

**THE BOARD OF DIRECTORS OF THE  
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY  
JOINT POWERS AUTHORITY  
REGULAR MEETING MINUTES FOR  
JANUARY 27, 2022, AT 6:00 P.M.  
2907 SOUTH MAPLE AVENUE – FRESNO, CA**

**TELECONFERENCE MEETING**

**AGENCIES – DIRECTORS / ALTERNATE DIRECTORS PRESENT**

Fresno Irrigation District – Chairman Jerry Prieto, Jr. (via teleconference)  
County of Fresno – Director Brian Pacheco (via teleconference)  
Bakman Water Company – Director Steve Pickens (via teleconference)  
City of Fresno – Alternate Director Brock Buche (via teleconference)  
City of Clovis – Director Bob Whalen (via teleconference)  
Garfield Water District – Director Karl Kienow (via teleconference)  
Seat 7 (Fowler Packing) – Alternate Director Kyle Moeller (via teleconference)

**BOARD SEATS ABSENT**

None

**MEMBER STAFF PRESENT**

Executive Officer Kassy Chauhan – North Kings GSA (via teleconference)  
Legal Counsel Kevin Dale – Atkinson, Andelson, Loya, Ruud, & Romo (via teleconference)  
Provost & Pritchard Consulting Group Representative / Kings Basin Coordinator Ronnie Samuelian (via teleconference)  
Advisory Committee Chairman – Scott Redelfs (via teleconference)  
Biola Community Service District Representatives – Angelica Lara and Carlos Rodriguez (via teleconference)  
City of Kerman Representative – Jerry Jones (via teleconference)  
Fresno Irrigation District Representative – Adam Claes (via teleconference)  
Fresno Irrigation District Representative / Fiscal Agent – DeAnn Hailey (via teleconference)  
County of Fresno Representative – Glenn Allen (via teleconference)  
Fresno Metropolitan Flood Control District Representative – Staff Analyst Andrew Remus (via teleconference)  
Fresno Irrigation District Representative / Recording Secretary – Lynn B. Rowe (via teleconference)

**OTHERS PRESENT**

Public At Large – Lisa Koehn (City of Clovis Retired) (via teleconference)  
Biola Community Service District Board Member – Monique Dolores (via teleconference)  
Gallo Vineyard Representative – Isaac Arriaga (via teleconference)  
League of Women Voters of Fresno Representative – Diane Merrell (via teleconference)

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Westlands Water District Representative – Kitty Campbell (via teleconference)

**1. SWEARING IN OF APPOINTED DIRECTORS AND ALTERNATE DIRECTORS**

Prior to taking of roll call (Directors, staff, interested parties, and anyone from the public who wish to be identified) and the instructions for holding a virtual meeting, Ms. Chauhan played the previously recorded Oath of Office of Mr. Brock Bucke as the new Alternate Director representing the City of Fresno. Previous Alternate Director Mike Carbajal is no longer with the City of Fresno; therefore, a new alternate director was appointed. Ms. Georgeanna White will be sworn in as the second Alternate Director for the City of Fresno at a later date.

**2. CALL TO ORDER**

**3. PLEDGE OF ALLEGIANCE**

Chairman Prieto called the meeting to order with the Pledge of Allegiance at 6:05 p.m.

Ms. Chauhan, acting as the meeting’s moderator, provided the instructions for conducting a teleconference meeting while the Shelter-In-Place order is in effect due to the COVID-19 meeting restrictions. This meeting was held completely virtually. Full instructions were provided in the agenda. Ms. Chauhan reported that no written comments were received for this meeting.

Ms. Chauhan then conducted a roll call of directors, staff, interested parties, and the public who wanted to be identified. Ms. Chauhan reviewed the instructions on the commenting, making of a motion, and voting procedures. Once that was complete, the meeting was turned back over to Chairman Prieto.

**4. NKGSA RESOLUTION 2022-02**

- a. **In accordance with AB361, the Board will consider adoption of NKGSA Resolution 2022-02: Resolution of the North Kings Groundwater Sustainability Agency Board of Directors – Resolution Continuing the North Kings Groundwater Sustainability Agency Board Authority to hold**

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**virtual meetings pursuant to AB 361. (Chauhan/Dale)**

Chairman Prieto stated this is the same resolution verbiage as the Board has passed at previous meetings. It allows the Board to continue to hold modified virtual meetings due to COVID-19 restrictions in accordance with AB361. A resolution is required to be renewed every 30 days.

**M/S/C (Kienow/Whalen) That the Board of Directors approved Resolution 2021-02. Ms. Chauhan proceeded with calling of the roll call vote. (Ayes – Pickens, Kienow, Prieto, Jr., Buche, Pacheco, Whalen, Moeller; Nays – 0; Absent – 0; Abstain – 0)**

**5. REVIEW AGENDA**

**(Additional Agenda Items – Requires Majority Approval of Board - §54954.2(b))**

There were no additions or changes to the agenda.

**6. REVIEW OF FUTURE MEETINGS**

**a. Discussion / Possible Action on the Adoption of the 2022 NKGSA Board of Directors Meeting Dates (Chauhan)**

Ms. Chauhan stated that the 2022 regular meeting dates will stay on the fourth Thursday of each month with the exception of November and December, which have been moved up one week to accommodate the Thanksgiving / Christmas holidays.

**M/S/C (Pickens/Buche) That the Board of Directors approved the 2022 Board Meeting dates. Ms. Chauhan proceeded with calling of the roll call vote. (Ayes – Pickens, Kienow, Prieto, Jr., Buche, Pacheco, Whalen, Moeller; Nays – 0; Absent – 0; Abstain – 0)**

**7. PUBLIC PRESENTATIONS (for items not on agenda) – 3 Minutes Maximum Per Person, 10 Minutes Maximum Per Subject**

There were no Public Presentations.

**8. POTENTIAL CONFLICTS OF INTEREST**

**Any Board Member who has a potential conflict of interest may now identify**

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**the item and recuse themselves from discussing and voting on the matter.  
[FPPC §18705]**

None stated.

**9. ADMINISTRATIVE MATTERS**

**a. Discussion/Possible Action on Board Meeting Minutes – October 28, 2021**

Director Pickens requested corrections on the motions listed on page 74 and 75 – they should read “Bakman” and not “Pickens”. Alternate Director Buche stated the Water Conditions Report should reflect that it was reported by Ms. Chauhan and not Mr. Claes. There was a question on who gave the Financial Report. It was also noted that the minutes did reflect the correct presentation of the financial reports - Ms. Hailey and not Ms. Koehn presented those reports. The corrections, as mentioned, will be made to the minutes.

**M/S/C (Kienow/Pacheco) That the Board of Directors approved the minutes of the October 28, 2021, regular Board meeting with the noted corrections. Ms. Chauhan proceeded with the calling of the roll call vote. (Ayes – Pickens, Kienow, Prieto, Jr., Buche, Pacheco, Whalen, Moeller; Nays – 0; Absent – 0; Abstain – 0)**

**b. Kings Subbasin Coordination Update (Samuelian)**

Mr. Samuelian reviewed the following:

- DWR SGMA Implementation Grant – Round 1 (projects underway)
  - \$4.8 million, Four Projects from Three GSAs in Kings (FID – Savory Pond – under construction), Kerman – Lions)
- Next round of DWR SGMA Funding - \$7.6 million for Kings Basin (divided among critically over-drafted basins) – applications due shortly
  - Projects selected from Consolidated, James, Laguna, and Fresno ID – Several DAC benefit projects (mostly recharge)
  - Another round of funding expected next year – continue to encourage the GSAs to have projects ready to go
- Good feedback from DWR on promoting Kings Basin on basin-building outreach (several hundred acres already underway or land purchased)

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**TELECONFERENCE MEETING**

- Fall Water Level measurements completed
  - Preparing on fall contours, starting on Annual Report (Water Year October 2020 – September 2021)
- Continuing to gather well construction information on RMWs (due to age of well)
- DWR completing monitor well for North Fork Kings (will then move on to other GSAs)
- DWR to release Kings GSP comments by January 28 (one letter per basin). Will schedule a future meeting with DWR
  - Expect similar comments to other nearby basins

**c. Water Conditions Update (Claes)**

Mr. Claes reported on the following water conditions:

- Pine Flat (Kings River): 290,000 af
  - 73% of today's historic average
- Millerton Lake (San Joaquin River): 281,000 af
  - 93% of today's historic average
- Class I allocation at 40% (late December)

Mr. Claes reviewed the Tulare Basin 6-Station Graph. In October, November, and December 2021, the area received a decent amount of precipitation (10.2 inches). In January 2022, the area received no precipitation. Current snow conditions for this area are right around 56% of April 1 average (for January 27 the area is at 100%); however, there are no storms expected any time soon.

**d. Advisory Committee Update (Redelfs)**

Mr. Redelfs reported the Advisory Committee last met on January 14, 2022. The Committee acted and approved the following recommendations:

Decisions/Discussions:

- Continue to meet virtually (AB361) – 2<sup>nd</sup> Friday at 1:30 pm
- Supported Staff Recommendation to Create Member Agency Reporting System

Recommended Actions:

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**TELECONFERENCE MEETING**

- Acknowledgment of the Provost & Pritchard Consulting (P&P) Contract for surveying services
- Approval of the Expenses (September, October, and November 2021)
- Approval of the Financial Statements as of November 30, 2021
  
- e. Discussion – Professional Services Contract – Provost & Pritchard – Surveying Services for GSA Groundwater GSA Survey - \$19,000.00 – Approved December 14, 2021 (Chauhan)**

Have negotiated a contract with Provost & Pritchard Consulting (P&P) for surveying services for GSA monitoring wells. The costs for the surveying work was included in the Technical Services line item of the FY 2021-2022 budget, previously approved by the Board of Directors in May 2021. The contract has been signed and returned to P&P.

- f. Discussion – Department of Water Resources SGMA Implementation Grant Application and Funding Request – Support Letter (Chauhan)**

The Kings Subbasin GSAs are providing a grant application for additional funding. The GSAs within the basin applying for funding are required to provide a letter of support. The NKGSA provided a support letter for inclusion in the grant application package. A copy of the support letter was provided in the packet.

- g. Workgroup Updates (Chauhan)**
  - i. Policy Workgroup (Chauhan)**
    - 1. Agency Groundwater Impact Mitigation Policy Update**

The Agency Groundwater Impact Mitigation Policy has yet to be finalized. The Cities of Fresno and Clovis are working through some issues regarding displacement. Some progress has been made. The discussions center around where the pumping occurs versus recharge location.

- Completion Spring 2022?
- Need Data/Workplans
  - 2021 Water Year
- Year Three of Implementation
- First Five-Year Update – 2025

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**TELECONFERENCE MEETING**

The Kings Basin has agreed to the following mitigation measures via its coordination agreement and GSPs:

<u>Interim Milestone Year</u>	<u>Percent of Overdraft Mitigation</u>
2025	10%
2030	30%
2035	60%
2040	100 %

Requested Information

- Water Year 2021 (October 1, 2020 – September 30, 2021)
- Data on:
  - Groundwater Pumping Estimates
  - Groundwater Recharge Volumes
  - Programs/Projects (completed since January 2020)
  - Tentative Projects and Timelines for GW Mitigation Projects
- Schedule:
  - Release Form – January 28, 2022 (pre-populated form). Approved by the Advisory Committee
  - Due February 28, 2022

Director Kienow requested clarification on what the term displacement referred to as used in discussing the mitigation policy currently being worked on. Ms. Chauhan stated it deals with recharge occurring in an area different from where the pumping occurs.

Director Whalen inquired about identifying groundwater outflows as it relates to FID. Ms. Chauhan stated that it relates to boundary flows (FID loses a significant amount of groundwater through boundary flows). Through the coordination effort, a boundary flow number was decided but there is a study taking place to quantify what those flows actually are. When the study is complete, the number will be able to be inserted into the water balance. FID shows a surplus, provided it can account for the boundary flows. The NKGSA and its member agencies intend to recapture all of the boundary flows currently leaving at its boundaries.

**ii. Technical Workgroup (Chauhan)**

No update at this time.

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**TELECONFERENCE MEETING**

**10. FINANCIAL MATTERS**

**a. Discussion / Possible Action – Recommend Approval of Expense Reports for September 2021, October 2021, and November 2021 (Hailey)**

Ms. Hailey stated all the expenses were paid for September, October, and November. The expenses were the normal course of business and within budget. The auditor was paid for service on the 2020-2021 audit. The auditor has not been paid for the SCO Report, which has just recently been completed.

**b. Discussion / Possible Action – Recommend Approval of the Financial Statements as of November 30, 2021 (Hailey)**

Ms. Hailey presented the November 2021 Financial Statements, which were reported as being within budget.

At the direction of the Board, items 10. a. and b. were taken as one motion.

**M/S/C (Buche/Pickens) That the Board of Directors approved the expense reports for September, October, and November 2021 and to approve the Financial Statements as of November 30, 2021. Ms. Chauhan proceeded with calling of the roll call vote. (Ayes – Pickens, Kienow, Prieto, Jr., Buche, Pacheco, Whalen, Moeller; Nays – 0; Absent – 0; Abstain – 0)**

**11. EXECUTIVE OFFICER REPORT (Chauhan)**

**a. 2021 Year in Review and 2022 NKGSA Priorities**

**Highlights for 2021**

- New Directors and Alternate Directors
- New Policies – 2
- Representative Monitoring Well Data Collection
- Agency Mitigation Responsibility – Initial Mitigation Targets
- Stakeholder Engagement – Social Media



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**TELECONFERENCE MEETING**

- Joint Outreach Events
- Review of Well Permit Applications and Planning Documents
- Updated Project List – Solicitation
- Funding for the Lyons Park Recharge Project (Kerman) and Savory Pond Project (FID)
- 150 Acres within NKGSA (500 acres basin wide) of Additional Recharge Added – FID’s Central and Wagner Basins

**Priorities for 2022**

- Address DWR Comments on GSP – establishing the Technical Workgroup. Several members of the Technical Committee (disbanded with the completion of the draft GSP) will be joining the workgroup and providing their historic and technical knowledge
- Finalize Member Agency Overdraft Responsibilities
- Member agency data gathering/reporting
- 2021 Annual Report
- Quantify boundary flows
- Obtain construction information for remaining representative monitoring wells and identify replacement wells
- Continued outreach and stakeholder engagement
- Additional policy development
- Explore projects and funding sources
- Engage with elected officials and policy makers
- Routine engagement with NKGSA Board of Directors

Chairman Prieto inquired how the NKGSA / Kings Basin were going to respond to the initial comments from the SWRCB that was addressed to the subbasins. Ms. Chauhan stated that the Kings Basin will not be responding to the SWRCB letter; however, if those comments transfer over to the DWR comment letter, they will be addressed by the Kings Basin.

Director Whalen inquired about recapturing the flows that leave the NKGSA boundaries. Ms. Chauhan stated the report from P&P identifying those flows and how to mitigate them is expected to be finalized at the end of 2022.

**b. Department of Water Resources Prop 68 Grant Update**

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- Executed Agreement – Received August 4, 2021
- Filing Quarterly Progress Reports
- Claims for Reimbursement
- Savory Pond Project
  - Construction underway
  - Site signage
  - Outreach and monitoring program – quantify benefits (especially for DAC)

**c. DWR and SWRCB – GSP Comment Letters**

- DWR Comments on NKGSA GSP Update
  - Released January 28, 2022 (will be meeting with DWR to review/answer any questions)
  - Incomplete Determination
    - Drinking Water Impacts
    - MOs/MTs
- SWRCB Reviewed GSPs for Five GSAs
  - James and NFKGSA Excluded (no explanation or reason why these two GSAs were excluded)
- Comment Areas
  - Basin Setting
  - Groundwater levels and drinking water impacts
  - Groundwater quality
  - Projects and management actions
  - Projects reliant on new or amended water rights
  - Engagement

**d. Outreach / External Affairs Update**

- Coordinated with Fresno County EHD and Easton CSD
- Outreach
  - Punjabi American Grower Association Meeting – Selma (focused on how growers are impacted)
  - Ball Ranch Flood MAR Stakeholder Event (how we can partner on recharge projects – something(s) other than recharge basins)
  - Fresno State Craig School of Business – SGMA 101 Presentation

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**TELECONFERENCE MEETING**

(realtors primarily audience)

**e. Representative Monitoring Network Update**

Ongoing Efforts:

- Secure Access and Indemnity Agreements
- Need Construction Information for all Monitoring Wells (using grant funding)
- Replacement Wells needed
- Landowners on the boundary contacted for boundary flow study

<b>RMW Network</b>	<b>Site Visits – Camera Access</b>	<b>Construction Info Needed</b>
<b>Water Level</b>	<b>3 Remaining</b>	<b>6 Wells and Three Private Wells</b>
<b>Water Quality</b>	<b>0</b>	<b>1 – Vulcan Materials</b>

**f. Miscellaneous**

- Seat No. 7 – At Large Vacancy (reseating took place in June 2021 where Eduardo Antunez (Biola CSD) was appointed as Director, Kyle Moeller (Fowler Packing) as 1<sup>st</sup> Alternate Director, and Moses Ortiz (Malaga CWD) as 2<sup>nd</sup> Alternate Director). Ms. Chauhan was just informed that Mr. Antunez is no longer with the Biola CSD, which leaves a vacancy on the Board. Ms. Chauhan will bring this item to the Board during February’s Board meeting for further discussion/action
- Upper Aquifer Study – Underway (Ms. Chauhan will continue to update the Board as information becomes available)

**12. DIRECTORS REPORT**

**Director Pickens** – nothing to report.

**Director Kienow** – nothing to report.

**Alternate Director Buche** – nothing to report.

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**Director Prieto** – nothing to report.

**Director Whalen** – nothing to report.

**Director Pacheco** – nothing to report.

**Alternate Director Moeller** – nothing to report.

Ms. Chauhan stated there was nothing new to discuss in Closed Session.  
Open Session recessed at 7:09 p.m.

**CLOSED SESSION**

**Conference with Legal Counsel – Anticipated Litigation** (Government Code Section 54956.9(d)(2)): One potential case

No Closed Session portion of the meeting was held.

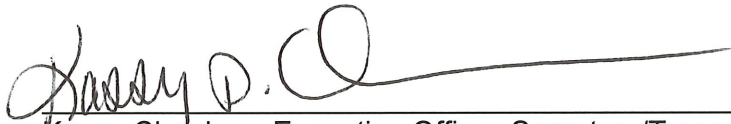
**13. REPORT ON ACTIONS(S) TAKEN IN CLOSED SESSION**

Nothing to report – no Closed Session.

**14. ADJOURNMENT**

Chairman Prieto adjourned the meeting at 7:09 p.m.

Submitted by,



Kassy Chauhan, Executive Officer-Secretary/Treasurer