EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY
BOARD OF DIRECTORS

MINUTES FOR THE REGULAR MEETING ON JULY 22, 2024

The East Kaweah Groundwater Sustainability Agency ("EKGSA") Board of Directors duly met for a Regular meeting on Monday, July 22, 2024.

OPEN SESSION: Convened at 3:02 p.m. with a quorum.

1. **DIRECTORS PRESENT**: Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson

DIRECTORS ABSENT: Milanesio, S.

OTHERS PRESENT: Michael Hagman, Executive Director; Alex N. Dominguez, Counsel; Chris Hunter, Program Manager; Kathryn Bennett, Senior Analyst (3:25 pm); Scott Maskell, Management Analyst; Matt Klinchuch, Consulting Engineer; Kaitlyn Palys, Consulting Engineer; Abhishek Singh, Consulting Engineer

2. **APPROVE THE AGENDA:** Motion to approve the agenda was made by Director Hornung, seconded by Director Peltzer, and carried by the following vote:

AYES:	Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES:	None
ABSTAIN:	None
ABSENT:	Milanesio, S.

3. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENT**: No public comment

5. **MINUTES**: The minutes provided by the Secretary from the April 22, 2024, Regular Board Meeting and the June 13, 2024, Joint KSB GSA BOD meeting were included in the packets and a motion to adopt and ratify them, was made by Director George, seconded by Director Milanesio, E., and carried by the following vote:

AYES:	Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES:	None
ABSTAIN:	None
ABSENT:	Milanesio, S.

6. **ADMINISTRATION:**

a. **Ratify Payments:** Executive Director provided the EKGSA check register. After some discussion on the payments, a motion to ratify payments made to meet the obligations

of the EKGSA was made by Director Buldo, seconded by Director Micari, and carried by the following vote:

AYES:	Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES:	None
ABSTAIN:	None
ABSENT:	Milanesio, S.

b. **Financial Reports:** Executive Director presented financial reports and answered questions from the Board. There was discussion on the amount budgeted for the expense "mitigation water purchases". A motion was made to accept financial reports as presented by Director Micari, seconded by Director Watson, and carried by the following vote:

AYES:	Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES:	None
ABSTAIN:	None
ABSENT:	Milanesio, S.

c. **Implementation Grant Updates:** Program Manager Hunter provided grant updates on the two DWR Implementation Grant projects.

d. **MLRP Grant:** Executive Director provided briefing on the MLRP grant and proposed agreement with Kaweah Delta Water Conservation District. Gregory Liebau provided a walkthrough to of the contract language. A motion was made to approve the contract with the following modifications by Director Micari, seconded by Director Buldo:

- Article IV shall refer to the Scope of Work (Attachment A) which identifies and isolates the agreement to the Flying Dragon Project.
- Section IX shall remove the requirement of obligation of prior written consent.

e. **Flying Dragon:** Executive Director opened the discussion on the proposed contract with Sequoia River Lands Trust for conservation work within the MLRP grant. Gregory Liebau provided a walkthrough of the contract language. Contract is still being reviewed and **no action taken**.

f. **Agreement for Services:** Executive Director opened the discussion on the consideration of contract with Liebau Land Consulting for the MLRP project. A motion was made to approve the contract by Director Watson, seconded by Director Micari and carried by the following vote:

AYES:	Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES:	None
ABSTAIN:	None
ABSENT:	Milanesio S.

g. **Self Help Enterprises – EKGSA Contract:** Executive Director opened the discussion on approval of the contract with Self Help Enterprises Dry Well Mitigation Services agreement. A motion was made by Director Micari, seconded by Director Peltzer:

AYES: Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES: None
ABSTAIN: None
ABSENT: Milanesio S.

h. **Landowner Protest (Section 7.03):** Management Analyst Maskell identified four landowners who brought Protest under Section 7.03 of the EKGSA Rules and Regulations. The following actions were taken:

- **Landowner 1:** A motion to approve the protest was made by Director Ferrara, seconded by Director Hornung.

AYES: Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES: None
ABSTAIN: None
ABSENT: Milanesio S.

- **Landowner 2:** A motion to deny the protest was made by Director George, seconded by Director Peltzer.

AYES: Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES: None
ABSTAIN: None
ABSENT: Milanesio S.

- **Landowner 3:** A motion to approve the protest was made by Director Hornung, seconded by Director Buldo:

AYES: Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES: None
ABSTAIN: None
ABSENT: Milanesio S.

- **Landowner 4:** A motion to approve the protest was made by Director Buldo, seconded by Director Milanesio.

AYES: Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES: None
ABSTAIN: None
ABSENT: Milanesio S.

i. **AY2023 Billing Timeline:** Management Analyst Maskell proposed a billing timeline for the AY2023 Billing. A motion to approve the timeline with one date modification for "End of Year – Invoice Due" to October 1, 2024, was made by Director George, seconded by Director Milanesio, E.:

AYES: Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES: None
ABSTAIN: None
ABSENT: Milanesio S.

j. **AY2024 Billing Timeline:** No action taken

k. **Modification to "Order of Use" (6.02/6.03):** Management Analyst Maskell a change to the Order of Use and to auto-mitigate overdraft fees on behalf of landowners. Each request was generated by landowner feedback to EKGSA staff. A motion to approve the change to the order of use was made by Director George, seconded by Director Peltzer:

AYES:	Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES:	None
ABSTAIN:	None
ABSENT:	Milanesio S.

A motion to approve the auto-mitigation of overdraft fees, however a grower can apply credits in the order they choose instead of auto-mitigation was made by Director Hornung, seconded by Director Ferrara.

AYES:	Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES:	None
ABSTAIN:	None
ABSENT:	Milanesio S.

l. **Delinquent Accounts:** Management Analyst Maskell addressed the remaining AY2023 accounts that have not paid overdraft fees. Staff recommended applying a permanent 1:1 acre-foot loss to all acre-feet over unpaid overdraft. Upon payment, any credits that may exist will be moved to the current open allocation year. A motion to approve the change to the order of use was made by Director Hornung, seconded by Director Ferrara.

AYES:	Buldo, Serna, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES:	None
ABSTAIN:	None
ABSENT:	Milanesio S.

m. **Agreement for Kaweah River water:** Executive Director provided an introduction on a potential agreement to purchase Kaweah River surface water. The Board held a robust discussion. A motion to approve the Executive Director to purchase up to 2,000 acre-feet at a $225 cap an acre-foot was made by Director Micari, seconded by Director Peltzer:

AYES:	Buldo, Micari, Peltzer, Roberts, Watson, (Roberts)
NOES:	Ferrara, Milanesio, Ed., George, Hornung
ABSTAIN:	Serna
ABSENT:	Milanesio S.

n. **Set the AY2025 Precipitation Credits:** Executive Director provided the staff and Technical Advisory Committee recommendation to base the AY2025 Precipitation Credit on 80% of the 25-year rolling average. The rolling average is 11.1 inches,

making the Precipitation Credit .73 acre-feet per acre for AY2025. A motion to approve the Precipitation Credit was made by Director George and seconded by Director Hornung:

AYES:	Buldo, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES:	None
ABSTAIN:	Serna
ABSENT:	Milanesio S.

o. **Set the AY2025 Native Allocation:** Executive Director provided the staff and Technical Advisory Committee recommendation to adjust the AY2025 Native Allocation to .82 acre-feet per acre. A motion to approve the Precipitation Credit was made by Hornung, seconded by Ferrara.

AYES:	Buldo, Ferrara, George, Hornung, Micari, Milanesio E., Peltzer, Roberts, Watson
NOES:	None
ABSTAIN:	Serna
ABSENT:	Milanesio S.

7. GROUNDWATER SUSTAINABILITY PLAN IMPLEMENTATION:

a. **Interconnected Surface Supply / Groundwater Quality Sustainability Management Criteria**: Abhishek Singh provided an update on the water board regarding addressing the two deficiencies added by SWRCB staff in their review of the 2022 KSB GSP.

b. **GSP Update**: Executive Director Hagman provided an update on the schedule required to produce a revised 2024 Draft GSP in time for SWRCB staff to review and comment on before the SWRCB KSB hearing. Staff committed to providing EKGSA TAC and Board a draft version of the ISW/GWQ chapters by mid-October.

c. **Subbasin Report**: Update on the subbasin was included in the above discussion for 7.a and 7.b.

8. CLOSED SESSION:

The board went into closed session at 6:20 p.m. and after discussion, came out of closed session at 6:55 p.m. There was no reportable action.

9. SCHEDULE NEXT MEETING: Next regular Board meeting will be held on October 28, 2024.

10. ADJOURNMENT: Chair Roberts adjourned the meeting at 6:57 p.m.

Michael D. Hagman
Secretary, East Kaweah GSA