

CONSENT CALENDAR

General Manager Caudillo referred the Board to Agenda Items #3a – #3b on the Consent Calendar portion of the agenda. A copy of the Minutes of the April 4, 2024, Board Meeting is attached as Agenda Item #3a. A copy of the financial statements is attached as Agenda Item #3b. General Manager Caudillo noted that the finance committee did not have a quorum.

Director Corkins moved to approve Items #3a - #3b. Director Galloway seconded, and the board unanimously approved the motion.

TIER 1 PENALTY ENFORCEMENT

Staff Report on Delinquent Tier 1 Penalty Accounts

General Manager Caudillo provided a report on the delinquent Tier 1 Penalty Accounts. A copy of the staff report is attached in the Board Packet as Agenda Item #4a.

Discussion ensued.

Public Hearing on Tier 1 Penalties. Written Protests by Individuals Will be Accepted Up Until the End of the Hearing

At approximately 2:08 p.m., Chairman Townsend opened the public hearing.

Comment was received from the following:

1. Lori Waggoner. Ms. Waggoner advised that her family grew up in the jurisdiction of Terra Bella Irrigation District. Ms. Waggoner also advised that she has no trees on the property and is not a farmer because of SGMA. Ms. Waggoner requested that the property be taken off the list of growers.
2. Houshang Dadgostar, President of Grow View Enterprises advised that he is contesting the charges, and is requesting a delay of action on the matter.
3. Florentino Avila – Mr. Avila advised that he had 9 acres of pistachios planted in 2012. He presented questions concerning how to opt out of the process.
4. Hossein Robani – [removed from list]
5. Tien Tran – Tien Tran of the Community Water Center reported that the Center would assist in confirming current contact information, based upon previous outreach with the landowners.

Written comments received at the hearing are attached in the Board Packet as Agenda Item #4b.

Close Public Hearing

At approximately 2:25 p.m., Chairman Townsend closed the public hearing.

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: 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 two potential items of anticipated litigation.

CLOSED SESSION ITEMS

Report Action Taken in Closed Session Required by Government Code 54957.1

Chairman Townsend announced the reportable action described under the Agenda item below regarding the approval of Resolution 2024-02.

ADMINISTRATION

Consider Approval of Resolution 2024-02 Authorizing Staff to Record Certificates of Lien for Delinquent Tier 1 Penalties

General Manager Caudillo provided a report. Attached in the Board Packet as Agenda Item #5a is a copy of Resolution 2024-2. Chairman Townsend announced that Lori Waggoner and Bernarda Vasques were removed from the list of delinquent extractors because they can opt out.

Director Corkins moved to approve Resolution No. 2024-2 authorizing staff to record Certificates of Lien for delinquent Tier 1 penalties for those Landowners listed on Exhibit A, excepting Lori Waggoner and Bernarda Vasques. Director Weyrauch seconded.

Public comment was received from Colin Pearce.

Discussion ensued.

Public comment was received from Colin Pearce.

**Director Galloway left the meeting at this time.*

The motion was unanimously approved by all present.

Review ETGSA Specific Deficiencies in SWRCB Draft Staff Report.

**Director Galloway returned to the meeting at this time.*

Don Tucker from 4Creeks provided a report. Mr. Tucker noted that a copy of the draft State Board staff report can be found on the State Board's SGMA Tule Subbasin website. Mr. Tucker provided an overview of various points in the

Discussion ensued.

Presentation and Review of TH&Co's Land Subsidence 2022/23 Annual Report and Determination

Ben Lewis from Thomas Harder and Co. provided a report. Attached in the Board packet as Agenda Item #5c is a copy of the presentation.

Discussion ensued.

Public comment was received from Don Davis.

Review and Consider Approval of Tenth Amended ETGSA Rules and Regulations

General Counsel Mauritsen provided a report. Attached in the Board Packet as Agenda Item #5d is a copy of the Tenth Amended Rules and Regulations.

Discussion ensued.

Public comment was received from Don Davis.

Director Borba made a motion to approve the staff recommendations in the agenda packet. Director Corkins seconded, with a request that that a workshop be scheduled for this month on the amended Rules and Regulations.

Discussion ensued.

Public comment was received from Matt Brady.

Discussion continued.

Public comment was received from Aaron Hart.

The motion was approved by way of the following roll call vote:

In Favor:

Chairman Townsend
Director Borba
Director Kisling
Director Galloway
Director Corkins

Opposed:

Director Leider
Alternate Director Domondon
Director Weyrauch

Report from 4Creeks on ETGSA Accounting and Invoicing

Dave De Groot from 4Creeks provided a verbal report on ETGSA accounts and invoicing.

GOVERNMENTAL AND LEGISLATIVE MATTERS

Report on State Advocacy Efforts

Lobbyist Ashley Walker provided a report. Attached in the Board Packet as Agenda Item #6a.

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 in the Board Packet as Agenda Item #7a.

Report on LSMA Landowner Outreach

General Manager Caudillo provided a report. A copy of his report is attached in the Board Packet as Agenda Item #7b.

REPORTS FROM COMMITTEES

Receive Report from Stakeholder Committee

General Manager Caudillo provided a report, a copy of which is attached in the Board Packet as Agenda Item #8a.

Receive Report from the Executive Committee

General Manager Caudillo provided a report, a copy of which is attached in the Board Packet as Agenda Item #8b.

Receive Report from the Finance Committee

General Manager Caudillo provided a report, a copy of which is attached in the Board Packet as Agenda Item #8c.

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 in the Board Packet as Agenda Item #9a.

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: One

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

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Friant Water Authority v. Eastern Tule Groundwater Sustainability Agency

Tulare County Superior Court Case No. VCU306343

The Board of Directors, while in closed session pursuant to Government Code Section 54956.9(d)(1), met with General Counsel Mauritsen regarding existing litigation named above.

CLOSED SESSION ITEMS

Report Action Taken in Closed Session Required by Government Code 54957.1

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

NEXT MEETING DATE

Next Regular Meeting – Thursday, June 6, 2024, at 2:00 p.m.

The next regular meeting of the Board of Directors of the ETGSA Joint Powers Authority shall be held on June 6, 2024, at 2:00 p.m.

ADJOURNMENT

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

Respectfully submitted,

Rogelio Caudillo, General Manager