

**MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE TULARE IRRIGATION DISTRICT
HELD AT 6826 AVENUE 240,
TULARE, CALIFORNIA 93274
VIA ZOOM TELECONFERENCE ON THE
14th DAY OF March, 2023 AT THE HOUR OF 9:00 A.M.**

Call to Order and Roll Call:

Directors present at the meeting held at the date and time above designated were President David Bixler, Rick Borges, Dave Martin, Scott Rogers and Mike Thomas. Staff present at the meeting were Aaron Fukuda, General Manager; Beth Holmes Assessor-Collector; Diana Zegarra, Assistant Water Resources Engineer; James Fisher, Water Resources Engineer; Marco Crenshaw, Watermaster; Jeremy Barroll, Assistant Engineer; and Jorge Munoz, Assistant Engineer. Present via Zoom teleconference roll call were Don Wright representing Water Wright and Austin Williams, Manulife. Mr. Bixler thanked everyone for attending and announced that there was a full quorum of the Board of Directors present. President Bixler asked if there were any changes, additions, or deletions to the agenda, of which Mr. Fukuda reported there was none. The meeting was thereupon called to order by President Bixler.

Public Comments:

Mr. Fukuda presented the Board with an emailed public comment he received from Paul de Jong, a District Grower. He addressed the following: Thanked the Board for recognizing the current opportunity to capture surface water and bringing the prices down to where flood release water should be \$0; Board consideration to drop the price of flood release water from earlier this winter, be retroactively brought down; Concerns regarding Corcoran Irrigation District receiving free TID water; and request TID board meeting time change from morning to afternoon.

Approval of Minutes:

Director Bixler then noted that the minutes of the Regular Meeting of February 21, 2023 were distributed and asked if any errors or omissions were noted therein. Director Rogers indicated that he had read the minutes and noted three corrections. By the motion of Director Martin and seconded by Director Rogers, unanimously carried by all Directors present, the minutes of the Regular Meeting of February 21, 2023, were thereupon approved as corrected.

Watermaster Report:

Lake Kaweah Storage and Operations - Mr. Crenshaw reported on Lake Kaweah Storage and Operations/Water Supply Outlook - Mr. Crenshaw began his report by noting Terminus Reservoir total inflow as March 13, 2023 was 8,481 CFS, and the storage at Terminus Reservoir for the previous day was 142,066 AF. He then reported that the daily release from Terminus was 2,809 CF; Three-Rivers: 5,742 CFS; and Dry Creek: 650 CFS.

Thereupon, Mr. Crenshaw mentioned that Millerton Lake total inflow was 29,568 CFS and the entire storage at Millerton Lake was 331,762 AF. He reported that the total daily release from Millerton was 6,403 CFS.

Water Supply Outlook: Mr. Crenshaw provided a 2005-Current Kaweah River Snow Water Content chart, which showed the Kaweah River Surrounding Snow Sensor Water Content Above Average Years 221% of the March 13th Average and 207% of the April 1st Average.

Mr. Crenshaw cited precipitation amounts to date at the district yard totaling 164% of the March 13th Average.

Mr. Crenshaw reported on the impacts of the atmospheric river storms that continue to bring in rain and snow runoff. Monitoring conditions closely reporting extremely high flows can occur rapidly due to runoff from historic record levels of snow. Mr. Crenshaw reported as Terminus Dam reservoir level increase forecasts show the Terminus Dam spillway would spill over causing excessive flood risks that would impact levees and downstream communities. Upper Kaweah Watershed precipitation for the water year to date is over 200% of the historical average.

Water Management Activities and Issues:

Statewide and Local Conditions - Mr. Fukuda first reported on Current California Reservoir Operations reporting on Friant Allocation. Mr. Fukuda updated the Board on the following: (1) Friant Allocations: Class 1 - 100%; Class 2 - 70%; URF - Block 1 and more to come; RWA - Available at \$10 per AF; and Section 215 water available; (2) Friant Diversions: 293 CFS to Madera Canal; 1,072 CFS to Friant Kern Canal (FKC); 7,400 out of Saint Johns River (SJR). Mr. Fukuda commented All local streams are at max or have issues.

Mr. Fukuda provided for Board discussion flooded images of the following: (1) McKay's Point; (2) Wutchumna/Antelope Creek unregulated flood that backed up into Woodlake; (3) Deer Creek; (4) Friant Water Authority Lindsay Office; (5) Homes at the bottom of Badger Hill; and (5) 196 at Red Barn Gas Station. Also, Mr. Fukuda provided an image of Success Dam and Lake Spillway.

Mr. Fukuda presented for board discussion: (1) March 13, 2023 Center for Western Weather and Water Extremes Forecast; (2) California-Nevada 6-Day Forecast Precipitation for the period: March 13, 2023 through March 19, 2023.

Lastly, Mr. Fukuda presented for discussion the Corps' Information on Lake Kaweah (March 8th to Present) Hour Increment Chart.

Set Winter 2023 Water Rate - Mr. Fukuda opened for discussion the need to revise the water price for the current irrigation run, given the current uncontrolled flood conditions and maximum water supply. Mr. Fukuda reported: Prior to the channel capacity release the water rate was set at: (1) \$52 per AF for groundwater credit; and (2) \$0 for no groundwater credit.

Then, Mr. Fukuda reported that during the current channel capacity release Kaweah Delta Water Conservation District (KDWCD) is sending max capacity rates to TID to evacuate the reservoir and manage unregulated creek flows.

Mr. Fukuda stated to get growers to sacrifice fields and irrigate he now recommends retroactively setting the water sales rate back to March 1, 2023 at \$0 per AF and allowing for groundwater credit.

Mr. Fukuda highlighted groundwater credit will be hard to track during flood operations.

After Board deliberations concerning the price of water and groundwater credit the board, by the motion of Director Martin, second by Director Rogers, and unanimously carried by all board members present, retroactive back to March 1, 2023 setting the water sale price at \$0 per AF plus allowing for groundwater credit based on coordination with local entities allowing for similar recharge credits.

O&M Superintendent Report:

Routine Work - Mr. Fox reported on the maintenance activities undertaken during the past month in the delivery system and within the upstream diversion channels. He highlighted the following work: Kaweah Siphon repair; Grade canals and basins for wash-in repair;

Antelope Creek levee repair; Weed Control between rains; and Backhoe work.

Then, Mr. Fox mentioned having hired two new Ditch Tenders noting one Equipment Operator.

Equipment Purchase - Dump Truck & Superintendent Truck - Mr. Fox reported to the Board the need to replace his Superintendent Truck a 2014 Ford F150 Crew Cab. Director Martin reported that the Equipment committee had met with Mr. Fox to discuss three choices. By the motion of Director Martin, seconded by Director Rogers, and unanimously carried by all Directors present, it was approved to allow Mr. Fox to purchase a new 2023 Chevy 2500 4X4 Crew Cab of his choice.

Thereupon, Mr. Fukuda and Mr. Fox reported on the Kaweah River Siphon. Mr. Fukuda updated the board on the repair of the Kaweah Siphon. Mr. Fukuda reported the following: Marco accelerated a Lake Release shutdown and began pumping; Internal patch repair; External epoxy installation; Installed "snorkel" to evacuate air trapped in the siphon. Mr. Fukuda highlighted the work took 3 days in total (March 2-4, 2023). Mr. Fukuda provided before and after pictures for discussion.

Treasurer Reports:

Approval of Financial Statements - Ms. Artis presented the financial statements for February 2023 for the Board's review and consideration. She addressed first the revenue and expense statement, indicating that the total revenue for February 2023 was \$1,483,517 which was approximately 10.69% of the revised budget. She next presented the expenses, highlighting several items and reporting expenses from January totaling \$1,655,598 which was approximately 15.26% of the revised budget. She then went on with presenting the statements of cash flows and net assets, stating that the current cash standing was at \$7,842,094. Based on the Statement of Net Assets, Ms. Artis reported that Total Liabilities were at \$13,336,643, and the Total Equity in the District stood at \$32,716,751. She thereupon cited investment return for the district's several holding accounts, those being 2.200% with the Tulare County Pooled Investment Fund, 2.624% with the State LAIF, and 0.100% with Citizen's Money Market Fund. Lastly Ms. Artis reported that the district has six months of funds to support operations.

Then, Ms. Artis reported on the following Designated Funds: Water Sale Rate Stabilization, Groundwater Replenishment, and CVP Environmental Charges.

Approval of Bill Payments - Ms. Artis presented the list of bills submitted for ratification and approval by the Board. After scrutiny of particular bills, the Board, by the motion of Director Martin, seconded by Director Borges and unanimously carried by all Directors present, accepted the financial statements and, by said motion, check nos. 54686 through 54736 totaling \$495,677.03 were all either ratified or approved as paid, exclusive of any voided or withheld checks.

Ratification of Investment Policy - Mr. Fukuda thereupon presented the Tulare Irrigation District Statement of Investment Policy. Upon the Motion of Director Borges and seconded by Director Martin and unanimously carried by all board members present, the Statement of Investment Policy was approved as presented with no changes.

Engineer Report:

Mr. Fukuda announced that this would be Jeremy Barroll's last Engineer report. Mr. Barroll had accepted a Boulder Colorado University Master's Program opportunity. Mr. Fukuda and the Board thanked Mr. Barroll for his service to the district.

Update on Engineering Activities - Mr. Barroll provided an update on engineering, highlighting several ongoing projects that would impact the district. Mr. Barroll reported on the following two projects: the Liberty Hill Bardsley/West Street development project and Paige/I Street industrial development project.

Management Staff Report:

Sustainable Groundwater Management ACT (SGMA) Matters - Mr. Fukuda summarized recent activities concerning the Kaweah Subbasin. Mr. Fukuda reported on the Department Water Resources (DWR) - Groundwater Sustainability Plan (GSP) Determination reporting the following: March 2, 2023 receiving a notification (letter) from DWR indicating MKGSA GSP was inadequate; DWR is moving MKGSA's process to the State Water Resources Control Board; Determination was made for the Kaweah Subbasin, not any individual GSA.

Then, Mr. Fukuda briefed the Board on DWR comments: (1) Chronic Lowering of Groundwater levels - More clarification, address the limited well data set used, detailed mitigation plan required, and connect other undesirable results; (2) Subsidence - more clarification on metrics used more clarification on the limits of subsidence; (3) Interconnected Surface Water - approach is not perfect, but will do for now.

Mr. Fukuda highlighted MKGSA Members generally shared a sense of disappointment, but are committed to the process of sustainability, and will strive for approval.

Mid-Kaweah Groundwater Sustainability Agency (MKGSA) - Mr. Fukuda presented an update on the MKGSA. Mr. Fukuda and Mr. Fisher briefed the Board on the following: (1) Landowners outreach regarding invoicing; (2) MKGSA Advisory Committee recommended consideration of solutions to appeals filed by landowners. Mr. Fukuda provided the following list to be considered: De Minimis Parcels, Tier I and /or Tier 2 Charges, Parcel Splits, Adjust Billing Destinations, Land Following Applications, GKGSA/MKGSA Boundary Adjustment, Groundwater Dependent to Surface Water Users, Surface Water Adjustments, Dairy Parcel Adjustments, and Metering Appeals.

Friant Matters - Mr. Fukuda provided the Board with an update on Friant Activities. Mr. Fukuda reported on Friant Kern Canal (FKC) Reconnaissance Study.

McKay Point Reservoir/Seaborn Reservoir - Mr. Fukuda provided the Board with an update on the McKay Point Reservoir/Seaborn Reservoir Project. Mr. Fukuda first reported on the Seaborn Reservoir Project, reporting on submitting Community Funding Requests for Seaborn Reservoir.

Next, Mr. Fukuda reported on McKay Point Reservoir. Mr. Fukuda reported MKGSA will begin setting up the process for the Environmental Impact Report (EIR) Public Review.

Legislation - Mr. Fukuda provided for Board review and consideration Assembly Bill No. 1563 and Assembly Bill. No. 429. Mr. Fukuda first reported on AB No. 1563 Well Permit - which requires landowners to affirm from GSA that the well will not have an impact on SGMA Programs and Exempts small domestic wells and public wells. Then, Mr. Fukuda reported on AB No. 429 noting the same requirements as AB No. 1563. But if 1% of domestic wells go dry, cannot issue permit. Mr. Fukuda recommendation was to oppose both bills. By the motion of Director Martin and seconded by Director Thomas, unanimously carried by all Directors present, the Board opposed both bills.

Lastly, Mr. Fukuda briefed the Board on Assembly Bill No. 560, An act to amend Section 01737.8 of the Water Code, related to groundwater. Mr. Fukuda stated MKGSA recommends opposing Assembly Bill No. 560. Mr. Fukuda highlighted all three bills were introduced by Bennett. Mr.

Fukuda reported that AB No. 560 bill oversteps the adjudication process and the role of the courts. By the motion of Director Borges and seconded by Director Thomas, unanimously carried by all Directors present, the Board opposed AB No. 560.

General Manager Report:

General Manager Fukuda reported his focus has been on the following: (1) Request Board approval to move the May Board meeting to May 2, 2023, noting ACWA falls on May 9th, which starts with Committee days. Mr. Fukuda noted he is required to attend the ACWA Committee Meeting; (2) Attended the California Irrigation Institute Conference, noting a lot of discussions surrounding SGMA and presentation on MKGSA Implementation; and (3) Hired two summer interns.

Matters for Consideration of Board Action:

Resolution 23-05 - Andrew Linhares Years of Service Award. By the motion of Director Martin and seconded by Director Rogers, unanimously carried by all Directors present, approving Resolution No. 23-05 as presented expressing sincere thanks and appreciation to Mr. Linhares for his faithful 15+ years of service to the district.

Board Member Reports of Meetings:

Director Bixler asked if any of the Directors have reports on meetings they attended or wished to discuss at this time.

Director Borges reported attending the Kaweah & St. Johns River Association Board meeting held on March 9, 2023.

Director Martin reported attending the Kaweah & St. Johns River Association Board Meeting on March 9, 2023.

Director Thomas reported attending a Wutchumna Water Company Board meeting on March 9, 2023.

Director Bixler then moved the meeting to Closed Session.

Closed Session:

The Board thereupon adjourned into closed session under §54956.8, §54956.9(a), §54956.9(b), §54956.9(c), §54957.6, §54957, and §54956.95 of the Government Code.

Upon returning to open session, it was reported that the Board of Directors had conducted a performance evaluation of Mr. Fukuda and had increased his salary to \$256,000 effective as of the first pay period in April.

There being no other items to come before the Board of Directors, the meeting was then adjourned to the next regular board meeting reported to be on April 11, 2023.



Secretary



President