

TULARE COUNTY WATER COMMISSION
3:00 p.m. on Monday, January 8, 2024
BOARD OF SUPERVISORS CHAMBERS
2800 W. BURREL AVE.
VISALIA, CALIFORNIA 93291

NOTICE TO THE PUBLIC
PUBLIC COMMENT PERIOD

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 Water Commission at this time. For items appearing on the agenda, the public is invited to make comments at the time the item comes up for the Water Commission's consideration. Any person addressing the Water Commission will be limited to a maximum of three (3) minutes so that all interested parties have an opportunity to speak. At all times, please use the microphone and state your name and address for the record.

AGENDA

1. Call to Order
2. Public Comment Period
3. October 9, 2023, Recorded Meeting Minutes is located at:
<https://tularecounty.ca.gov/rma/planning-building/tulare-county-water-commission/>
4. 2023 Tulare County Water Commission Priorities -Results
5. 2024 Water Commission 2024 Priorities (Focused Conversation)
6. Drought Update
7. Legislative Subcommittee Reports (Discussion, Possible Action)
8. Staff Reports (Discussion, Possible Action)
 - a. SGMA Implementation
 - b. Commission Terms
 - c. Commission Requirements
9. Commissioners' Comments
10. Future Agenda Topics
11. Next meeting – Monday, February 12, 2024
12. Adjourn

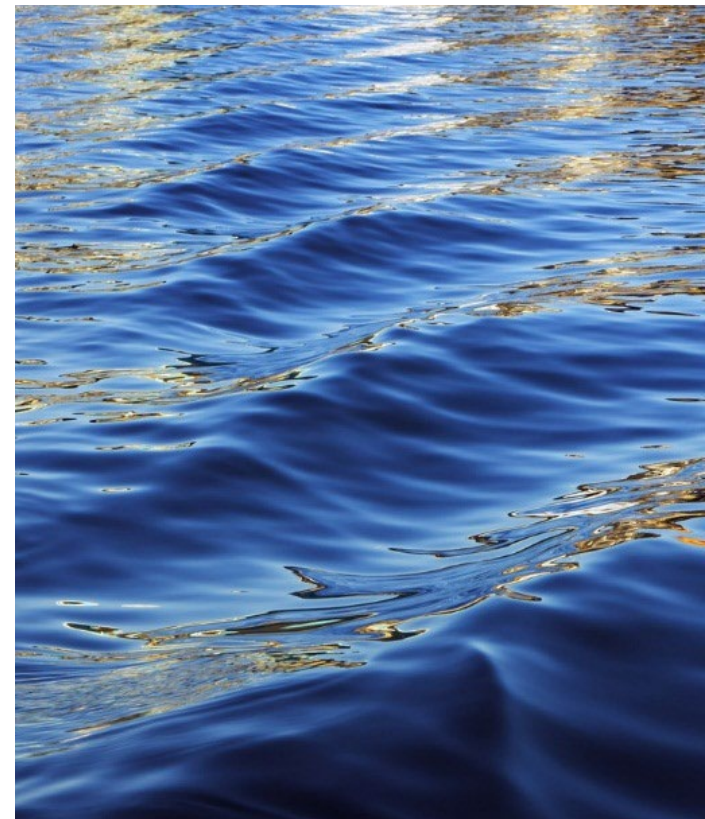
Documents related to the items on this Agenda, submitted after distribution of the agenda packet, are available for public inspection at the Tulare County Resource Management Agency, 5961 S. Mooney Blvd, Visalia, CA 93277 during normal business hours. Such documents are also available online, subject to staff's ability to post the documents before the meeting, at the following website: <https://tularecounty.ca.gov/clerkoftheboard/boards-and-commissions/additional-committees/water-commission/>.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Elva Parker or Denise England at the Tulare County Resource Management Agency at (559) 624-7000.



Tulare County Water Commission

October 9, 2023





Disadvantaged Communities Update





East Orosi

- Administrator
- Consolidation
- New Water Supply



Matheny Tract

- Sewer Project
- Complete Streets



Tooleville

- Water Consolidation Project
- DWR Drought Assistance



Yettem- Seville

- Water Consolidation Project



West Goshen

- DWR Drought Assistance



Harrison Road/Ave 266

- DWR Drought Assistance
- ARPA
- SHE Technical Assistance

ARPA

- Ivanhoe (\$650,000)
- Pixley (\$1.9M/ \$1.86M)
- Tipton
 - North Burnett Road (\$500,000/\$11,093.06)
 - Well Number 6 (\$1.7M/\$5,970.45)
 - Wastewater Plant Upgrades (\$296,000/\$9,971)
- Poplar (\$499,000)
- Cutler (\$700,000)
- Orosi (\$500,000)
- Strathmore
 - Tank (\$223,944)
- CalWater
 - Chinowith Hydrant
 - Harrison Rd
- Earlimart
 - Soundwall (\$75,000)
 - Front Street Well
 - Sewer Interceptor

Earmarks

- 2021)(FY22)
 - Earlimart Front Street Well
 - Earlimart Interceptor
- 2022(FY23)
 - Kiosks
- 2023 (FY24) Submitted; not included
 - Allensworth Regional WWTF Study
 - Traver Sewer Expansion Design Update



Drought Update

Drought Update Well Permits

2022 Well Permits Issued (1/1/2022 to 12/30/2022)

Month	Construction					Destruction	Other*	Totals
	Domestic	Community	Agricultural	Industrial	Dairy			
Jan	18	0	29	0	0	12	1	60
Feb	12	0	28	0	0	16	5	61
Mar	16	0	49	0	2	14	12	93
Apr	27	0	1	0	0	12	3	43
May	21	0	47	1	1	16	8	94
June	37	0	48	0	2	19	6	112
July	27	0	31	0	4	10	7	79
Aug	42	0	32	0	4	17	12	107
Sept	31	0	29	1	1	8	5	75
Oct	27	0	30	0	5	7	2	71
Nov	22	3	24	0	1	15	7	72
Dec	21	0	40	0	0	25	4	90
Totals	301	3	388	2	20	171	72	957

2023 Well Permits Issued (1/1/2023 to 9/30/2023)

Month	Construction					Destruction	Other*	Totals	Net (Less Destruction)
	Domestic	Community	Agricultural	Industrial	Dairy				
Jan	12	3	25	0	1	15	3	59	44
Feb	18	0	20	0	0	9	3	50	41
Mar	15	0	8	0	1	12	3	39	27
Apr	11	4	7	0	0	7	7	36	29
May	17	0	8	0	0	12	6	43	31
June	16	0	9	0	1	10	1	37	27
July	8	1	3	0	1	5	10	28	23
Aug	10	2	6	0	0	16	6	40	24
Sept	10	1	4	0	0	9	2	26	17
Oct									
Nov									
Dec									
Totals	117	11	90	0	4	95	41	358	263

* Well permits marked "Other" may include, Deepening or Reconditioning of an existing well. Can also include Monitoring Wells, Soil Borings, Test Wells, Exploratory Wells, or Cathodic Protection Wells.

Drought Update – Water Distribution

Tanks and Hauled Water

- 34 Tanks Installed and Receiving Hauled Water in September.
- 378 Overall Program*
- No Program Challenges

* Running number since Program inception and does not depict those who may have left the program.

Self Help: Water Program Contact:

Drought Hotline: (559) 802-1685

Water Quality Hotline: (559) 802-1285

Bottled Water Program: (559) 802-1284

Bottled Water Program

Self Help (9/1/23-9/30/23)

1702

Households Enrolled

274

Drought related

1428

Contamination related

1

Pending/ waitlist

3-4

Drought related enrollments per week



Legislative Subcommittee Reports

Legislative Subcommittee Reports

- The Legislative Subcommittee met on Wednesday, June 21, 2023.
- Next Proposed Meeting: January 17, , 2024, at 11:30 a.m. at RMA
- Bill Tracking Summary – Updated 9/27/2023

Opposition Letters Update:

- AB 805 (Water Consolidation: Sewer Service)- Held in Committee
- AB 460 (Water Rights and Usage)- hearing canceled at author's request
- AB 1337 (Water Diversion Curtailment)- hearing canceled at author's request
- SB 389 (Determination of Water Rights)- Concurrence in Assembly amendments pending (9/5 update)

Bill	Author	Process Location	Description	Bill Tracking	Link
AB 62	Mathis	5/18/23 In Committee: Held Under Submission	Statewide Water Storage: Expansion - Establishes a statewide goal to increase above- and below-ground water storage capacity by a total of 3.7 million acre-feet (MAF) by the year 2030 and a total of 4.0 MAF by the year 2040. Bill Focus: 1) Establishes goals listed in August 2022 Report 'CA Water Supply Strategy: Adapting to a Hotter, Drier Future' released by CNRA; 2) Requires SWRCB and DWR to design and implement measures through diversion, storage, and conveyance techniques to achieve statewide goal; 3) Requires every 2 years beginning 7/2027, the SWRCB and DWR to submit a progress report of progress on measures to increase water storage capacity.	Watch	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB62
AB66 Amended	Mathis	5/18/23 In Committee: Held Under Submission	Natural Resources Agency: Water Storage Projects: Permit Approval - Requires each entity with CNRA to take all reasonable steps to approve the necessary permits for specific projects within 180 days and post status updates for each permit application on its website. Bill Focus: 1) Applies to Permits funded by Prop 1 (Water Quality, Supply, and Infrastructure Act of 2014) and other water storage projects funded by public funds; 2) Shall apply only if a) projects governed by project labor agreement; b) projects using a skilled and trained workforce to perform work within an apprenticeable occupation in building trades; 3) post updates for each permit application on its website with anticipated progress and timeline for completion; 4) bill is prevailing over all conflicting law.	Watch	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB66
AB460 Amended	Bauer-Kahan	6/27/23 In Committee: Set, First Hearing. Hearing Canceled at the Request of Author.	State Water Resources Control Board: Water Rights and Usage: Interim Relief: Procedures - Increases the SWRCB powers to address gaps in authority exposed by Drought conditions that would to prevent illegal diversion and other immediate threats to water rights and the states water supply. Bill Focus: Authorizes interim relief orders in adjudicative proceedings or enforcement for 180 days; establishes judicial review procedures for decision, petition and denial (motion to be the same as a court of appeal review by a superior court, requires Writ of Mandate (Code of Civil Procedure) for decision review process); imposes noticing requirements; authorizes interim orders with/without hearing (imminent threat); establish criteria for adjunctive relief; and imposes civil penalties for violation.	Oppose	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB460
AB664	Lee	9/20/23 Enrolled and Presented to the Governor at 4pm.	California Safe Drinking Water Act - Domestic Wells - Imposes existing law duties and responsibilities on domestic well owners within a consolidated or extended service area to provide safe drinking water to tenants. The bill would impose statutory penalties and fines.	Watch	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB664
AB779	Wilson D	9/20/23 Enrolled and Presented to the Governor at 4pm.	Groundwater : Adjudication - Procedures Update for a comprehensive adjudication of groundwater rights in civil court.	Watch	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB779

AB 805 Amended	Arambula D	5/18/23 In Committee: Hearing postponed by Committee.	Water Consolidation: Sewer Service - Authorizes SWRCB to order consolidation of sewer service along with an order of consolidation of drinking water, when both systems provide sewer service. Bill Focus: As funding allows, requires consultation with regional water board and outreach to ratepayers and residents served by subsumed water systems; orders consolidation after efforts made to negotiate voluntary consolidation or extension of services and to accept an administrators technical, legal or managerial services; provides provisions for water systems to not bear responsibility for costs associated with an administrator when costs are higher than costs to maintain the water system/sewer service. Purpose of law: SWRCB lacked authority to order consolidation of sewer services for East Oroquieta (Tulare County) when water consolidation was ordered to bridge irregularities in services of a disadvantaged community.	Support and Amend - Determine position	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB805
AB 1337 Amended	Wicks	7/10/23 In Committee: Set, First Hearing. Hearing Canceled at the Request of Author.	State Water Resources Control Board: Water Diversion Curtailment - Authorizes the SWRCB to adopt regulations to ensure water is used in the public's interest to implement regulations through orders curtailing water use under any claim of right. Bill Focus: To increase SWRCB authority to adopt and implement regulations by subject matter criteria, authorizes orders with/without hearing (imminent threat); imposes civil penalties for violation, allows regulation and order to be exempt from CEQA; and the bill does not limit SWRCB authority under any other provision of law.	Oppose	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB1337
AB 1563 Amended	Bennett D	7/12/23 In Committee: Set, First Hearing. Hearing Canceled at the Request of Author.	Groundwater Sustainability Agency: Groundwater Extraction Permit: Verification - Bill prohibits a county, city, or any other water well permitting agency from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the SGMA and classified as a critically over-drafted basin unless specific conditions have been met. Bill Focus: requires GSA permit approval; requires applicants submit a well study indicating minimal impacts to water production/function; requires permitting agencies to post well permit applications on website; Exempts specified permits and activities from the requirements of this bill; bill does not circumvent CEQA requirements. Does not Codify the Governor's Drought Executive Order issued on March 28, 2022 (EO) N-7022, but this bill has similarities to the EO.	Discussion - Determine position	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB1563
AB 1567		6/14/23 Referred to Coms. on N.R. & W. and GOV. & F.	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2024 - Authorizes \$15.105 billion in general obligation bonds for the above entitled activities. Bill Focus: Establishes bond submission of provision to voters at the March 2024 statewide primary election; requires bond funding be given to priority projects that leverage matched funds of public benefit; includes signage specification highlighting bond, project priority in DAC communities, provisions for workforce education training, contractor and job opportunities; and adherence to specific administrative tasks for expenditure of funds. Funds are subject to appropriation by legislature.	Support and Amend	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB1567

AB 1573 Amended	Friedman D	9/7/23 Ordered to Inactive file at the request of Senator Stern.	Water Conservation: Landscape Design: Model Ordinance - Makes changes to required provisions in the Model Water Efficient Landscape Ordinance (MWELO) developed by DWR, including requiring the use of more native or water efficient plants and a prohibition on the use of nonfunctional turf in new or renovated commercial and industrial areas. Bill Focus: allows MWELO to prohibit or require specific plant species; requires landscape designs to plan provisions based on a environmental adaptability criterion; prohibits nonfunctional turf on nonresidential landscapes; defines projects exempt from MWELO and defines terminology definitions; makes legislative finding and declaration that MWELO furthers the States biodiversity and climate resiliency goals; and allows provisions to local agencies and schools to seek reimbursement if the bill contains costs mandated by the state.	Watch	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB1573
SB 66 Amended	Hurtado D	3/29/2023 Re-referred to Com. on E.Q.	Water Quality, Supply, and Infrastructure Improvement Act of 2014: Drinking Water Capital Reserve Fund: Administration - The Act (Proposition 1 Water Bond) authorizes the issuance of general obligation bonds in the amount of \$7.545 Billion to finance a water quality, supply, and infrastructure improvement program. The bond provides funding provisions to be available for grants and loans for public water system infrastructure improvements and related actions to meet safe drinking water standards, ensure affordable drinking water, or both, as specified.	Watch	https://leginfo.ca.gov/faces/billVersionsCompareClient.xhtml?bill_id=202320240SB66
SB262 Amended	Hurtado D	5/18/23 May 18 Hearing: Held in Committee and under Submission	California Farmworkers Drought and Flood Resilience Pilot Project - Existing law establishes the State Dept of Social Services to administer various public social services programs under which each County provides benefits allocated to the State by the Federal Govt. The bill, subject to appropriation, would follow the same administrative policies to support the listed pilot program. The bill contains related provisions and guidelines for eligibility. <u>Amended to include "and Flood."</u>	Watch	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240SB262
SB 315	Hurtado D	5/18/23 May 18 Hearing: Held in Committee and under Submission	Groundwater: Groundwater Sustainability Agencies: Probationary Basins - The proposed law allows state intervention by SWRCB to temporary manage and protect groundwater resources until local agencies are able to do so adequately using a set of criterion from DWR/SWRCB. The bill requires SWRCB, under certain circumstances to give high- or medium- priority basins an 18-month grace period before a probationary basin designation becomes effective and authorizes SWRCB to develop an interim plan for the probationary basin, requires SWRCB to perform certain actions during the grace period.	Watch	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240SB315

SB366 Amended	Caballero	7/11/23 Set for first Hearing Canceled at the Request of Author.	The CA Water Plan: long-term supply targets - The proposed law requires DWR in coordination with CWC and SWRCB to modernize, revise and recast provisions in the Water Plan commencing with a 2028 update to be a comprehensive plan to address State water needs and to meet water supply targets established by the bill. Bill Focus: coordination of a stakeholder advisory group comprised of representatives in various industries with specific plan tasks and criterion, Set water supply targets of 10 MAF by 2040 and 15 MAF by 2050, require a study that will support water supply targets, programs, facilities with assumptions and estimates specified; establishes criterion for financial planning; report and noticing of the plan.	Watch	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240SB366
SB 389	Allen	9/20/23 Enrolled and Presented to the Governor at 4:30pm.	State Water Resources Control Board: determination of water rights - The proposed law is to expands SWRCB authority to determine whether water rights claimants who assert appropriation, riparian or other basis of right have defensible grounds for diversion and use of water. Bill Focus is SWRCB Authority to investigate diversion and use of water based on a specified right and issues information orders to claimants to provide technical reports or other information based on a set of criterion for diversion and water right usage; authorizes SWRCB to issue a decision and order determining diversion and use basis rights, including forfeiture of right or portion of right without a conflicting claim of right; places preponderance of evidence on water right claimant; and authorizes authority to SWRCB to issues decisions, orders or any other actions authorized by law.	Oppose	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240SB389
SB550 Amended	Grove	5/18/23 May 18 Hearing: Held in Committee and under Submission	Water Markets - Existing law allows for volunteer water transfers between water users; and allows DWR to implement various state laws that pertain to water transfers. The bill would required on or before Jan 1, 2025 agencies to submit background information of water transfers to allow for a report on market trends, sales and water rights, etc. to create a proposal for improving the regulatory framework.	Watch	https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240SB550



SGMA Update

Commission Member Terms

Commission Members	Position	Term End Date	RMA Staff
Pete Vander Poel	Non-Voting	Pleasure of Board	Denise England
Dennis Townsend	Non-Voting	Pleasure of Board	Elva Parker
Tricia Stever Blattler	1	4/30/2025	
Eric Quinley	2	4/30/2024	
Michael Washam	3	4/30/2025	
Domenic S. Fino	4	4/30/2025	
Vacant	5	Term Expired	
Jessi Snyder	At Large	4/30/2025	
Susan Simon	At Large	4/30/2024	
Rogelio Caudillo	At Large	4/30/2024	
Martha Flores	TCAG Representative	Pleasure of Board	
			Tulare County Counsel
			Aaron Zaheen
			Paula Clark

Vacancies and Application:
<https://tularecounty.primegov.com/public/committees?fromiframe=true>

Contact: Tulare County RMA Staff at 559-624-7000, or
Tulare County Clerk of the Board 559-636-5002

Reminders: Commission Requirements

AB 1234 Mandatory Ethics Training

The Water Commission is required to complete two (2) hours of Ethics Training pursuant to AB 1234.

Cost-free Training is available at: <http://localethics.fppc.ca.gov/login.aspx>

Below is the list of members that need to complete the training by 12/31/2023.

- Tricia Stever Blattler
- Rogelio Caudillo
- Eric Quinley

TULARE COUNTY WATER COMMISSION
3:00 p.m. on Monday, October 9, 2023
BOARD OF SUPERVISORS CHAMBERS
2800 W. BURREL AVE.
VISALIA, CALIFORNIA 93291

Members Present:

Eric Quinley, District 2 Appointee
Martha Flores, TCAG Representative
Rogelio Caudillo, At-Large Appointee
Dominic Fino, District 4 Appointee
Susan Simon, At Large Appointee
Pete Vander Poel, Board Representative (Chair)
Michael Washam, District 3 Appointee

Staff Present:

Denise England, Elva Parker,
Resource Management Agency
Aaron Zaheen, County Counsel

Recorded (Time Stamped) Meeting Minutes and PowerPoint for the October 9, 2023 meeting can be found at:
<https://tularecounty.ca.gov/rma/planning-building/tulare-county-water-commission/>

Summary Meeting Notes

1. **Call to Order**
2. **Public Comment Period**
3. **September 11, 2023, Recorded Meeting Minutes** are located at.
<https://tularecounty.primegov.com/Portal/Meeting?meetingTemplateId=11402>
4. **Disadvantaged Communities Update**
Denise England highlighted the projects that have taken place across many of our disadvantaged communities. She also provided an update on ARPA projects and the collaborative funding with CA Water in Earlimart.
5. **Drought Update (Discussion, Possible Action)**
Data Reported is predominantly the unincorporated areas of Tulare County and many include an annexed neighborhood in Porterville.
6. **Legislative Subcommittee Reports (Discussion, Possible Action) (Page 15-25)**
There have been no updates or modifications to the bills currently being monitored by The Water Commission
7. **Staff Reports (Discussion, Possible Action)**
 - a. SGMA Implementation
 - b. Commission Terms
 - c. Commission Requirements

SGMA Implementation: The Tri-County Water Authority received board approval to extend coverage to the Western Management Zone. The county is in the process of amending the MOU to incorporate these modifications. GSAs are continuing to implement changes and updating minimum thresholds. Meetings between the state and the Tule and The Kaweah subbasins are ongoing. Additionally, the County aims to have an accurate number of well and destruction permits therefore the dataset will be reviewed.

Commission Terms: The district 5 position is currently vacant.

Commission Requirements: AB1234 Mandatory Ethics Training is due for a few commissioners and is expected to be completed before 12/31/2023.

8. **Commissioners' Comments**
No comments

9. Future Agenda Topics

No topics were requested.

10. Next meeting – Monday, January 8, 2024, at 3:00 pm

11. Adjourn