

**EAST TURLOCK SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY**



**The Agenda of the Special Meeting
of the Board of Directors of
East Turlock Subbasin Groundwater Sustainability Agency**

Thursday, December 19, 2024 – 11:00 a.m.

**CORTEZ HALL
12937 North Cortez
Avenue Turlock,
California 95380**

The public can also access the meeting as follows:

Join Zoom Meeting

<https://us02web.zoom.us/j/6488069477>

Meeting ID: 648 806 9477

No Passcode Required

One tap mobile

+16699006833,,6488069477# US (San Jose)

Dial in by phone

Meeting ID: 648 806 9477

No Passcode Required

+1 669 900 6833 US (San Jose)

The public may participate in this meeting as otherwise permitted under the Brown Act by joining this video/conference call.

BOARD MEMBERS

Ward Burroughs, Eastside Water District Chairman
Tim Johnson, Eastside Water District Alternate and Treasurer
Dirk Ulrich, Ballico-Cortez Water District and Vice Chairman
Dennis Yotsuya, Ballico Cortez Water District Alternate
Lloyd Pareira, Merced County
Lacey McBride, Merced County Alternate
Hicham ElTal, Merced Irrigation District
Matt Beaman, Merced Irrigation District
Alternate
Vito Chiesa, Stanislaus County
Christy McKinnon, Stanislaus County Alternate

1. CALL TO ORDER AND INTRODUCTION OF BOARD MEMBERS

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2. PUBLIC COMMENT PERIOD

Members of the Public will be given up to three minutes (3 minutes) to address the Board on any item not on the agenda, but within the subject matter of the Board’s jurisdiction. The Board is prohibited from taking action on public comments and as appropriate, matters raised during this period may be referred to appropriate parties or added to the agenda of an upcoming Board meeting (Gov. Code § 54954.3(a)).

Members of the public may directly address the Board on any item of interest to the public within the Board subject matter before or during the Board consideration of the item. Members of the Public will be given up to three minutes (3 minutes).

3. CONSENT AGENDA

pages 5 -16

- a. Action to approve the minutes of the November 21, 2024, East Turlock Subbasin Groundwater Sustainability Agency Special Board Meeting.
- b. Action to accept the Treasurer's Report and monthly budget report.
- c. Action to approve the payment of the December 2024 bills, including MLRP grant bills as presented.

4. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL—POTENTIAL LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: (1 case).

5. PARCEL RECLASSIFICATION FOR FY 2023/2024 SGMA OPERATIONAL ASSESSMENT

Update regarding the supplemental Fiscal Year 2023/2024 assessment, applications to recategorize parcels from irrigated to non-irrigated status and non-irrigated to irrigated status, and classification corrections of other parcels.

6. DEVELOPMENT OF PROPOSED GROUNDWATER USE FEE

pages 17-71

- a. Review and discuss public comments received during “Virtual Office Hours” held on December 5, 6, 9 and 13, 2024, the public workshop on December 18, 2024, and outreach to small community and non-community, transient and non-transient water system wells.
- b. Review and discuss implementation of AB 2257 (effective January 1, 2025) during the upcoming Prop. 218 process for the proposed Groundwater Use Fee, including the requirement for property owners to submit written objections to the proposed Groundwater Use Fee and for ETSGSA staff to prepare and present to the Board responses to timely submitted written objections prior to the close of a protest hearing.
- c. Review and discuss the upcoming Prop. 218 process for the proposed Groundwater Use Fee.
- d. Review and consider taking action to accept updated Cost of Service Study for proposed Groundwater Use Fee.
- e. Review and consider taking action to set AB 2257 and Proposition 218 public hearing dates related to the proposed Groundwater Use Fee and direct staff to mail notices.



- 7. ADOPTION OF POLICIES, RULES, AND REGULATIONS** **pages 72-113**
SUPPORTING THE PUMPING MANAGEMENT FRAMEWORK
 - a. Review and discuss updates to the draft Rules and Regulations, including (1) a Pooling Management Zone map; and (2) rules and regulations associated with groundwater extraction from wells operated by small community and non-community, transient and non-transient water systems.
 - b. Review and consider taking action on finding of Notice of Exemption under the California Environmental Quality Act (CEQA) for Statutory and Categorical Exemptions with respect to the proposed Rules and Regulations
 - c. Review and consider adopting Resolution to adopt proposed Rules and Regulations and CEQA Findings.
 - d. Review and discuss the proposed timeline and approach regarding Phase 2 of Rules and Regulations development, including credits and transfers.
 - e. Review and consider taking action to approve execution of a Consultant Work Authorization (CWA) with ESA to support Phase 2 of Rules and Regulations development, to be funded from Prudent Reserves.

- 8. GROUNDWATER ACCOUNTING PLATFORM** **pages 114-164**
 - a. Update on the development and use of the Groundwater Accounting Platform in ETSGSA.
 - b. Review and consider taking action to approve execution of a CWA with ESA for development of additional platform features to address the proposed Rules and Regulations, to be funded from Prudent Reserves.
 - c. Review and consider taking action to approve execution of a CWA with ESA for Groundwater Accounting Platform hosting services for the first five months of 2025, consistent with a previously-approved ESA proposal.

- 9. UPDATE ON MULTI-BENEFIT LAND REPURPOSING PROGRAM (MLRP) BLOCK GRANT IMPLEMENTATION** **pages 165-166**
 - a. Review and discuss the status of MLRP preparation and development of MLRP project scoring criteria.
 - b. Review and discuss the proposed Department of Conservation Grant Agreement budget change request that reallocates funds between approved tasks consistent with the proposals received for the work, DOC budgeting preferences, and the results of program development to date.

- 10. PROJECT UPDATES**
 - a. Review and discuss implementation of Water Accounting Agreement including next steps in collaborating with WTSGSA.
 - b. Update regarding the first inter-agency project coordination meeting between EWD, TID and ETSGSA.
 - c. Review and discuss response to the Open Call for Project Concepts issued on November 19, 2024 and any other related project updates.

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11. GROUNDWATER SUSTAINABILITY PLAN (GSP) IMPLEMENTATION PLANNING AND UPDATES

At this time, Board members will discuss and may take action on other GSP matters of concern, including, but not necessarily limited to, the following:

- a. Tracking of Grant Pursuits
- b. Well permit consistency determinations
- c. Update regarding the Groundwater Monitoring Program, including presentation of the results of the fall 2024 groundwater monitoring event, status of groundwater elevation and SMC updates, status of groundwater levels in Priority Action Areas, and progress of TSS well installation.
- d. Key communications with stakeholders, agencies, project partners and others.

12. LEGAL COUNSEL REPORT – BAKER MANOCK & JENSEN

Lauren Layne/Kaitlin Bursey will provide a report to the board on legal items that could affect the agency and its member entities. Discussion item only.

13. 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.

14. ADJOURNMENT

The next scheduled board meeting is the Regular Board Meeting on Thursday, January 23, 2025, 9:00 a.m. at Cortez Hall.

Any materials related to items on this agenda distributed to the Board of Directors of the East Turlock Subbasin Groundwater Sustainability Agency Joint Powers Authority before the public meeting is available for inspection by contacting the Board Secretary at 209.626.5523 or kareneastsidewater@att.net.

ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the Agency to provide a disability-related modification in order to participate in any public meeting of the Agency. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meeting of the Agency. Requests for such assistance and for agendas and agenda packets shall be by telephone or written correspondence by contacting the Board Secretary at 209.626.5523 or e-mailing her at kareneastsidewater@att.net at least 48 hours before the public meeting.