

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

Eric Borba
*Chairman
Porterville Irrigation District*

Steve Kisling
*Vice-Chairman
Saucelito Irrigation District*

Dennis Townsend
County of Tulare

Monte Reyes
City of Porterville

Matthew Leider
Teapot Dome Water District



**Meeting of the Authority
Board of Directors**

Thursday, August 4, 2022
Convenes at 2:00 p.m.

www.eastertulegsa.com
info@eastertulegsa.com

Curt Holmes
Kern-Tulare Water District

Geoffrey C. Galloway
Terra Bella Irrigation District

Dyson Schneider
Vandalia Water District

John Corkins
White Area

Rogelio Caudillo
General Manager

Aubrey Mauritson
Legal Counsel

Zoom Videoconference:

Join Zoom Meeting
<https://us02web.zoom.us/j/85677739109>
Meeting ID: 856 7773 9109

By Phone:

+1 669 900 9128 US (San Jose)

Due to current COVID-19 safety measures, the ETGSA Board of Directors Meeting is only available for in person attendance by Committee Members, Consultants, and Staff.

Web Meeting Attendance Available for Interested Parties:

Join Zoom Meeting
<https://us02web.zoom.us/j/85677739109>
Meeting ID: 856 7773 9109
+1 669 900 9128 US (San Jose)

-----AGENDA-----

All items on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action by the Board of Directors. The Board of Directors may consider agenda items in any order. Materials related to an item on this agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection at the ETGSA Office, 881 W. Morton Avenue, Suite D, Porterville, California, during normal business hours.

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

3. ANNOUNCEMENTS

4. CONSENT CALANDER

- a. Approval of July 18, 2022 Meeting of the Board Minutes.
- b. Approval of ETGSA Resolution 2021-6 re: Public Teleconference Meetings.

- c. Approval of ratification of bills paid and approval of bills to be paid. *(Materials to be distributed on the day of the Board Meeting.)*

5. PRESENTATION

- a. Presentation on the Sustainable Agricultural Lands Conservation (SALC) Program. *(Board may take action or provide direction to staff.)*

6. ADMINISTRATION

- a. Staff Update on ETGSA GSP Submittal.
- b. **ACTION** – Consider approval of Rate Payers Report and Set Date for Public Hearing on Groundwater Extraction Fee.
- c. Report from 4Creeks on ETGSA Accounting and Invoicing.

7. STAKEHOLDER OUTREACH AND COMMUNITY ENGAGEMENT

- a. Report on ongoing ETGSA outreach efforts.

8. REPORTS FROM COMMITTEES

- a. Receive reports from Executive Committee members.
- b. Receive reports from Stakeholder Committee members.
- c. Receive report from Finance Committee members.

9. TULE SUBBASIN AND REGIONAL REPORTS AND ITEMS

- a. Report on Tule Subbasin Coordination and TH&Co Task Items.

10. CLOSED SESSION:

- a. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
[Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)]
Number of Potential Cases: Three

11. CLOSED SESSION ITEMS:

- a. Report Action Taken in Closed Session Required by Government Code 54957.1

12. NEXT MEETING DATE

- a. Next Regular Meeting – Thursday, September 1, 2022 at 2 p.m.

13. ADJOURNMENT

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the GSA Authority to provide a disability-related modification or accommodation in order to participate in any public meeting of the GSA Authority. 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 GSA Authority Secretary or to the City of Porterville Public Works Department (559) 791-7804, at least 48 hours before a public GSA meeting.



ETGSA Board Meeting August 4, 2022

Agenda Item 4.a-c

Consent Calendar

Staff Report to the ETGSA Board of Directors

Subject: Consent Calendar

Submitted By: General Manager

Recommended Action: *Move to approve items under the Consent Calendar, approval of items may be made in one motion.*

Executive Summary:

- Approval of July 18, 2022 Meeting of the Board Minutes.
- Approval of ETGSA Resolution 2021-6 re: Public Teleconference Meetings.
- Approval of Ratification of bills paid and approval of bills to be paid.

Attachments:

- Exhibit A: July 18, 2022 Meeting of the Board Minutes.
- Exhibit B: ETGSA Resolution 2021-6 re: Public Teleconference Meetings.
- Exhibit C: ETGSA Financial Statements (Unaudited)

Number of Potential Cases: One

The Board of Directors, while in closed session pursuant to Government Code Section 54956.9(d)(2), met with General Counsel Aubrey Mauritson regarding one potential item of anticipated litigation.

CLOSED SESSION ITEMS

Report Action Taken in Closed Session Required by Government Code 54957.1

Chairman Borba announced that there was no reportable action from closed session.

PUBLIC COMMENT

Chairman Borba announced the public comment period. Tien Tran from Community Water Center provided public comment.

ANNOUNCEMENTS

General Manager Caudillo advised that there were no announcements.

CONSENT CALENDAR

General Manager Caudillo referred the Board to Agenda Items 4a – 4e on the Consent Calendar portion of the agenda. A copy of the Minutes of the June 2, 2022 Board Meeting is attached as Agenda Item #4a. A copy of the Minutes of the June 30, 2022 Board Meeting (Public Hearing) is attached as Agenda Item #4b. A copy of Resolution 2021-6 Re: Public Teleconference Meetings is attached as Agenda Item #4c. A copy of the financial statements is attached as Agenda Item #4d. A copy of the Tulare County FY22-23 Budget Form and approval of Agency Authorized Signatories for Disbursement of Funds is attached as Agenda Item #4e.

Director Corkins moved to approve Items 4a through 4e. Director Kisling seconded, and the motion was unanimously carried by way of the following roll call vote:

In Favor:

Director Townsend
Alt. Director Yap
Director Leider
Director Corkins
Alt. Director Knight
Director Schneider
Director Kisling
Chairman Borba

Opposed: None.

ADMINISTRATION

Consider Approval of Tom Harder & Co. Scope of Work to Conduct and Ag Well Inventory for the Land Subsidence Management Area

General Manager Caudillo provided a report on a Scope of Work to Conduct an Ag Well Inventory for the Land Subsidence Management Area provided by Tom Harder & Co. A copy of the proposal is attached as Agenda Item #5a and incorporated by reference.

Discussion ensued regarding the proposal.

Director Corkins moved to approve the proposed Scope of Work. Director Schneider seconded, and the motion was unanimously carried by way of the following roll call vote:

In Favor:

Director Townsend
Alt. Director Yap
Director Leider
Director Corkins
Alt. Director Knight
Director Schneider
Director Kisling
Chairman Borba

Opposed: None.

Adopt ETGSA Resolution 2022-03 Certifying the Results of the Prop 218 Election

Consulting Engineer Dennis Keller provided a report on ETGSA Resolution 2022-03 certifying the results of the Prop 218 Election and confirming the Election did not pass as the majority of votes cast were not in favor. Attached hereto and incorporated by reference as Agenda Item #5b is a copy of the Resolution.

Director Corkins moved to adopt ETGSA Resolution 2022-03. Director Kisling seconded, and the motion was unanimously carried by way of the following roll call vote:

In Favor:

Director Townsend
Alt. Director Yap
Director Leider
Director Corkins
Alt. Director Knight
Director Schneider
Director Kisling
Chairman Borba

Opposed: None.

Report from 4Creeks on ETGSA Accounting and Invoicing

Consulting Engineer De Groot provided a report on accounting and invoicing. He advised regarding updates to BasinSafe accounts, and noted that the ET data for May has been updated. Mr. De Groot also noted that the Water Market Board is available. Mr. De Groot provided an update with respect to total enrollment and opt-out acreage, and advised that the next round of invoicing is expected in mid-August.

GROUNDWATER SUSTAINABILITY PLAN (GSP)

Staff Report on Amended GSP

Consulting Engineer De Groot provided a presentation on the 2022 Amended GSP. Attached hereto and incorporated by reference as Agenda Item #6a is a copy of his PowerPoint presentation.

Public comment was received concerning the Amended GSP:

Tien Tran and Don Davis each provided public comment.

Consider Approval of Resolution 2022-04 to Approve and Adopt Amended GSP

Attached hereto and incorporated by reference as Agenda Item #6b is a copy of the Resolution to approve the 2022 Amended GSP.

Director Leider moved to approve ETGSA Resolution 2022-04. Director Schnieder seconded, and the motion was unanimously carried by way of the following roll call vote:

In Favor:

Director Townsend
Alt. Director Yap
Director Leider
Director Corkins
Alt Director Knight
Director Schneider
Director Kisling
Chairman Borba

Opposed: None.

STAKEHOLDER OUTREACH AND COMMUNITY ENGAGEMENT

Report on Ongoing ETGSA Outreach Efforts

General Manager Caudillo provided a report on ongoing outreach efforts and upcoming events. A copy of his report is attached as Agenda Item #7a and incorporated by reference.

REPORT FROM COMMITTEES

Receive Reports from Executive Committee Members

General Manager Caudillo advised that there was no Executive Committee Meeting last month.

Receive Reports from Stakeholder Committee Members

General Manager Caudillo advised that there was no Stakeholder Committee Meeting last month.

Receive Reports from Finance Committee Members

General Manager Caudillo provided a report, a copy of which is attached as Agenda Item #8c. Mr. Caudillo noted that the Committee met immediately prior to the Board meeting at 1:15p.m.

TULE SUBBASIN AND REGIONAL REPORTS AND ITEMS

Report on Tule Subbasin Coordination and TH&Co Task Items

General Manager Caudillo provided a report on Tule Subbasin Coordination and TH&Co Task Items. Attached hereto and incorporated by reference as Agenda Item #9a is a copy of the report.

Consider Approval of Letter of Support for LTRID and Pixley ID Grant Application

General Manager Caudillo provided a report regarding the letter of support for LTRID and Pixley ID Grant Application. Attached hereto and incorporated by reference as Agenda Item #9b is a copy of the Letter.

Director Corkins moved to approve the letter of support for LTRID and Pixley ID Grant Application. Director Townsend seconded, and the motion was unanimously carried by way of the following roll call vote:

In Favor:

Director Townsend
Alt. Director Yap
Director Leider
Director Corkins
Alt. Director Knight
Director Schneider
Director Kisling
Chairman Borba

Opposed: None.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

[Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)]

Number of Potential Cases: Three

The Board of Directors, while in closed session pursuant to Government Code Section 54956.9(d)(2), met with General Counsel Aubrey Mauritson regarding three potential items of anticipated litigation.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

[Government Code Section 54947]

Title: General Manager

The Board of Directors, while in closed session pursuant to Government Code Section 54947, met with General Counsel Aubrey Mauritson regarding public employee performance evaluation.

CLOSED SESSION ITEMS

Report Action Taken in Closed Session Required by Government Code 54957.1

Chairman Borba announced that there was no reportable action from closed session.

Consider Approval of Recommendations to Make a Percentage Adjustment to Authority Annual Budget for Employee's Salary

Director Kisling reported the Finance Committee discussed job performance. He advised that the Finance Committee has recommended an 8.5% increase to the salary of the agency's general manager.

Director Leider moved to approve an 8.5% increase to the general manager's salary. Director Townsend seconded, and the motion was unanimously carried by way of the following roll call vote:

In Favor:

Director Townsend
Alt. Director Yap
Director Leider
Director Corkins
Alt. Director Knight
Director Schneider
Director Kisling
Chairman Borba

Opposed: None.

NEXT MEETING DATE

Next Regular Meeting – Thursday, August 4, 2022 at 2:00 p.m.

The next regular meeting of the Board of Directors of the ETGSA Joint Powers Authority shall be held on August 4, 2022 at 2:00 p.m.

ADJOURNMENT

There being no further business before the Board, Chairman Borba adjourned the meeting.

Respectfully submitted,

Rogelio Caudillo, General Manager

RESOLUTION 2021-6
of the
BOARD OF DIRECTORS OF THE EASTERN TULE GROUNDWATER
SUSTAINABILITY AGENCY

RESOLUTION RE SUSPENSION OF PUBLIC TELECONFERENCING LOCATIONS

WHEREAS, as modified by Assembly Bill 361, *Government Code* § 54953(e)(1) permits local agencies to dispense with the requirements for teleconference locations contained in *Government Code* § 54953(b)(3) under the conditions specified herein;

WHEREAS, the Board has reconsidered the state of emergency issued by the State of California in connection with COVID-19, and has found that the declared state of emergency remains in effect;

WHEREAS, local and state officials continue to recommend and, in some cases, require, social distancing measures;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Board, and each of the Agency's committees subject to the Ralph M. Brown Act, shall, consistent with *Government Code* 54953(e)(1), continue to operate without physical, public meeting or teleconference locations.

THE FOREGOING RESOLUTION was passed and adopted by the Eastern Tule Groundwater Sustainability Agency Board of Directors on this 4th day of November, 2021, by the following vote:

AYES: Directors

NOES: Directors

ABSTAIN:

ABSENT:

Eric Borba, Chairman

ATTEST:

Rogelio Caudillo, Secretary

Certificate of Secretary

I do hereby certify that I am the Secretary of the Eastern Tule Groundwater Sustainability Agency, an agency organized and existing under the laws of the State of California, and that the foregoing Resolution was duly adopted by the Board of Directors thereof at a meeting thereof duly and regularly held on the 4th day of November, 2021, at which meeting a quorum of the said Board of Directors was at all times present and acting, and that said Resolution has not been rescinded or amended in whole or any part thereof, and remains in force and effect.

IN WITNESS WHEREOF, I have signed this Certificate on this 4th day of November, 2021, Porterville, California.

Rogelio Caudillo, Secretary



ETGSA Board Meeting August 4, 2022

Agenda Item 5.a

Presentation on Sustainable Agriculture Lands Conservation (SALC) Program.

Staff Report to the ETGSA Board of Directors

Subject: Sustainable Agriculture Lands Conservation

Submitted By: General Manager

Recommended Action: *None, Board may provide direction to staff.*

Executive Summary:

Presentation will be given by Tule Subbasin Watershed Coordinator Reyn Akiona.

Background:

- n/a

Fiscal Impact:

- n/a

Attachments:

- Exhibit A: SALC Summary Page

Brief: Tulare County SALC Planning

Funding Request: \$500,000, California Department of Conservation

In-kind \$50,000 (in-kind)

Lead Applicant: Tulare County

Co-applicants: Eastern Tule GSA
Tule Basin Land and Water Conservation Trust

Submission Deadline: September 9, 2022

Problem statement: As Tulare County's agricultural economy faces increased infrastructural growth, urbanization, and water scarcity, it is critical to the long-term environmental and economic health of the region to conserve its most productive and sustainable agricultural lands.

SALC Background: The California Department of Conservation administers Sustainable Agricultural Land Conservation (SALC) funds that “protect at-risk agricultural lands from conversion to more pollution-heavy land uses such as urban or rural residential development.” Through this program, easements can be offered to landowners to conserve farm lands in perpetuity to meet the conservation and food security priorities of the California Department of Conservation (DOC).

Vision: The Tulare County SALC Planning project will help Tulare County protect its agricultural economy and progress towards carbon neutrality by prioritizing the conservation of the County's agricultural lands and optimizing the use of limited water resources. Through this effort, Tulare County and its partners will develop a regional SALC agricultural land conservation easement plan primarily focused on conserving agricultural lands within the geographic boundaries of the Eastern Tule GSA.

Objective 1 - Develop SALC easement prioritization and conservation plan for the Eastern Tule GSA region (75%)

The project team will perform a local planning effort in the priority region of Eastern Tule GSA, cataloging key agricultural areas and anticipated threats to regional agricultural sustainability; this will be used to develop a conservation prioritization plan that helps direct SALC easements in the region. The effort will consider abiotic, economic, and other existing data, and build on existing planning efforts, such as the Tulare County General Plan's agricultural land protection policies under the Rural Valley Lands Plan. Due to the anticipated regional economic impacts of SGMA, water resource availability will be a uniquely critical factor in developing the program, and efforts will incorporate input from local water and agricultural organizations and agencies into the process.

Objective 2 - Enroll initial SALC easement(s) (15%)

The project will begin SALC easement acquisitions through landowner outreach and engagement, leading to an initial SALC acquisition proposal submitted to the Department of Conservation. Landowner outreach and engagement will occur in conjunction with planning efforts to identify willing landowners and facilitate SALC easement acquisition(s).

Objective 3 - Evaluate program effectiveness and develop a county-wide proposal for SALC expansion (10%)

The final objective of the program is to evaluate its effectiveness, utility, and stakeholder reception and develop a proposal for expansion to other key GSAs in the County.



ETGSA Board Meeting August 4, 2022

Agenda Item 6.a

Staff Update on ETGSA GSP Submittal

Staff Report to the ETGSA Board of Directors

Subject: ETGSA GSP

Submitted By: General Manager

Recommended Action: *None, Board may provide direction to staff.*

Executive Summary:

Report will be given by staff.

Background:

- n/a

Fiscal Impact:

- n/a

Attachments:

- n/a



ETGSA Board Meeting August 4, 2022

Agenda Item 6.b

Consider Approval of Rate Payers Report and Set Date for Public Hearing on Groundwater Extraction

Staff Report to the ETGSA Board of Directors

Subject: ETGSA Water Rate Study 2022-2023

Submitted By: General Manager

Recommended Action: *Move to approve Rate Payers Report and Set Public Hearing Date.*

Executive Summary:

Presentation will be given by staff.

Background:

- n/a

Fiscal Impact:

- n/a

Attachments:

- n/a



ETGSA Board Meeting August 4, 2022

Agenda Item 6.c

Reports from 4Creeks on ETGSA Accounting and Invoicing

Staff Report to the ETGSA Board of Directors

Subject: ETGSA Accounting and Invoicing
Submitted By: General Manager
Recommended Action: *None, Board may provide direction to staff.*

Executive Summary:

Presentation will be given by staff.

Background:

- n/a

Fiscal Impact:

- n/a

Attachments:

- n/a



ETGSA Board Meeting

August 4, 2022

Agenda Item 7.a

Report on ongoing ETGSA outreach efforts

Staff Report to the ETGSA Board of Directors

Subject: Summary of ETGSA Outreach

Submitted By: General Manager

Recommended Action: *n/a (report is for informational purposes)*

Executive Summary:

In addition to its regular Board and Committee Meetings and email correspondence to its Interested Parties List, ETGSA continues to conduct community outreach regarding SGMA, ETGSA, and the development of ETGSA's Draft GSP through a variety of events and other media.

A summary of ETGSA's outreach efforts in July is provided below:

As a result of the threat of the COVID-19 virus, committee members and ETGSA staff have been participating in meetings and engaging with stakeholders and the public remotely via teleconferencing.

- Zoom Teleconferencing Participation for ETGSA:
 - July 18, 2022 Board of Directors (40 Participants)
- Porterville Chamber of Commerce
 - July 28, 2022 Porterville Chamber GAC Committee: provided update to GAC Committee on current GSA activities.

Background:

SGMA requires that, "The groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans..." (WAT § 10723.2). ETGSA undertakes outreach efforts, both individually and in collaboration with regional partners, to ensure that these interests are considered and provided with information pertinent and relevant to SGMA and the development of ETGSA's GSP. The ETGSA Board of Directors adopted a Communication and Engagement Plan on October 5, 2018 that serves as a living guide to ETGSA's outreach efforts.



ETGSA Board Meeting August 4, 2022

ETGSA's Board and Committee meetings occur on a regular basis and, save for closed session as permitted pursuant the Brown Act, are open to the public.

ETGSA continues to encourage its stakeholders to engage the Agency with other opportunities for outreach.

Fiscal Impact:

- Monthly cost for Zoom Standard Pro: \$15.89

Attachments: n/a



ETGSA Board Meeting August 4, 2022

Agenda Item 8.a

Receive Reports from Executive Committee Members

Staff Report to the ETGSA Board of Directors

Subject: Summary of Executive Committee Meeting
Submitted By: General Manager
Recommended Action: *n/a (report is for informational purposes)*

Executive Summary:

Executive Committee did not meet in July due to lack of agenda items.

Background:

- n/a

Fiscal Impact:

- n/a

Attachments:

- n/a



ETGSA Board Meeting August 4, 2022

Agenda Item 8.b

Receive Reports from Stakeholder Committee Members

Staff Report to the ETGSA Board of Directors

Subject: Summary of Stakeholder Committee Meeting

Submitted By: General Manager

Recommended Action: *n/a (report is for informational purposes)*

Executive Summary:

Stakeholder Committee was cancelled in July per the request of the Chair.

Background:

- n/a

Fiscal Impact:

- n/a

Attachments:

- n/a



ETGSA Board Meeting August 4, 2022

Agenda Item 8. c

Receive Finance Committee Monthly Reports

Staff Report to the ETGSA Board of Directors

Subject: Summary of Finance Committee Meetings
Submitted By: General Manager
Recommended Action: *n/a (report is for informational purposes)*

Executive Summary:

A report on the Meeting of the ETGSA Finance Committee, scheduled to be held on August 4, 2022, will be given verbally.

Background:

- n/a

Fiscal Impact:

- n/a

Attachments:

- n/a



ETGSA Board Meeting August 4, 2022

Agenda Item 9.a

Report on Tule Subbasin Coordination and TH&Co Task Items

Staff Report to the ETGSA Board of Directors

Subject: Updates Regarding Tule Subbasin Coordination and Task Items

Submitted By: General Manager

Recommended Action: *n/a (report is for informational purposes)*

Executive Summary:

The Tule Subbasin TAC met on July 27, 2022. Below is a summary of the updates, anticipated deliverables, and associated Exhibits:

- **DWR GSP Letter** – GSA Managers updated on the status of the GSPs in the Tule Subbasin. Managers discussed attachments of changes to language in the Coordination Agreement and provided brief summaries.
- **Monitoring** –Planned Well monitoring to take place in the Fall.
- **Grants** – Prop. 68 planning grant & SGMA implementation grant funds updates.
- **Technical Advisory Committee (TAC):** The next meeting of the TAC has been scheduled for October 19, 2022 at 2pm. Notices and agendas including call-in information for the TAC meetings will be posted on the Tule Subbasin website: www.tulesgma.com. Notice and Agendas will also be provided by ETGSA.

Background:

ETGSA is member to the Tule Subbasin MOU Group. This group consists of the various GSAs overlying the Tule Subbasin. More information can be found at: www.tulesgma.com

The Tule Subbasin GSAs have collectively engaged and contracted TH&Co to undertake various scopes of work to assist them in the completion of their GSPs, Coordination Agreement, and various technical matters that must be addressed in a coordinated Subbasin manner.

Additionally, R.L. Schafer serves as the Tule Subbasin Coordinator and David De Groot/4Creeks serves as Technical Lead/Grant Lead/Secretary. Lower Tule River Irrigation District serves as Fiscal Agent to the Tule Subbasin MOU Group.



ETGSA Board Meeting August 4, 2022

Fiscal Impact:

- N/A

Attachments:

- N/A