

**THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
REGULAR MEETING MINUTES FOR
FEBRUARY 24, 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 Whalen (via teleconference)
Garfield Water District – Director Karl Kienow (via teleconference)
At-Large Seat 7 (Fowler Packing) – 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 – Carlos Rodriguez (via teleconference)
Fresno Irrigation District Representative / Fiscal Agent – DeAnn Hailey (via teleconference)
County of Fresno Representative – Glenn Allen (via teleconference)
City of Clovis Representative – Alternate Director Drew Bessinger (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)

Chairman Prieto led with the Pledge of Allegiance.

1. SWEARING IN OF APPOINTED DIRECTORS AND ALTERNATE DIRECTORS

Prior to reviewing the meeting’s instructions and the taking of roll call (Directors, staff,

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interested parties, and anyone from the public who wish to be identified) Ms. Chauhan played a previously recorded Oath of Office for Ms. Georgeanne White as a new alternate director representing the City of Fresno.

Ms. Chauhan, acting as the meeting’s moderator, provided the general 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.

2. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

3. PLEDGE OF ALLEGIANCE

4. NKGSA RESOLUTION 2022-04

- a. **In accordance with AB361, the Board will consider adoption of NKGSA Resolution 2022-04: Resolution of the North Kings Groundwater Sustainability Agency Board of Directors – Resolution Continuing the North Kings Groundwater Sustainability Agency Board Authority to hold 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 (Buche/Kienow) That the Board of Directors approved Resolution 2022-04. Ms. Chauhan proceeded with calling of the roll call vote. (Ayes – Pickins, Kienow, Prieto, Jr., Buche, Pacheco, Whalen, Moeller; Nays – 0; Absent – 0; Abstain – 0)

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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

No changes at this time to the approved meeting date schedule. Special Meeting Dates Possible for June and July 2022 to allow for adoption of the revised Groundwater Sustainability Plan (GSP).

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 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 – January 27, 2022

There were no corrections or suggestions to the January 27, 2022, meeting minutes.

M/S/C (Buche/Whalen) That the Board of Directors approved the minutes of the January 27, 2022, regular Board meeting. 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. Discussion/Possible Action – NKGSA Board Seat No. 7 – At Large – Vacancy (Chauhan)

- i. The Board will consider appointment of a director to Seat No. 7 per the JPA Agreement and NKGSA By-Laws**

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Ms. Chauhan reviewed the events leading up to the vacancy of Seat 7. Alternate Director Moeller has expressed an interest in assuming the director’s position. Mr. Carlos “Chuck” Rodriguez has also expressed interest in the vacant board seat. Second Alternate Director Moises Ortiz stated he will stay as the second alternate.

Per the NKGSA bylaws, the At-Large, Seat No. 7 Director position can be filled by anyone falling into one of the three following categories:

- Municipal/Industrial Water Supply Member not currently serving on the Board of Directors
- Contracting Entities
- Interested Parties

Each of the three terms above is defined in the bylaws. The “not currently serving on the Board of Directors” language under the first bullet point above is intended to avoid two board members being from the same entity (agency). In other words, the At-Large Director can be from one of the NKGSA signatory agencies provided that the signatory agency is “not currently serving on the Board of Directors.”

Interested Individuals:

Kyle Moeller – Senior Irrigation Technician – Fowler Packing
Carlos “Chuck” Rodriguez – Biola CSD Board President

Ms. Chauhan explained that after each interested party provides their statement, the process is as follows:

Nomination Process:

- Each Director will be asked if there is a nomination
- Nominations of individuals will be in the form of a motion
- Each motion will be followed by a second and a roll call vote
- Voting to take place following solicitation for nominations

Alternate Director Kyle Moeller (currently a senior irrigation technician with Fowler Packing) stated he manages their water infrastructure from Madera to Kern Counties. He has seen the effects of SGMA, water quality issue, and drought from a farming perspective. Mr. Moeller participates in all the SGMA agencies that Fowler Packing is

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currently operating in and has good general knowledge. He has been recently appointed as an alternate director of the Kings River East GSA and serves on the Board of the Kings River Water District.

Mr. Chuck Rodriguez (currently the president of the Biola Community Service District) stated he was interested in serving his community and previously provided a letter of interest to the Board.

In response to a question from the Board, Ms. Chauhan clarified and gave a summary of the Seat 7 position over the last year. Director Pacheco's recommendation was to appoint Kyle Moeller as director and Mr. Rodriguez as the first alternate.

M/S/C (Pacheco/Pickens) That the Board of Directors approved the nomination and appointment of Kyle Moeller as Director of Seat #7 to the North Kings GSA Board and for Chuck Rodriguez as first alternate and Moises Ortiz as second alternate. 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)

c. Kings Subbasin Coordination Update (Samuelian)

Mr. Samuelian reviewed the following:

- Grants
 - DWR SGMA Implementation Grant – Round 1 Projects Underway (FID and Kerman in North Kings)
 - Recently Submitted DWR SGMA Implementation Grant Application for \$7.6 million for Kings Basin
 - Projects selected from Consolidated, James, Laguna, and Fresno ID – Several DAC benefits projects (expect to hear back in either April or May)
 - DWR planning Grant – Continuing to gather well construction information on RMWs
- Preparing Annual Report (Water Year October 2020 – September 2021). Due April 1, 2022
- Received DWR Comments on Basin GSPs
 - GSA representatives met with DWR staff on February 4, 2022. Several meetings to follow

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- Four Deficiencies. All tied to Sustainable Management Criteria (SMCs) (was the criteria set to the requirement)
- Requires addressing at Basin level through Basin coordination meetings first then to GSA tech workgroups
- Revised GSPs due to State by July 27, 2022
- GSAs to adopt before resubmittal (brought back to each GSA Board for review / approval at the June and July Board meeting respectively)
- All eleven Valley Basins need to revise their GSPs – none were approved

d. Water Conditions Update (Claes Chauhan)

Ms. Chauhan reported on the following water conditions in Mr. Claes' absence:

Initial 2022 Water Allocation for Friant Division:

Class I:	15% (120,000 af)
Class II:	0%

Ms. Chauhan reviewed the Tulare Basin 6-Station Graph. In December 2021, the area received a decent amount of precipitation (10.2 inches). In January 2022, the area received no precipitation with very little amounts to date in February 2022.

e. Advisory Committee Update (Redelfs)

Mr. Redelfs reported the Advisory Committee last met on February 11, 2022. There were discussions on the GSP and needed revisions by the July deadline. The Committee acted and approved the following recommendations:

Decisions/Discussions:

- Continue to meet virtually (AB361) – 2nd Friday at 1:30 pm

Recommended Actions:

- Approval of the Expenses for December 2021
- Approval of the Financial Statements as of December 31, 2021
- Extension of Auditor Contract for at least one year.

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f. Discussion – Department of Water Resources SGMA Implementation Grant Application (Chauhan)

Mr. Samuelian reviewed this item under 9. c. This refers to the spending plan submitted to DWR for the \$7.6 million grant funds. Agencies are being highly encouraged to have their projects ready, in order to be able to take advantage of available funds.

g. Workgroup Updates (Chauhan)

i. Technical Workgroup (Claes Chauhan)

Mr. Claes was the previous chair of the Technical Committee while the GSP was being developed. Mr. Claes has since agreed to lead the Technical Workgroup. The first meeting was February 4, 2022. The purpose is to review the suggested changes to the GSP and provide feedback on proposed revisions. The Workgroup is scheduled to meet monthly. The NKGSA continues to be committed to having an open and transparent process. Public input / involvement is being gathered through the Technical Workgroup, public Advisory Committee meetings, and public Board meetings.

ii. Policy Workgroup (Chauhan)

Agency Reports: 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:
 - **Released Form** – January 28, 2022
 - Due February 28, 2022

There is a conflict between the City of Clovis and the City of Fresno associated with Fresno-Clovis Regional Wastewater Treatment Plan (Plant). Director Whalen stated the City of Clovis has a vested interest in the construction costs, maintenance costs, and equity interest in the Plant. The City of Clovis has been discussing what the consequences may be if the City of Fresno does not come to an understanding with the City of Clovis. Alternate Director Buche stated the City of Fresno has a legal standing

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on the situation. The City of Fresno is willing to work the City of Clovis and believes there is an equitable solution. Chairman Prieto encourages both cities to work through their dispute as quickly as possible. There are other members of the GSA that are depending on getting this resolved.

10. FINANCIAL MATTERS

a. Discussion / Possible Action – Recommend Approval of Expense Reports for December 2021 (Hailey)

Ms. Hailey stated all the expenses were paid for December. The expenses were for the normal course of business and within budget.

b. Discussion / Possible Action – Recommend Approval of the Financial Statements as of December 31, 2021 (Hailey)

Ms. Hailey presented the December 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 (Kienow/Pickens) That the Board of Directors approved the expense reports for December 2021 and approve the Financial Statements as of December 31, 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)

c. Discussion/Possible Action – Extension of Current Auditor Contract for 2021-2022 Audit – Hudson Henderson & Company (Hailey)

The auditor for the past five years has been Hudson Henderson & Company. Normally the auditor is under contract for five years with a one-year extension possible. Ms. Hailey stated that finding auditors to submit proposals has been difficult. Auditing firms have felt the impacts especially hard by COVID-19. Staff believes the best course of action is to extend the contract of Hudson Henderson for at least one additional year before going out to bid for a new firm. Staff recommends a one-year extension with the current auditors.

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M/S/C (Buche/Pacheco) That the Board of Directors approved the one-year extension of Hudson Henderson & Company as the NKGSA auditor. 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. Department of Water Resources Prop 68 Grant Update

Ms. Chauhan shared photos of:

- Savory Pond Project
 - Construction Underway (90-95% complete)
 - Installation of outfall structure and 36-inch RGRCP outfall pipe (N/W Lincoln & Chestnut)

b. DWR GSP Comment Letter

- Four Deficiencies (some agencies inquiring if additional time for revisions is available – special meetings may need to be scheduled (June or July 2022) in order to submit the revised GSP on time
 - Coordinate Response
 - DWR Meetings/Discussions
 - Public Participation
 - Advisory Committee
 - NKGSA Board Meetings
 - Technical Workgroup

c. Outreach / External Affairs Update

- Grower Resources: Maintain Flood Irrigation Lines When Converting to Drip/Micro Irrigation
 - Flyer available in Hmong, Punjabi, Spanish, and English
 - Will be posted to website – Grower Resource Tab
 - Will be shared on social media and via email
- Working with Fresno County – White Areas – Engagement Post Card (to be mailed out the first or second week of March)

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- Upcoming Outreach
 - March 7 – FAACT Class – SGMA Compliance
 - April 2 – Ms. Chauhan to serve as a panelist at Well Conference – Reedley – SGMA Panel Discussion

Director Moeller suggested providing copies of the Drip/Micro Irrigation Conversion flyer into the hands of irrigation system developers. Ms. Chauhan will look into that and stated it was a great idea.

d. Representative Monitoring Network Update

- Continued Efforts to Secure Well Access Agreements
- Identify Replacement Wells as Representative Monitoring Wells
- Review Destruction Permits for Potential Monitoring Locations

e. Miscellaneous

- Biola CSD DWR Grant Update
 - Working with DWR for Amendment – More Time/Reduced Scope
 - Biola Recharge Basin Project
- Upper Aquifer Study – Underway (Ms. Chauhan will continue to update the Board as information becomes available) (trying to identify landowners)
- Kings Water Alliance Stakeholder Advisory Group
 - Lisa Koehn Represents NKGSA (she has been very helpful and is a good resource)
 - Outreach Coordination Opportunities
- County Well Permit Review and Coordination with Permitting Agencies
- Stakeholder Group Participation
 - Partnership for the San Joaquin Valley (encompasses eight valley counties)
 - San Joaquin Valley Blueprint
 - Collaborative Action Plan

12. DIRECTORS REPORT

Director Pickens – nothing to report.

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Director Kienow – nothing to report.

Alternate Director Buche – nothing to report.

Director Prieto – nothing to report.

Director Whalen – Director Whalen encourages the City of Fresno to take a less aggressive stance and the Clovis City Council would be willing to meet with Fresno’s mayor, city manager, and others to resolve the dispute. Alternate Director Buche stated he would pass along the message to city management.

Director Pacheco – nothing to report.

Alternate Director Moeller – nothing to report.

Ms. Chauhan stated there was nothing new to discuss in Closed Session.

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.

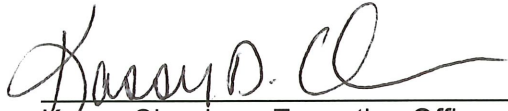
14. ADJOURNMENT

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Chairman Prieto adjourned the meeting at 7:15 p.m.

Submitted by,



Kassy Chauhan, Executive Officer-Secretary/Treasurer