

TULARE COUNTY WATER COMMISSION
MEETING MINUTES
October 8, 2012

Members Present:

Allen Ishida, Board Representative and Chairman
Mark Larsen, District 3 Appointee
Richard L. Schafer, District 5 Appointee
Keith Watkins, At-Large Appointee
Paul Boyer, District 1 Appointee
Dale Brogan, District 2 Appointee
Dennis Keller, At-Large Appointee

Members Absent:

Mike Ennis, Board Alternate Representative
Rudy Mendoza, TCAG Representative
Chris Kapheim, District 4 Appointee

Staff Present:

Denise Akins, Tulare County Administrative Office
Julieta Martinez, Tulare County Board of Supervisors
Arlene Silva, County Counsel

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

Carole Clum
Michael Tharp
Nilsa Gonzalez
Britt Fussel
Michael Bond

1. Call to Order
2. Public Comment Period

Carole Clum of Three Rivers provided handouts to the Commissioners in regard to L.A. Waterways and the violation of the Clean Water Act. Ms. Clum's comments are summarized in Attachment A.

Britt Fussel of RMA introduced the new Flood Control Engineer, Michael Bond. He is a licensed civil engineer and licensed land surveyor. Mr. Bond will attend future Water Commission meetings.

Mr. Fussel also discussed the progress of an application for a Clean Water State Revolving Fund Grant to do a wastewater collection treatment disposal project within the community of Matheny Tract and a similar project within the community of Plainview. He stated that there has been a

notification from the State that the County has cleared the first hurdle and they have accepted the application.

Commissioner Boyer gave additional comment informing the Commissioners that the grant is only for planning.

3. Approval of Minutes From July 9, 2012 Meeting
Approval of Minutes From August 13, 2012 Meeting

Commissioner Boyer provided a handout with suggested changes to his comments from the August 13th meeting.

Commissioner Schafer moved to approve both minutes with Commissioner Boyer's corrections, Commissioner Larsen seconded the motion.

Commissioner Brogan and Commissioner Keller abstained from the August 13 minutes due to their absences.

Motion passed unanimously.

4. Discussion on Fish & Game Regulations on Private Ponds.

Chairman Ishida shared with the Commissioners that notices are being sent to everyone who has a stock water pond to apply for a permit with the State of California to keep these ponds or there will be substantial fines applied after a grace period. He also stated that if there are fish in these ponds, you will need a separate permit for those fish as well as a certified plan for those fish.

Commissioner Schafer shared that statutes have changed through the years. He commented that several years ago the State Water Resources Control Board required registration for ponds that diverted surface water.

Commissioner Keller stated that this issue is not anything new simply that the availability of online satellite maps may be changing the situation.

Chairman Ishida commented that the difference is that the regulators can sit at a desk and review satellite maps rather than on the ground inspections and it makes the process easier..

5. Subcommittee Reports

Chairman Ishida reported that he recently attended a meeting sponsored by the California EPA. He stated that the EPA has endeavored to classify locations in the state that should be considered high risk to the health of residents. He described the methodology that CalEPA used to make these determinations. The agency layered various factors, including water quality, pesticide use, and air quality. Chairman Ishida studied the pesticide section and noticed that even though the data was site specific the layer blanketed the entire valley. He stated that the EPA had made an assumption and suspected they did the same with air and water quality information and will use those generalized overlays to determine that the valley is a high risk area. He indicated that there are no facts to prove the overlay exists..

Commissioner Keller shared that the State Water Resources Control Board's agenda this month

includes an action item to approve a two million dollar allocation from the clean up and abatement fund for interim water solutions for disadvantaged communities that are affected by adverse water quality caused by either natural or action of man. He stated that the clean up and abatement fund is financed by fines from violations of waste discharge requirements or or by a Regional Water Board.

Chairman Ishida commented that many attended a meeting in regards to a nitrate monitoring program. He stated that is twenty million dollars to the growers in Tulare County alone to set up this monitoring program at twenty one dollars an acre per year. He commented that we could solve a lot of problems of the disadvantaged communities with that kind of money.

Commissioner Keller shared an update on the Tulare Lake Basin Disadvantaged Community Water Study. He stated that four pilot projects have been approved by the Stakeholders Oversight Advisory Committee that was appointed by the Tulare County Board of Supervisors and includes representatives from all four counties included in the Study. He also mentioned that there is a tentative schedule that includes rolling out the first of those four pilot studies the first of the year and the other three to tier out shortly thereafter.

6. Staff Reports

None at this time.

7. Commissioners Comments

Commissioner Schafer offered that the US ArmyCorps of Engineers are going to be at the Lower Tule Irrigation District on Thursday, October 11,2012 where they will provide an update on their risk assessment for the safety of Success Dam, namely the seismic, seepage, and overtopping issues that prevail. He stated that they hope to determine from this process what the anticipated storage limitation will be in 2013.

Commissioner Larsen stated that about a month ago at the Tulare County Flood Commission Meeting Kuna Muthusamy mentioned he was setting up an ordinance for ground water transfers. He asked if this was something the Water Commission needed to discuss again.

Chairman Ishida stated that the Commission will discuss the issue again when it comes forward and shared that he was aware that County Counsel was working on ordinances about water transfers.

Denise Akins shared that the ordinance is specific to groundwater exportation and it comes from the Board of Supervisors.

Chairman Ishida offered to have the Board of Supervisors direct staff to prepare a report to present to the Water Commission.

Arlene Silva commented that the intent was to go to different agencies and groups to have input on the proposed ordinance. It is not ready to be passed by the Board of Supervisors.

Chairman Ishida announced that there will not be another Water Commission meeting until January because the Water Commission bylaws state that no meetings will be held the month of December. He also mentioned that the following Tuesday, the Board of Supervisors will appoint Susana De

Anda to the Water Commission. .

8. Next meeting – Monday, January 14, 2013, 3:00 p.m. – Board of Supervisors Chambers

9. Adjourn

The meeting was adjourned at 3:38pm.

Carole Clum's Public Comments at The Tulare County
Water Commission Meeting on October 8, 2012

The September issue of the National Geographic magazine has a long article on changes in global weather from 1970 to 2011 and the financial cost and human cost of natural disasters.

The graphs in your handout show how air temperature, moisture, heat waves, and extreme rainfalls are increasing globally. These are averages. Some areas are suffering more extreme changes.

The rising cost and frequency of natural disasters can be blamed only partly on the weather. Disasters are also on the rise because more people are located in harm's way. In states like Texas, Arizona, and California the buildup of neighborhoods in former woodlands has exposed more properties to wildfires.

Weather disasters are like heart attacks. When your doctor advises you about how to avoid a heart attack, he doesn't say, "Well, you need to exercise, but it's okay to keep smoking." The smart approach to extreme weather is to attack all the risk factors, by designing crops that can survive drought, buildings that can resist floods, high winds, and wildfires, policies that discourage people from building in dangerous places — and of course, by cutting greenhouse gas emissions.