

TULARE COUNTY WATER COMMISSION
MEETING MINUTES
May 14, 2012

Members Present:

Allen Ishida, Board Representative and Chairman
Chris Kapheim, District 4 Appointee
Mark Larsen, District 3 Appointee
Rudy Mendoza, TCAG Representative
Richard L. Schafer, District 5 Appointee
Keith Watkins, At-Large Appointee
Laurel Firestone, At-Large Appointee
Dale Brogan, District 2 Appointee- Late Arrival
Paul Boyer, District 1 Appointee- Late Arrival

Members Absent:

Mike Ennis, Board Alternate Representative
Dennis Keller, At-Large Appointee

Staff Present:

Denise Akins, Tulare County Administrative Office
Nina Dong, Tulare County Counsel
Michael Hickey, Tulare County RMA, GIS
Jim May, Tulare County RMA

Members of the Public who voluntarily provided their names on the attendance sheet:

Carole Clum
Pat Pinkham
Kim Loeb
Beverly Garcia
Richard Garcia
Shane Smith
Michael Tharp
Matt Hurley
James Babcock

1. CALL TO ORDER

2. PUBLIC COMMENT PERIOD

Carole Clum of Three Rivers provided handouts to the Commissioners outlining water use for industrial processes and the dangers of silica sand that is released during the fracking process.

3. APPROVAL OF MINUTES FROM JANUARY 9, 2012 MEETING

Commissioner Schafer made a motion to approve the minutes; the motion was seconded by Commissioner Mendoza. The motion carried unanimously.

4. UPDATE ON TULARE LAKE BASIN DISADVANTAGED COMMUNITY WATER STUDY

Commissioner Firestone provided an update on the study.

Chairman Ishida commented that he received a letter from the California Department of Public Health (CDPH) regarding the funding application for Monson. He explained that CDPH cannot fund the application because the community is not addressing its lack of governance structure. He expressed that such hurdles are frustrating and will provide copies to Commissioners Firestone and Boyer.

Commissioner Mendoza asked Commissioner Firestone to elaborate on the “leadership” component of the study.

Commissioner Firestone explained that the Stakeholder Oversight Advisory Committee (SOAC) has concluded that a lack of leadership in communities is a basin wide problem and is almost always part of the overall challenges communities face. She said that in order to address this issue, leadership solutions would be included in all pilot projects. She also indicated that the solutions for leadership were still being drafted and suggestions were welcome. Commissioner Firestone announced that the next SOAC meeting will be June 4th and the final meeting will be held July 30, 2012.

Commissioner Schafer asked if the study information was available online.

Commissioner Firestone stated that minutes, agendas, and some handouts are available on the County’s Disadvantaged Community website.

5. DISCUSSION ON CHANGING FROM MONTHLY TO QUARTERLY MEETINGS

Chairman Ishida opened discussion on changing the frequency of the meetings. He indicated that he would want to include language for the provision of calling a special meeting.

Commissioner Firestone asked why there was a need to change the frequency.

Chairman Ishida indicated that the monthly meeting agendas tend to be thin and the Commission could cover the same amount of material at a longer meeting held less frequently.

Commissioner Larsen asked if the Tulare County Water Commission was directed by the Tulare County Board of Supervisors or if the Water Commission had the authority to bring items to the Tulare County Board of Supervisors.

The Commissioners were provided a handout outlining their role and responsibilities.

Commissioner Kapheim expressed that three months was a long time between meetings, and suggested meeting every other month instead. He went on to state that more frequent meetings were especially important when dealing with the legislative process and quarterly meetings would not be effective to react to legislation.

Commissioner Larsen suggested trying every other month then re-evaluating the meeting frequency.

Ms. Clum reminded the Commission that there were important water issues in Tulare County and encouraged them to continue to meet monthly.

Chairman Ishida stated that in an effort to coordinate efforts, the Tulare County Water Commission needed to meet jointly with the Tulare County Flood Control Commission.

Commissioner Larsen indicated that the Tulare County Flood Control Commission is actively evaluating projects and a midsummer joint meeting would be ideal.

Commissioner Firestone asked if the Flood Control Commission was meeting regularly.

Commissioner Larsen indicated that they were meeting regularly and suggested a joint meeting in July.

Commissioner Larsen suggested that the Water Commission maintain a running list of topics to monitor and report on.

After additional discussion, it was decided to table this item until after the Tulare County Water Commission and Tulare County Flood Control Commission could hold a joint meeting.

6. SUBCOMMITTEE REPORT

Commissioner Schafer inquired about the letter of concern that was to be sent by the Board of Supervisors regarding the UC Davis Nitrate Study.

Chairman Ishida responded that it was on the Board's agenda for the following day.

Commissioner Schafer expressed concern that the analysis the study ultimately used was not what had been discussed previously. He further stated that due to confidentiality regulations there is no way to locate the wells used in the study to test their current level of nitrate. Commissioner Schafer reiterated the necessity of solid science prior to regulatory action.

Mike Hickey commented that there are historical stories that indicate there are large deposits of natural nitrate in the area. He went on to state that synthetic nitrate has a different isotope marker than naturally occurring nitrate and that this information was not taken into account in the statistical analysis performed in the study. He offered to map the 40 wells that were included in the isotope study.

Chairman Ishida indicated that he had spoke with Dr. Harter who relayed that the study received only limited funding in a short time period which affected the caliber of research the study was able to complete. He stated that this is an opportunity to begin what really needs to be accomplished. He stated that the legislature needs to get the message that additional studies are required to justify regulations.

There was discussion regarding the accuracy of the equations used to determine the amount of nitrate leached to groundwater.

Commissioner Firestone conceded that the data included in the study was older. She went on to say that the study included Isotope testing, but water aging was not included in the study. She concluded that there is also a separate study of private wells that completed Isotope testing that is not included in the report.

Commissioner Firestone reminded the Commission that statistics show that 75% of disadvantaged communities have some sort of contaminant and MCL violation. She asked to see a more proactive approach from agriculture. She argued that instead of spending more money on well testing, and analysis the funds would be better used to help communities directly.

There was further debate regarding the source of nitrates and community involvement. Chairman Ishida concluded the discussion stating that Dr. Harter would be thrilled to expand the study to include additional source data.

Commissioner Kapheim expressed the need for interim solutions as well because long term sustainable solutions would take a long time to develop and complete.

7. STAFF REPORTS

There were no staff reports.

8. COMMISSIONERS COMMENTS

Commissioner Mendoza commented that Woodlake had their annual Rodeo and parade last weekend and encouraged everyone to attend next year's event.

Chairman Ishida commented that Tulare County joined ACWA and that he recently attended a seminar on water law and policies in San Francisco. At the event he met a hydrologist and learned interesting information on how water travels underground.

Commissioner Boyer commented that the Farmersville Memorial Day Parade will be held on Memorial Day and encouraged all to attend.

Commissioner Kapheim commented that he recently attended a lecture on the general order for the Irrigated Lands Regulatory Program (ILRP) for the Central Coast Region. He indicated that theirs is a very aggressive order. He suggested asking the Central Coast ILRP program manager, Matt Keeley, to come present their program to the Commission.

Commissioner Schafer commented, in Commissioner Ennis' absence, on the front page article of the Visalia Times Delta detailing the challenges of Success Dam. He explained that recent discussions with the Army Corps regarding seismic, seepage and overtopping concerns have been somewhat successful. He stated that it was a very difficult time due to the Corps inability to properly evaluate conditions. He went on to say that the Corps' models used overly conservative data and provided inaccurate results. He indicated that they have made some headway on seismic and seepage issues and the future looks a little brighter. He explained that the Tule River Basin lost thousands of acre feet of supplemental imported water due to the Success Dam storage restriction required by the Corps, and as a result the farmers pumped groundwater from the over drafted basin instead of using surface water.

Chairman Ishida announced that there would be a birthday celebration for Kaweah Lake's 50th year on Friday, May 18th at Lemon Hill.

Commissioner Firestone commented that she will be attending a Center for Disease Control conference in Atlanta regarding drinking water in schools. She stated that providing safe drinking water at schools and daycares is even more critical in order to comply with new regulations that these entities must provide water at meal times. She explained that compliance would be difficult here because many schools do not have safe drinking water. She announced that the school in Seville recently signed a contract to have a filtered vending machine installed at the school to provide water to the school and the community. She concluded by saying that there are several local Rotary Clubs willing to fund interim solutions and funding applications.

9. NEXT MEETING – MONDAY, JUNE 11, 2012 3:00 P.M. – BOARD OF SUPERVISORS CHAMBERS

10. ADJOURN

Respectfully submitted,

Richard Schafer, Secretary
Tulare County Water Commission