

**TULARE COUNTY WATER COMMISSION
MEETING MINUTES
March 11, 2013**

Members Present:

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

Members Absent:

Mike Ennis, Board Alternate Representative
Chris Kapheim, District 4 Appointee
Rudy Mendoza, TCAG Representative
Keith Watkins, At-Large Appointee

Staff Present:

Julieta Martinez, Tulare County Board of Supervisors
Jake Raper, RMA

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

Carole Clum
Reza Namuar
Saquib Najmus
Shane Smith
Michael Tharp
Richard Garcia

1. Call to Order

The meeting was called to order at 3:03pm.

2. Public Comment Period

Carol Clum of Three Rivers spoke to the Commissioners in regards to the export of water. She also distributed a handout from National Geographic Magazine. See attachment A for comments.

3. Approval of Minutes From February 11, 2013 Meeting

Commissioner Larsen shared that he had not received the minutes with the agenda as well as other

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Commissioner Larsen shared that he had not received the minutes with the agenda as well as other Commissioners.

Staff member Juliet Martinez suggested the Commissioners table the minutes for next meeting.

Motion to table minutes was made by Commissioner Larsen and seconded by Commissioner Brogan. Motion approved.

4. Presentation on the Tulare County Groundwater Monitoring Plan Project by Dr. Saquib Najmus of WRIME, Inc.

Dr. Saquib Najmus was present to give an update on the County of Tulare Groundwater Quality Monitoring Plan Final Report. The presentation outlined the project background, goals, scope of work, products, and project benefits. It concluded that ongoing groundwater levels and quality monitoring are deemed sufficient and changes may be necessary due to amendments in monitoring requirements or groundwater quality, or state guidelines. It was shared that HydroDMS updates should be performed regularly by uploading the data collected by state and local agencies and that future characterization of the subsurface should focus on more detailed logging of boreholes or usage of geophysical logs.

Commissioner Boyer asked if there was a public outreach component and if the information is gained from wells where sometimes quality data may not be made available. Does the information get down to details pertaining to specific wells?

Dr. Najmus stated that the data is County wide and the system will store data by well location if it is available.

Commissioner Boyer asked if a person would be able to see trends in the data if someone was inquiring by township, etc.

Dr. Najmus stated the data is now housed in a County database and it is up to the County to decide if it is to be made public or if it can be accessed through the web.

Chairman Ishida posed a question for the Resource Management Agency. He asked how the map compared to one received in the past.

Jake Raper, Director of RMA, stated that he would touch base with his assistant director, Michael Spata, and bring back the findings once reviewed.

Chairman Ishida asked if the information had been shared with the Central Valley Water Quality Regional Control Board.

Dr. Najmus commented that the information gathered so far has been shared only with the County of Tulare.

Commissioner Keller stated the question will really be “What is the County going to do with this”. The goal was to create a database for modeling purposes and integrated regional water management plans related approaches. We will be looking to the Board of Supervisors for further direction to see if we will have access to RMA Staff or access to a port to input. If this database is going to be useable, it has to be opened

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on a two way path where we can extract and input information.

Commissioner Larsen shared that potentially this has a lot of value to improve local groundwater management.

Commissioner Keller stated that originally this was supposed to be an element that was going into IRIS but now IRIS is no longer in use. If this is going to be a merger vehicle for different databases then it has to be accessible both ways.

Dr. Najmus commented that the database has a lot of power that is not being used.

Commissioner Ishida commented that at the beginning of the process the main focus was to put all the different groups' data in a useable form that everyone can use and we are no closer today than when we started. The question now is how to determine what database program we will use to input all this information.

Commissioner Keller suggested that it be the Board of Supervisors who suggest what database will be used. They have an opportunity to say that on a Tulare County basis this will be accessible for those who can provide input and/or information. Someone has to say what the portal to plug in to is in order to transfer information into one location.

Commissioner Keller asked for a copy of the report.

Commissioner De Anda shared that the Tulare Lake Basin Water Study has gathered information that could potentially be inputted into such a database.

Michael Hickey stated that the database is an excellent starting point where someone can log on through the internet. Two things need to be done. It needs to be able to pass data from one database to another. The second thing is the whole scope of confidentiality, different people have different confidentiality requirements. For example, public water system data, the water quality is public but the location of the well is secret. The two major things that need to be worked on are data confidentiality and data transfer.

Chairman Ishida stated that within the next two weeks there needs to be a discussion on how to make a recommendation and take it to the Board of Supervisors.

Commissioner Keller suggested taking a look at the confidentiality agreement that the County took on with DPH. That will start to open up a pathway.

5. Update on Tulare Lake Basin Disadvantage Community Water Study

Commissioner De Anda shared that the first meeting for the technical review team on the first pilot draft that was released will be held at the end of March or beginning of April.

Commissioner Keller stated that the Board of Supervisors has to deliver a report to the state legislature by September of this year and we are on schedule.

Chairman Ishida asked Commissioner De Anda and Staff Julieta Martinez to make sure all Commissioners

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receives information on the pilot projects.

6. Subcommittee Reports

None at this time.

7. Staff Reports

Julieta Martinez reminded the Commissioners to send their completed Form 700's in by April 15th.

8. Commissioners Comments

Commissioner Keller shared what he considered to be bad news. The Federal sequester brought about a notification that a number of projects that are federally financed are threatened with the withdrawal of funds. This is probably about 20 million worth of projects in Tulare County alone. They are, for instance, Water Smart Program, Ivanhoe ID, Kaweah Delta Water Conservation District, Lower Tule, etc. At this point in time it appears that this money is going to disappear. It looks like 30 million in projects within a two year period will most likely be withdrawn.

Commissioner Boyer asked what the case was with existing contracts.

Commissioner Keller stated that existing contracts are at risk and will most likely be terminated.

Chairman Ishida stated that the Board of Supervisors will be heading to Washington, D.C. on April 8th and asked Commissioner Keller to share some more detailed information in regards to the federal sequester.

9. Next meeting – Monday, April 15, 2013, 3:00 p.m. – Board of Supervisors Chambers

10. Adjourn

The meeting adjourned at 3:46pm.

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Carole Clum's Public Comments to the Tulare County
Water Commission March 11, 2013

I want to make a point about the export of water. My parents spent well over twenty years of retirement in Pasco County, Florida. The county's wells were always threatened by brackish water. There was an acknowledged shortage of clean drinking water. Despite that, there was no policy or ordinance against the export of water. Neighboring Pinellas County had its own problems finding salt free water. Pinellas County bought land in Pasco County, drilled a well in a good site, and exported the water to itself. The policy makers and citizens of Pasco County were outraged but there was nothing they could do about it.

Last January the annual Planning and Conservation League symposium was held in Davis, CA at the UC Davis law school. The focus was almost entirely on strengthening the California Environmental Quality Act (CEQA). Senator Michael Rubio spoke at the plenary session about the need to reform CEQA, to put people back to work, to ensure certainty to the business community, and to streamline the permitting process for diverse industries. Senator Darrell Steinberg had appointed Sen. Rubio to head the Senate committee to reform and streamline CEQA. On the day the committee was to convene, Sen. Rubio resigned from the Senate and announced he was going to work for Chevron as a lobbyist. Here is a perfect example of the revolving door between legislators and the big corporations they regulate.

The National Geographic magazine drawing I distributed to you is a schematic drawing of a specific oil well in North Dakota. On the left side in a small red box is a list of concerns about hydraulic fracturing:

- air quality
- leaky disposal ponds
- faulty wells
- spills

National Geographic overlooked five negatives:

- greenhouse gas emissions worsening climate change
- loud noise
- heavy truck traffic
- possible land subsidence
- possible earthquakes

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I'm concerned primarily about water quality. Shouldn't groundwater quality be tested prior to fracking?
Shouldn't frackers pay into a fund to remediate surface and groundwater contamination caused by fracking?
Or, shouldn't the oil and gas companies be required to take out insurance policies against possible contamination of an aquifer or river? Otherwise, who pays? The public?
I say the polluter pays.

* Catastrophic well casing failures can happen at any time. The EPA is now investigating a 2011 blow out during fracking in a well near Killdeer, North Dakota that pierced the aquifer the town relies on.