

**BEFORE THE BOARD OF DIRECTORS**  
**OF THE**  
**EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY**  
**COUNTY OF TULARE, STATE OF CALIFORNIA**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST KAWEAH GROUNDWATER  
SUSTAINABILITY AGENCY ADOPTING GROUNDWATER ALLOCATIONS FOR GROUNDWATER  
ALLOCATION YEAR 2024 AND AMENDING THE RULES AND REGULATIONS**

**RESOLUTION NO.: 2023-07**

**WHEREAS**, the California Legislature passed a statewide framework for sustainable groundwater management, known as the Sustainable Groundwater Management Act (Wat. Code, § 10720, et seq) that went into effect on January 1, 2015; and

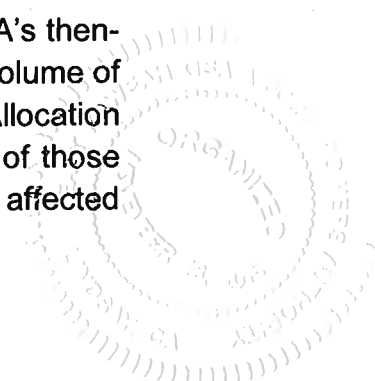
**WHEREAS**, the Sustainable Groundwater Management Act (SGMA) requires all medium- and high-priority groundwater basins, as designated by the California Department of Water Resources (DWR) Bulletin 118, to be managed by a Groundwater Sustainability Agency (GSA) or multiple GSAs; and

**WHEREAS**, on December 8, 2016, Lindmore Irrigation District, Lindsay-Strathmore Irrigation District, Exeter Irrigation District, Ivanhoe Irrigation District, Stone Corral Irrigation District, the City of Lindsay, and the County of Tulare elected to become a GSA for a portion of the Subbasin and created the East Kaweah GSA (Agency); and

**WHEREAS**, to control groundwater extractions, SGMA authorizes a GSA to establish groundwater allocations, among other things (Wat. Code, §10726.4, subd. (a)(2)); and

**WHEREAS**, section 3.00 of the Agency's Rules and Regulations (Rules) provides:

"Before October 1 of each Allocation Year, if reasonably possible to do so with available information, the Board, by resolution, shall determine the allocations under this Article III available for use within the EKGSA's then-existing boundaries together with any limitation on the maximum volume of groundwater any Eligible Landowner may extract in the subject Allocation Year. The Agency shall promptly thereafter cause written notice of those allocations and any maximum limitation to be (a) mailed to each affected



Eligible Landowner using the Eligible Landowner's address of record maintained by the Agency and (b) posted on the Agency's website."

**WHEREAS**, in August and September of this year, the Agency's Technical Advisory Committee and Advisory Committee considered an analysis provided by the Agency's technical consultant regarding the Subbasin's groundwater conditions relative to minimum thresholds identified in the Agency's final GSP submitted to DWR on July 25, 2022; and

**WHEREAS**, the Agency intends to develop a "Mitigation Supply" from the Agency's purchase of surface supply groundwater credits from willing surface water purveyors; and

**WHEREAS**, as a result of the Technical Advisory Committee and the Advisory Committee's review of this analysis, both committees recommended that the Agency's Board of Directors (Board) adopt the following allocations for Allocation Year 2024: (a) a "Native Allocation" of 0.85 acre-feet per parcel acre; (b) a Mitigation Supply allocation of 0.05 acre-feet per parcel acre; (c) no "Tier 1 or Tier 2 Penalty Allocation"; and (d) a maximum groundwater extraction of 2.50 AF per parcel acre; and

**WHEREAS**, it is the desire of the Board to adopt the Technical Advisory Committee and the Advisory Committee's recommendation for groundwater allocations for Allocation Year 2024.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of East Kaweah Groundwater Sustainability Agency as follows:

1. The foregoing recitals are true and correct.
2. The following allocations are hereby approved and adopted for Allocation Year 2024:
  - a. Each assessed parcel of land greater than two acres in size within the boundaries of the Agency, excluding all land within the boundaries of the City of Lindsay, shall receive a Native Allocation of 0.85 acre-feet per acre at no cost.
  - b. Each irrigated parcel of land greater than two acres in size within the boundaries of the Agency, excluding all land within the boundaries of the City of Lindsay, shall receive an allocation of the Mitigation Supply equal to 0.05 acre-feet per acre.
  - c. No land within the boundaries of the Agency shall receive a Tier 1 or Tier 2 Penalty Allocation.

- d. There will be a maximum groundwater extraction of 0.90 acre-feet per acre if the subject landowner transfers no groundwater into the Agency. If the subject landowner transfers groundwater into the Agency, then the landowner may not extract more than 0.90 acre-feet per acre plus the transferred volume. However, the maximum aggregate groundwater extraction (i.e., Native Allocation plus Mitigation Supply plus transferred volume) in that event may not exceed 2.50 acre-feet per acre. Groundwater extractions will be measured by ETa, per assessed parcel acre. The Agency shall deduct from the subject landowner's allocation for the next Allocation Year any groundwater extraction exceeding these limits.
- e. There will be a penalty equal to \$500 multiplied by the volume of groundwater extracted, measured in AF, in excess of 0.85 acre-feet per assessed parcel acre, excluding any extractions of groundwater transferred into the Agency by the subject landowner.
- f. Section 1.19 of the Rules defining the term "Rainfall," which is used in section 1.18 of those rules to determine the "Precipitation Credit," is hereby amended in its entirety to read as follows:

"Rainfall" means the 25-year rolling average of annual precipitation (e.g., 11.00 inches in 2023) measured by rain stations within designated management areas of the EKGSA, as those areas may exist from time to time."

As such, the "Precipitation Credit" for Allocation Year 2024 shall be 0.84 acre-feet per acre.

- 3. The Agency's Executive Director is authorized and directed to provide notice of the foregoing allocation as provided under section 3.00 of the Agency's Rules and Regulations.

**PASSED, APPROVED and ADOPTED** by the Board of Directors of East Kaweah Groundwater Sustainability Agency this 25th day of September 2023.

Upon motion by **Director Steve Milanesio** seconded by **Director Micari**, the foregoing Resolution was passed and adopted by the EKGSA Board of Directors on this 25<sup>th</sup> day of September 2023, by the following vote:

AYES: Buldo, Micari, E. Milanesio, S. Milanesio, Peltzer, Roberts

NOES: Crossen, George, Hornung, Watson


ABSTAIN: none

ABSENT: none

A handwritten signature in black ink, appearing to read "David Roberts", written over a horizontal line.

David Roberts, Chairman

ATTEST:

A handwritten signature in blue ink, appearing to read "Michael Hagman", written over a horizontal line.

Michael Hagman,  
Secretary of the Board of Directors

