Joe Ferrara – Stakeholder
Paul Hendrix – Mid-Kaweah GSA
Mark Larsen – Kaweah Delta
Dennis Mills – Greater Kaweah GSA

Members Absent:

EKGSA At Large
Sentinel Butte MWC

- 1. Call to Order** – Chair Gobler called the meeting to order at 10:05 a.m.
- 2. Self-Introductions** – The attendees gave brief self-introductions. Joe Hughes is participating as legal representation for the East Kaweah GSA.



3. **Public Comment** — Public comment was provided by Karen Yohannes regarding the process for water seepage accounting. She disagrees with the current direction of the process and requests the TAC and others keep in mind the 'No Injury Rule' and strive to keep as much of the supply as native for use of all Subbasin users. A written statement was provided to Legal Counsel for review.
4. **Committee Administration**
 - a. Review and Approve Meeting Minutes from October 5, 2018 Meeting – A motion was made by Committee Member Hagman and seconded by Committee Member West to approve the minutes from the October 5th meeting. The motion passed unanimously.
5. **Committee Business**
 - a. Status Report on Kaweah Subbasin Efforts to date – Mike Hagman and Vice Chair Klinchuch updated the group on Subbasin-level efforts since the previous meeting.
 - i. Management Team – The October Management Team meeting was cancelled, so there was no report for the Management Team.
 - ii. Sub-Basin Technical Efforts – Hagman and Klinchuch shared with the Committee that they had been meeting with the GEI team regarding the Water Budget for the East Kaweah as the numbers were not aligning with what is thought to be true. The input that likely has the largest impact on the water budget is the mountain front recharge. There is no hard data for this item and needs to be estimated from different sources. The goal is to work with the GEI team to further develop numbers for a release of the Kaweah Subbasin Water Budget by Thanksgiving. Klinchuch also shared some draft handouts that were developed by the Mid-Kaweah that proposed a potential method for setting Minimum Thresholds in the Subbasin. The TAC was asked to review these documents and provide their feedback at a future meeting.
 - b. Discussion on Water Accounting Framework – Following a request from the EKGSA Board, the TAC reviewed and provided recommendation on the Water Accounting Framework. The TAC walked through each item an October 16th Memo developed by Hagman for the EKGSA Advisory Committee (attached). There was general concurrence by the TAC with the recommendations in the memo. However, there were differing opinions on where to assign native supplies reaching the groundwater aquifer via conveyance losses or by leaching past the root zone after irrigation. Overall, the TAC agreed that the basis for accounting needs to be the most legally defensible but also strive to maximize the native Subbasin supply. Hagman made a motion, that was seconded by Committee Member Bock to take this recommendation to the Board. The motion passed unanimously.



- c. Potential Policy Development Update – This item was tabled for a future meeting.
 - d. Review GSP Status and Schedule – This item was tabled for a future meeting.
 - e. Potential Projects – This item was tabled for a future meeting.
- 6. New/Other Business** — No other business was discussed.
- 7. Announcements**
- a. Discuss Next Meeting Date and Time: December 7, 2018 at 10:00 a.m.
- 8. Adjournment** – Chair Gobler adjourned the meeting at approximately 12:45 p.m.

Respectfully submitted,

Matt Klinchuch, Secretary
East Kaweah GSA Technical Advisory Committee

STAFF MEMORANDUM

TO: Board of Directors
Advisory Committee
Technical Advisory Committee

FROM: Michael D. Hagman, Executive Director

DATE: October 16, 2018

SUBJECT: Sub-basin Water Accounting Framework Advisory Committee
Recommendations

Below you will find the Advisory Committee's positions on basin inflows and accounting for them. When referencing policy alignment to the MKGSA, the MKGSA Board of Directors has adopted an official policy on the water accounting framework. When referencing policy alignment to the GKGSA, the GKGSA Board has not yet adopted a policy. However, GKGSA legal counsel and GKGSA TAC have addressed portions of the water accounting framework and such alignment will be noted.

Stream Bed Percolation from Native Supply:

- Concur with legal counsel, recommend all native supply that is percolated into the sub-basin as it travels through the natural streambed course be assigned as native basin supply. Aligns with MKGSA/GKGSA position.
- Concur with legal counsel, when water is moved off stream into a man-made head gate and conveyance system and then subsequently back into another natural streambed, such percolated water should be assigned to the diverter.

Both recommendations align with MKGSA/GKGSA position.

Streambed Percolation from Foreign Supply: Concur with legal counsel, recommend assignment to importer. Aligns with MKGSA/GKGSA position.

Mountain Course In-flow: Concur with legal counsel, recommend assignment to native basin supply. Aligns with MKGSA/GKGSA position.

Concern arises however, when such supply begins to impact ground adjacent to the mountains. Sub-basin Negotiations should address this issue.

Conveyance Losses: Concur with legal counsel. Conveyance losses that occur in man-made channels should be assigned to the conveyor. Aligns with MKGSA/GKGSA position.

Irrigation leaching to the aquifer:

Water that is leached past the root zone and returned to the groundwater from:

- Riparian supply – concur with legal counsel, recommend assignment to native basin supply (MGKSA concurs/GKGSA has not addressed)
- Pumped groundwater – concur with legal counsel, recommend assignment to native basin supply (MGKSA concurs/GKGSA has not addressed)
- Appropriated local surface supply –Appropriated supplies from sources within the watershed that, even absent the appropriation, would have ended up in the basin, could be considered either native or non-native supply. The committee requested further information and expressed interest in maximizing native supply, if possible. (MGKSA differs / GKGSA has not addressed likely to recommend assignment to appropriator)
- Foreign Supply – Appropriated surface supplies from sources outside the watershed or that would not have otherwise ended up in the groundwater basin should likely be assigned to the appropriator, although no court has provided a definitive answer. Recommend assignment to importer (MGKSA concurs / GKGSA has not addressed likely to recommend assignment to importer)

Precipitation: Concur with legal counsel, recommend assignment to native basin supply. Aligns with MKGSA/GKGSA position.

Storm Drain diversions: Legal Counsel has recommended that percolation from this source has legal precedence that favors assignment to the diverter but only the “delta” or change in what would have naturally percolated. The AC would like Counsel to firm up a position. The AC is inclined to ask the sub-basin to consider all the diversion as native supply. This action to divert water prevents damage to life and property and is a necessary activity. But such flows would likely have returned to the native basin supply absent actions taken by the diverter. The AC recommendation does not align with MKGSA / not addressed yet by the GKGSA TAC. However, it appears that this recommendation does not align with GKGSA legal counsel perspective.

Treated Water: Legal Counsel has not provided an opinion on this category, but suspects that it should be treated the same as irrigation leaching to the aquifer from pumped groundwater. AC recommends such supply be treated the same as irrigated return flows (relative to all its forms, Riparian, Pumped, Appropriated, Foreign).

Summary

No other in-flows were addressed by the AC. In general, the AC had concerns around historical practice where groundwater in-flows were being used in a basin wide perspective. Lands that do not receive surface supply or possibly insufficient surface supply, historically benefitted from Kaweah inflows. Diversions were not portioned off to individuals but left for basin demand. Assignments of supply will now raise the imperative on the groundwater dependent users. In the past, concerns about water elevations were typically local (wells in an area going dry, while wells in another area were not). The AC would like the EKGSA to coordinate and consider negotiations that are more community oriented.