

**Minutes of the Regular Scheduled Meeting of
Board of Directors Eastside Water District**

September 21, 2023, 9:00 a.m.

Chairman Tim Johnson called the meeting to order at 9:01 a.m. at the Cortez Hall, 12937 North Cortez Avenue, Turlock, CA. 95380 and via Zoom.

Directors Present: Ward Burroughs, Richard Gemperle (following Item 4), Tim Johnson, Dexter Long, Dino Rossini, Wes Sperry (on-line) and Todd Turley.

Directors Absent: Ty Angle.

Others Present: Ryan Aston – SCI Consulting, Alberto Flores – KL Whipp & Co., Sara Harper – Provost and Pritchard (online), Owen Kubit - Provost and Pritchard (on-line) Chase Hurley – Water and Land Solutions, Denver Noell – Provost and Pritchard (on-line), Karen Whipp – Board Secretary, Sarah Woolf- General Manager, and Jeanne Zolezzi- Legal Counsel.

Emergency Circumstance

Board Wes Sperry contacted the General Manager at 8:00 a.m. Thursday, September 21 that he was ill and could not attend the meeting in person. He made a request to attend the meeting remotely. At the board meeting Member Sperry, showed the board that he was able to participate through both audio and visual technology. He stated that he was the only person in the room. **It was moved by Member Ward Burroughs, seconded by Member Carl Evers III, and carried unanimously** to allow Member Wes Sperry attend the meeting as a voting member.

Item 2 **Public Comment:** There were no public comments.

Item 3 **Consent Calendar**
It was moved by Board Member Dexter Long, seconded by Board Member Dino Rossini, and carried unanimously to approve the consent calendar. **Roll Call Vote: Ward Burroughs-Yes, Tim Johnson-Yes, Dexter Long-Yes, Dino Rossini-Yes, Wes Sperry-Yes and Todd Turley-Yes.**

Item 4 **Resolution to Appoint New Board Member**
Sarah Woolf, General Manager stated that Richard Gemperle submitted his letter of interest to be appointed to the board. Mr. Gemperle gave a brief statement on his experiences in farming and knowledge of SGMA that he could bring to the board. **It was moved by Board Member Ward Burroughs, seconded by Board Member Dexter Long, and carried unanimously** to adopt Resolution 2023-04 appointing Richard Gemperle to the board. **Roll Call Vote: Ward Burroughs-Yes, Tim Johnson-Yes, Dexter Long-Yes, Dino Rossini-Yes, Wes Sperry-Yes and Todd Turley-Yes.**

Item 5 **Board Members and Staff Reimbursement at Participation in Water Conferences**
Following discussion, the board gave direction that general reimbursement would be the cost of the registration of the conference and the hotel at the conference rate. Meals and travel would be at a per diem rate. The number of board members that would attend

each conference would be determined by the subject of the conference. It was agreed that attendance will be authorized prior to the conference.

Item 6

Domestic Well Mitigation Grant

It was moved by Board Member Carl Evers III, seconded by Board Member Dexter Long, and carried unanimously to retroactively approve the Board Chairman signing the letter of support for the Domestic Well Mitigation Grant. **Roll Call Vote: Ward Burroughs-Yes, Richard Gemperle -Yes, Tim Johnson-Yes, Dexter Long-Yes, Dino Rossini-Yes, Wes Sperry-Yes and Todd Turley-Yes.**

Item 7

Modification to Infrastructure Property

Sarah Woolf, General Manager reported about the water control valve that has a T that allows for water to flow into Sand Creek and the Daniels property. Ms. Woolf said a meter would also be good to have to measure how much water was going into the Daniels property and how much water was going into Sand Creek. When the control valve was being discussed, she didn't realize that agreeing that it would be a good idea, meant that Eastside Water District would be paying for the entire control valve. After the modification was made, Eastside Water District received a bill the entire cost. In retrospect the General Manager thinks it is a good decision because if the Daniels property doesn't need water, Eastside Water District can give direction for water to be sent into Sand Creek and the district will get credit for it. The board signed a check for half of the materials and installation.

The board directed staff to prepare an addendum to the Infrastructure Agreement that the landowner would sign allowing Eastside Water District to have an independent meter and control of the valve when Mr. Daniels was not irrigating his property. Following the signature and recording of the addendum, the second half of the payment of the water control valve will be paid. **It was moved by Board Member Todd Turley, seconded by Board Member Ward Burroughs, and carried unanimously** to approve the addendum to Infrastructure Agreement to be prepared by legal counsel. **Roll Call Vote: Ward Burroughs-Yes, Richard Gemperle -Yes, Tim Johnson-Yes, Dexter Long-Yes, Dino Rossini-Yes, Wes Sperry-Yes and Todd Turley-Yes.**

Item 8

Property Around Highline Canal Available for Recharge by Eastside Water District

The General Manager presented a map to the board that showed properties that are for sale around the Highline Canal. Some of the properties are also along Sand Creek. A more detailed discussion will be done in Closed Session.

Item 9

Phase 2 Water Rights - Provost and Pritchard Update

Sara Harper and Owen Kubit, Provost and Pritchard gave a September update on Evaluation of Surplus Surface Water Availability. The evaluation is for Dry Creek, Sand Creek, and Mustang Creek. They talked about the timing, frequency, and magnitude of water supplies. This will lead to determine whether, or not the district wants to pursue water rights.

Item 10

Mustang Creek Dry Wells

The General Manager reported that Torrent Resources, Inc. examined through a camera the drywells and found a thick sludge in the wells that can be vacuumed out, but will continue to reoccur. Torrent continues to say they don't believe the wells are repairable

and that the district will be able to use them going forward. There was some discussion about filters. Staff recommends reviewing the cost that has been spent on the wells, before moving forward on more expenditures.

Item 11

Surface Water Supply Usage

Sarah Woolf, General Manger reported on the following:

- a. Replenishment Water: 3,200 acre-feet have been received from Turlock Irrigation District. This is 1,000 acre-feet more than in the previous year.
- b. Merced Irrigation District Water: 457 acre-feet has been taken.

This item was information only.

Item 12

East Turlock Subbasin Groundwater Sustainability Agency Update

- a. Multi Benefit Land Repurposing Grant Proposal – the ETS GSA is in the process of finalizing the agreement with the Department of Conservation. Staff has been invited to attend a Statewide Support Meeting September 25. This is a facilitated meeting to demonstration Best Practices of previous Land Repurposing Projects and will include a field trip. Staff has also begun meeting and talking with our partner agencies.
- b. Prop 218 and Groundwater Pumping Fee – Ryan Aston, SCI Consulting gave the TAC the presentation based on feedback he received from the board at their August meeting. There was discussion about penalty fees for pumping and the need for a policy. Postponing the Pumping fees for the 2025-2026 fiscal year when the groundwater pumping program is fully functional.
- c. Groundwater Pumping Pilot Program – Savanah Tjaden (Formation Environmental), setting up interviews with landowners that are participating in the Pilot Program.
- d. Accounting Framework – To be discussed in closed session.

These items were information only.

Item 13

Other Business

Todd Turley attended Groundwater Resources Association seminar on well permitting. The Department of Water Resources was there and shared that an Executive Order would be coming out on the subject. **This item was information only.**

Chairman Tim Johnson closed the regular meeting at 10:50 a.m.

Item 14

Closed Session

Chairman Tim Johnson opened the closed session at 10:50 a.m.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Pursuant to Gov. Code 54956.9(d) Significant exposure to litigation: 2 cases. No action was taken.

Chairman Tim Johnson closed the Closed Session at 11:35 a.m.

Chairman Tim John opened the regular meeting at 11:35 a.m.

Item 15

Adjournment

Chairman Tim Johnson adjourned the meeting at 11:36 a.m.

I hereby certify that this is a full and correct copy of the minutes of the Board of Directors of the Eastside Water District of Merced and Stanislaus Counties, California.

September 21, 2023

Karen Whipp

KAREN L. WHIPP

EASTSIDE WATER DISTRICT BOARD CLERK