

Meeting Minutes

Regular Board of Directors Meeting Of the East Turlock Subbasin Groundwater Sustainability Agency

March 23, 2023, 9:00 a.m.

Held in person and made available to public on Zoom

1. CALL TO ORDER AND INTRODUCTION OF BOARD MEMBERS

Chairman Ward Burroughs called the meeting to order at 9:01 a.m.

Board Members Present to Vote: Roll Call- Chairman, Ward Burroughs (Eastside Water District), Matt Beaman (Merced Irrigation District–Alternate), Christy McKinnon (Stanislaus County–Alternate), Lloyd Pareira (Merced County), and Vice-Chair Dirk Ulrich (Ballico Cortez Water District).

Board Member Alternates Present: Lacey McBride (Merced County-Alternate), and Treasurer, Tim Johnson (Eastside Water District-Alternate).

Board Members Absent: Vito Chiesa (Stanislaus County), and Hicham El-Tal (Merced Irrigation District).

2. PUBLIC COMMENT PERIOD

None.

3. CONSENT AGENDA

Alternate Member Christy McKinnon moved, seconded by Member Dirk Ulrich to approve:

- a. the minutes of the February 23, 2023 East Turlock Subbasin Groundwater Sustainability Agency regular board meeting;
- b. Approve the 2022-2023 six-month budget changes as presented at the February 23 board meeting; and.
- d. To support an ACWA sponsored coalition that will submit letters of opposition on three water rights bills that threaten California’s water rights system.

The motion passed unanimously.

Item c was removed from the consent agenda for discussion and direction.

- c. The draft RFP is was reviewed with three possible options, which included a land-based fee and a volume-based fee through Prop 218 and a Groundwater Pumping Fee through Prop 26. The board directed staff to work with the TAC to further develop the RFP so the consultant will look at all the options to help the GSA make the best decision. The board also directed staff to bring the RFP back to the board for a special meeting to release the RFP. **No action was taken.**

4. TREASURY REPORT AND PAYMENT OF BILLS

Following a brief presentation to the board on the process for reviewing invoices, Member Dirk Ulrich moved, seconded by Alternate Member Matt Beaman to accept the Treasury Report, including the process for reviewing invoices, and approve the payment of bills for March 2023, and to the transfer eighty-six thousand nine hundred forty-five dollars and forty-nine cents (\$86,945.49) from the Eastside Water District Loan Fund into the General Fund for previous EKI water accounting invoices that are covered by the loan. **The motion passed unanimously.**

5. **EAST TURLOCK SUBBASIN GROUNDWATER SUSTAINABILITY 2021-2022 FISCAL AUDIT**

The independent auditor, Kip Hudson of Hudson, Henderson, and Company presented the 2021-2022 financial audit to the board. There were no findings and the board had no questions. The audit will be on the April agenda for adoption. **For information only.**

6. **COMPLETION AND CERTIFICATION OF FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)**

Following a presentation from Kelley Sterle, ESA on the completion of the final PEIR, Member Dirk Ulrich moved, seconded by Alternate Member Matt Beaman to adopt Resolution 2023-03 supporting the certification of the PEIR and authorizing the board secretary to file Notices of Determination on behalf of the ETS GSA at the Merced and Stanislaus County Clerk offices. **The motion passed unanimously.**

7. **GROUNDWATER SUSTAINABILITY PLAN (GSP) IMPLEMENTATION PLANNING AND UPDATES**

Mike Tietze, GSA Coordinator/General Manager presented the following:

- a. Gave a brief review of the proposed schedule for implementation of activities through July 2023. **This item is information only.**
- b. Overview of the Second Annual GSP Implementation Report. Mike reported that the report prepared by the consultant states the majority of the wells are below the minimum thresholds and there is a chronic groundwater level decline, but those results can be subject to interpretation. Following his overview, Member Dirk Ulrich moved, seconded by Member Lloyd Pareira to accept the Second Annual GSP Implementation Report. **The motion passed unanimously.**
- c. The next groundwater monitoring event is scheduled for April. **This item is information only.**
- d. Discussion of policies to promote surface water usage: Letters went out to landowners along the Highline Canal encouraging them to take water. Eastside Water District (EWD) will be assisting with reimbursement of those costs. EWD also has a reimbursement plan for structural costs, and recently approved reimbursing 50% of those costs on three projects. **This item is information only.**
- e. Discussion of Mustang Creek, Dry Creek and Sand Creek discharge monitoring and management: There was nothing new to report this month. **This item is information only.**
- f. The pilot pumping program that was promoted at the March Workshop has 8 applicants. **This item is information only.**

8. **APPLICATION FOR MULTI-BENEFIT LAND REPURPOSING PROGRAM GRANT FROM THE CALIFORNIA DEPARTMENT OF CONSERVATION (DOC)**

Mike Tietze gave a brief presentation of the application for the Multi-Benefit Land Repurposing Program Grant being submitted to DOC. If awarded, the grant would be used to develop a plan to support land repurposing pilot projects to reduce groundwater use and support recharge, build capacity for plan implementation, and monitor program results. Partners include: WTS GSA, Merced and Turlock Irrigation Districts, Merced and Stanislaus Counties, Eastside Water District, Sand Creek Flood Control District, Sustainable Conservation District, California Farmland Trust, and Merced Resource Conservation District. Following the presentation, Member Lloyd Pareira moved, seconded by Member Dirk Ulrich to adopt Resolution 2023-04 to submit the application and enter into a grant agreement with the Department of Conservation of the application is approved. **The motion passed unanimously.**

9. LEGAL COUNSEL REPORT

a. Water Accounting Framework: There was nothing new to report.

This item was information only.

b. Legislative: There were three water rights legislation bills that were announced that weaken water rights: AB460, AB1337, and SB389. Another bill being watched regarding water shortage is AB1337. **This item was information only.**

10. COMMENTS FROM THE BOARD

Board Members may provide a brief report on notable topics of interest. The Brown Act does not allow discussion or action by the Legislative Body.

There were no comments from the board.

11. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION

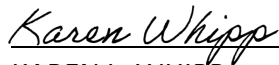
There was no closed session with legal counsel regarding Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: (1 case).

12. ADJOURNMENT

Chairman Ward Burroughs adjourned the March 23, 2023 meeting at 11:09 a.m.

I hereby certify that this is a full and correct copy of the minutes of the Board of Directors of the East Turlock Subbasin Groundwater Sustainability Agency of Merced and Stanislaus Counties, California.

March 23, 2023



KAREN L. WHIPP

BOARD SECRETARY

EAST TURLOCK SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY