

***EASTERN TULE
GROUNDWATER
SUSTAINABILITY
AGENCY JOINT
POWERS AUTHORITY***

County of Tulare
City of Porterville
Porterville Irrigation District
Saucelito Irrigation District
Teapot Dome Water District
Vandalia Water District
Terra Bella Irrigation District
Kern-Tulare Water District



**Meeting of the
ETGSA Executive
Committee**

Thursday, January 21, 2021
Convenes at 2:00 p.m.

info@easterntulegsa.com
www.easterntulegsa.com

Eric Borba
GSA Chairman

Steve Kisling
GSA Vice-Chairman

Aubrey Mauritson
Legal Counsel

Rogelio Caudillo
General Manager

Zoom Videoconference:

Join Zoom Meeting

<https://us02web.zoom.us/j/81901490791>

Meeting ID: 819 0149 0791

By Phone:

+1 669 900 9128 US (San Jose)

In accordance with the Governor's Executive Order (N-29-20) and the declared State of Emergency, including social distancing directives as a result of the threat of the COVID-19 virus, committee members and ETGSA staff will be participating in this meeting remotely. There will not be a physical location for this meeting. Members of the public may participate in the meeting in the following ways:

Join Zoom Meeting

<https://us02web.zoom.us/j/81901490791>

Meeting ID: 819 0149 0791

One tap mobile

+16699009128,,81901490791# US (San Jose)

Dial by your location

+1 669 900 9128 US (San Jose)

Meeting ID: 819 0149 0791

Find your local number: <https://us02web.zoom.us/u/kb0gKxdF1>

-----AGENDA-----

Action items are listed in **bold**.

1. **ROLL CALL**

2. **PUBLIC COMMENT**

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 Committee at this time. For items appearing on the agenda, the public is invited to make comments at the time the item comes up for Committee consideration. Any person addressing the Committee will be limited to a maximum of three (3) minutes or the Chairman's discretion. At all times, please state your name for the record.

3. **ANNOUNCEMENTS**

4. **MINUTES**

- a. **ACTION** - Approve the September 17, 2020 Meeting of the ETGSA Executive Committee Minutes.

5. POLICY ISSUES

- a. Report and update on ETGSA Meetings.
- b. Report from 4Creeks on ETGSA Accounting and Invoicing.

6. NEXT MEETING DATE

- a. Next Regular Executive Committee Meeting– Thursday, February 18, 2021 at 2pm.

7. ADJOURNMENT

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the ETGSA to provide a disability-related modification or accommodation in order to participate in any public meeting. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the GSA. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, facsimile, or written correspondence to the General Manager of the ETGSA at (559) 781-7660, at least 48 hours before a public meeting.



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AUTHORITY

Agenda Item #4.a
Exhibit A

**MINUTES OF THE
EXECUTIVE COMMITTEE
HELD SEPTEMBER 17, 2020**

At approximately 2:00 p.m. on September 17, 2020, Chairman Borba called to order a meeting of the Board of Directors of the District. Consistent with Executive Order N-29-20 and social distancing directives, the meeting was conducted by teleconference only, with no physical location for the meeting.

Executive Members Present:

| | |
|------------------|------------------|
| Eric Limas | Glenn Fowler |
| Sean Geivet | Nick Keller |
| Steve Etchegaray | Eric Borba |
| Denise England | Michael Knight |
| Steve Dalke | John M. Domondon |

Executive Members Absent:

ROLL CALL

General Manager Caudillo called the roll with the following committee members indicating their presence:

Committee member Limas
Committee member Fowler
Committee member Keller
Committee member Geivet
Committee member Etchegaray
Chairman Borba

PUBLIC COMMENT

Chairman Borba announced the public comment period. Ryan Jensen provided public comment.

ANNOUNCEMENTS

General Manager Caudillo announced that the hearing on the proposed groundwater extraction fee will be held on October 1, 2020, at 2:00 p.m.

MINUTES

Approve the August 20, 2020 Meeting of the ETGSA Executive Committee Minutes

Committee member Geivet moved for approval of the August 20, 2020 meeting of the Executive Committee minutes, with one correction. Committee member Domondon seconded. The motion was carried unanimously by way of the following roll call vote:

In Favor:

Committee member England
Committee member Limas
Committee member Fowler
Committee member Keller
Committee member Geivet
Committee member Etchegaray
Committee member Domondon
Committee member Dalke

Opposed: None.

POLICY ISSUES

Review and Discussion of First Amended ETGSA Rules and Regulations

General Counsel Mauritsen and Consulting Engineer De Groot provided a report on the First Amended Rules & Regulations. Attached hereto and incorporated by reference as Agenda #5a is a copy of the Rules & Regulations.

Discussion ensued regarding potential changes to Sections 2.02 and 3.05, related to the election to use meters and satellite sensor data.

Etchegaray moved (1) to add language in 3.05(a) to include additional charges to owners for calculating groundwater consumption using the meter method; and (2) to add language to Section 2.02 limiting owners to one change in methodology per year. Geivet seconded, and proposed that the motion be amended to include recommendation of acceptance of all other redlines from the committees.

Discussion ensued regarding proposed revisions to 3.05.

Consulting Engineer De Groot expressed support for requiring the evapotranspiration methodology, with an appeal process in which each owner could present meter data, along with any other relevant information. If a large number of appeals are made, then there may be a basis to systematically evaluate the methodology.

Discussion ensued regarding owner elections of methodology.

By way of the following roll call vote, Committee member Etchegaray's motion failed:

In favor:

Committee Member Etchegaray

Opposed:

Committee member England

Committee member Limas

Committee member Fowler

Committee member Keller

Committee member Geivet

Committee member Domondon

Committee member Dalke

Committee member Geivet moved (1) to recommend amendment of Section 2.02 to permit one change in measurement methodology per year; (2) to decline proposed amendments to Section 3.05. As the motion was not seconded, the motion failed.

Discussion ensued regarding using Land IQ only for calculating groundwater consumption, with an appeal process for meter results.

Committee member Limas expressed support for moving the Rules and Regulations along in the process, while supporting the process to move this thing along but leave Section 3.05 open for refinement.

Committee member Geivet made the following motion:

(1) that all amendments recommended by the committees be adopted, with the exception of the following:

A. proposed deletion of language in Section 3.05(a), a portion of the third paragraph, which reads as follows: "Whichever calculated value is greater from the formulas above is the consumed value applied to the owner";

B. proposed addition of the following language to Section 3.05(a): "An owner may elect which formula is applicable to his or her account"

(2) that Section 2.02 be amended to permit an owner to change his or her election only once per water year (October 1st through September 30th); and

(3) to revise Section 3.05, including deletion of Section 3.05(a)(1), to allow the evapotranspiration methodology as the only methodology used to quantify net consumed groundwater, with an appeal process.

Committee member Limas seconded. The motion was unanimously carried by way of the following roll call vote:

In favor:

Committee member England
Committee member Knight
Committee member Limas
Committee member Fowler
Committee member Keller
Committee member Geivet
Committee member Etchegaray
Committee member Domondon
Committee member Dalke

Opposed: None.

Presentation by 4Creeks on “What-If” Calculator & Landowner Tool

Consulting Engineer DeGroot gave a presentation on the “What-If” Calculator & Landowner Tool. Attached hereto and incorporated by reference as Agenda #5b is a copy of the presentation.

Discussion ensued regarding the “What-If” calculator.

NEXT MEETING DATE

Next Executive Committee Meeting – Thursday, October 15, 2020 at 2:00 pm

The next meeting of the Executive Committee is set for October 15, 2020, at 2:00 p.m.

ADJOURNMENT

As there was no further business to come before the Committee, Chairman Borba adjourned the meeting.

Respectfully submitted,

Chairman Eric Borba



ETGSA Executive Committee Meeting

January 21, 2021

Agenda Item 5.a

Report and Update on ETGSA Meetings.

Staff Report to the ETGSA Executive Committee

Subject: ETGSA Meetings

Submitted By: General Manager

Recommended Action: *N/A – For Informational Purposes.*

Executive Summary:

October 1, 2020 – Meeting of the Board of Directors

- Held Public Hearing for the ETGSA Groundwater Extraction Fee
- Approved the 1st Amended ETGSA Rules and Regulations.
- Approved Resolution 2020-02 setting Groundwater Extraction Fee.
- Approved Resolution 2020-03 setting Penalty Rates for Tier 1 & Tier 2 Penalty Allocations.
- Approved 4Creek's Scope of Work for Land Subsidence Additional GPS (Field) Monitoring
- 4Creeks provided an update on the "What-if Calculator" Tool.

November 5, 2020 – Meeting of the Board of Directors

- Approved of 4Creeks Scope of Work for Administration Services for ETGSA.
- Approved imposing a groundwater extraction fee of \$4.92 for the Greater Tule Management Area for the water year 2021, except for riparian corridors and for 2 acres or less, assuming two-acre feet of groundwater per year are being consumed and directed staff to begin invoicing for sustainable yield and transitional pumping in February 2021.
- Thomas Harder presented on response Aquilologic comment to DWR on ETGSA GSP.

November 13, 2020 – Special Meeting of the Board of Directors

- Closed Session only. Nothing to report.

December 3, 2020 – Meeting of the Board of Directors



ETGSA Executive Committee Meeting

January 21, 2021

- Approved the ETGSA Groundwater Banking Policy.
- Review and Discussion of ETGSA Rules and Regulations and directed ITRC proposal to be reviewed by Finance Committee for participation.
- Received update on ETGSA Groundwater Management Zone Ad-Hoc work.

January 7, 2021 – Meeting of the Board of Directors

- Appointment of Agency Officers and Committee Chairs and Vice-Chairs.
- Approved the Proposal for ITRC-METRIC ETc relationship to Land IQ ETc together with Eastern Tule White Area Growers.
- Approved ETGSA contribution to Water Blueprint for the SJV to identify excess/flood water supplies.
- Presentation by Joel Kimmelshue of Land IQ on Consumptive Use/Precipitation.
- Report from 4Creeks staff on ETGSA Accounting and Invoicing.
- Report from Closed Session:
 - “Chairman Borba reported the ETGSA board unanimously approved a Settlement Agreement with FWA and Arvin Edison Water Storage District, contingent on the remaining parties’ final approval. Once the other parties have approved, the document will be made publicly available. “
 - Final Agreement was approved by all parties and made publicly available on January 18, 2021.

Background:

The ETGSA Board of Directors approved the adoption of the ETGSA Rules & Regulations on August 6, 2020. In addition, the Board approved adoption of the First Amended ETGSA Rules & Regulations on October 1, 2020.

Fiscal Impact:

n/a

Attachments:

n/a



ETGSA Executive Committee Meeting January 20, 2021

Agenda Item 5.b

Report from 4Creeks on ETGSA Accounting and Invoicing

Staff Report to the ETGSA Executive Committee

Subject: ETGSA Invoicing & Accounting
Submitted By: General Manager
Recommended Action: *N/A – For Informational Purposes.*

Executive Summary:

Report will be provided by 4Creeks staff.

Background:

n/a

Fiscal Impact:

n/a

Attachments:

n/a