NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY

Advisory Committee Meeting – May 13, 2022

In-Person and Teleconference Meeting

NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY

AGENDA
NKGSA Advisory Committee Meeting
May 13, 2022, 1:30 PM

IN-PERSON and TELECONFERENCE MEETING

SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION DUE TO COVID-19

With the current state of emergency due to the COVID-19 pandemic, the NKGSA is offering its meetings both virtually and in-person. Members of the public are encouraged to participate either in person at the City of Clovis Public Safety Community Room, 1233 Fifth Street, Clovis, CA, or virtually using the information provided below.

Please join my meeting from your computer, tablet or smartphone.
https://meet.goto.com/467461933

You can also dial in using your phone.
United States: +1 (872) 240-3311
Access Code: 467-461-933

Written and Verbal Comments

- Virtual meeting participants are encouraged to participate in the Advisory Committee and will have an opportunity to provide public comments during the meeting under Agenda Item No. 3 and following each agenda item discussion. No prior arrangements are required to be able to make public comment but comments are limited to three (3) minutes.

- Written Comments can also be provided up to one hour prior to the scheduled meeting. Written comments received in advance of the meeting will be read onto the record during the public comment portion when the item is heard. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions but will be made part of the record of proceedings.

AGENDA

1. Call to Order

2. Discussion/Possible Action - NKGSA Resolution 22-08: Resolution of the Advisory Committee of the North Kings Groundwater Sustainability Agency – Resolution Continuing Advisory Committee Authority to Hold Virtual Meetings Pursuant to AB361

3. Public Presentations

4. Approval of Minutes:
    a. Approval of Minutes from April 8, 2022, Meeting

5. Financial Report
    a. Discussion/Possible Action – Recommend Approval of Expense Report and Financial Statements as of March 31, 2022 (Koehn)
    b. Discussion/Possible Action – Consider Fiscal Year 2021-2022 Proposed Budget Revisions (Koehn/Chauhan)
    c. Discussion/Possible Action – Consider Fiscal Year 2022-2023 Proposed Budget (Koehn/Chauhan)
    d. Interested Party Invoices Update

6. Receive – Basin Coordination Update (Samuelian)
    a. Discussion – Groundwater Sustainability Plan Revisions Update

7. Administrative
    a. Governor's Executive Order N-7-22: Well Permitting Update (Fresno County)
    b. Multi-Benefit Land Repurposing Grant Application Update (Chauhan)
    c. NKGSA GSP – Call for Projects – Schedule and Update
    d. Discussion/Possible Action – Consider Draft Agency Groundwater Impact Mitigation Policy – NKGSA 2022-001 (Chauhan)

8. Workgroup Updates and Actions
    a. Technical Workgroup Update (Claes)
    b. Policy Workgroup Update (Chauhan)
    c. Kings Water Alliance – Stakeholder Advisory Committee Report (Koehn)

9. Member Agency/Committee Member Reports
    a. Advisory Committee/Member Agency Reports/Updates

10. Executive Officer Update (Chauhan)
    a. DWR Prop 68 Grant Project Update
    b. Outreach / External Affairs Update
    c. Representative Monitoring Network Update
    d. Miscellaneous

11. Adjourn

Next Meeting: June 10, 2022

2 – NKGSA Board

Resolution No. 2022-08 – Virtual Meetings Pursuant to AB 361

NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY

AGENDA ITEM NO: 2
Executive Officer: KDC

NKGSA-
REPORT TO THE ADVISORY COMMITTEE

TO: Chair and Committee Members

FROM: Kassy D. Chauhan – Executive Officer

DATE: May 10, 2022

SUBJECT: Consider Adoption of NKGSA Resolution 22-08 – Resolution Continuing Advisory Committee Authority to Hold Virtual Meetings Pursuant to AB 361

ATTACHMENTS: (A) NKGSA Resolution 2022-08

CONFLICT OF INTEREST

None

RECOMMENDATION

For the NKGSA Advisory Committee to adopt Resolution 2022-08 authorizing the NKGSA Advisory Committee to continue meeting virtually pursuant to AB 361.

EXECUTIVE SUMMARY

The NKGSA Advisory Committee has been conducting all of his meetings virtually since April 2020 due to the current state of emergency due to COVID-19. Governor Gavin Newsom declared a state of emergency and on March 17, 2020, issued an executive order (N-29-20) suspending certain provisions of the Brown Act pertaining to teleconferenced meetings. On June 11, 2021, Governor Newsom issued another executive order (N-08-21) indicating those authorizations contained in N-29-20 would expire on September 30, 2021. To allow for continued teleconference meetings during declared states of emergency, Governor Newsom signed AB 361 as urgency legislation, effective immediately, which provides that legislative bodies may continue to meet remotely during a declared state of emergency provided certain provisions are complied with. As the North Kings GSA transitions to hybrid meetings, the resolution allows for

relaxed noticing requirements for those wishing to participate in the meeting via teleconference rather than in person.

Legal counsel has reviewed the requirements contained in AB 361 and has directed staff on the necessary steps to be completed to allow for the Advisory Committee to continue to meet remotely. Hybrid committee meetings is necessary for multiple reasons including the requirements for social distancing to minimize the spread of COVID-19. As such, in consult with legal counsel, staff is recommending proceeding with hybrid meetings with an in-person and a teleconference option until further notice.

The attached resolution (NKGSA 2022-08) will need to be adopted by the Advisory Committee to allow for continued virtual meetings pursuant to AB 361. The North Kings GSA Board of Directors will be considering a similar resolution at their regular board meeting on May 26, 2022.

FISCAL IMPACT

There is no fiscal impact associated with this requested action.

REASON FOR RECOMMENDATION

The Advisory Committee needs to adopt the resolution to allow for continued virtual meetings for those wishing to participate remotely due to concerns with Covid-19.

ACTIONS FOLLOWING APPROVAL

The NKGSA Advisory Committee will be required to consider renewal of the resolution every 30 days pursuant to AB 361.

Prepared by: Kassy D. Chauhan

Attachment A

RESOLUTION NO. 22-08

RESOLUTION OF THE ADVISORY COMMITTEE OF THE NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY FRESNO, CALIFORNIA

RESOLUTION CONTINUING ADVISORY COMMITTEE AUTHORITY TO HOLD VIRTUAL MEETINGS PURSUANT TO AB 361

WHEREAS, on March 4, 2020, pursuant to the California Emergency Services Act and Government Code section 8625, Governor Gavin Newsom declared a statewide emergency arising from the Coronavirus ("COVID-19"); and

WHEREAS, the aforementioned declaration of emergency has not been rescinded, and, thus, remains in effect; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, suspending certain provisions of the Brown Act pertaining to teleconferenced meetings; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which indicated that Executive Order N-29-20's authorization for holding virtual meetings would expire on September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (Rivas) as urgency legislation effective immediately, and which provides that legislative bodies may continue to meet remotely during a declared State of Emergency subject to certain conditions; and

WHEREAS, AB 361 amends the Brown Act (Government Code section 54953) to add the following provision:

> (e)(1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:
>
> (A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
>
> [-*OR*-]
>
> (B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
>
> [-*OR*-]

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, AB 361 further amends the Brown Act (Government Code section 54953) to add the following provision:

(e)(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

[-*AND*-]

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person; [-*OR*-] (ii) state or local officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, according to the Fresno County Department of Public Health's ("FCDPH") "COVID-19 Data Hub" webpage, as of May 10, 2022, there were 366 new cases reported, 2,754 total confirmed deaths reported, and 30 current hospitalizations; and

WHEREAS, the FCDPH recommends in its "COVID-19 Staying Healthy" webpage, that "Important Ways to Slow the Spread," include "Wear a mask to protect yourself and others and stop the spread of COVID-19," and "Stay at least 6 feet (about 2 arms lengths) from others who don't live with you."

NOW, THEREFORE, BE IT RESOLVED that the North Kings Groundwater Sustainability Agency Advisory Committee hereby makes the following finding:

(1) The Advisory Committee has considered the circumstances of the Governor's March 4, 2020, declaration of a state of emergency due to the COVID-19 pandemic, and the Advisory Committee finds that the declared state of emergency remains active, and continues to directly impact the ability of Committee members to meet safely in person.

BE IT FURTHER RESOLVED, that the North Kings Groundwater Sustainability Agency Advisory Committee finds that due to the state of emergency meeting in person would present imminent risk to the health and safety of attendees and/or the state of emergency continues to directly impact the ability of the members to meet safely in person due to the prevalence of the Delta variant, the indoor setting of meeting facilities, the potential presence of unvaccinated individuals attending meetings, the potential for noncompliance with mask wearing requirements, and a desire to protect the health of immune-compromised members, staff, and public.

BE IT FURTHER RESOLVED, that any meetings held via teleconference pursuant to this Resolution shall comply with all requirements of Government Code section 54953(e)(2), including, but not limited to, Government Code section 54953(e)(2)(E), which provides: "The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment."

PASSED AND ADOPTED by the following vote of the North Kings Groundwater Sustainability Agency Advisory Committee, County of Fresno, State of California on May 13, 2022.

AYES: _____

NOES: _____

ABSENT: _____

_____
Scott Redelfs, Chair - Advisory Committee

_____
Kassy Chauhan, Executive Officer

4 (a) – MEETING MINUTES – April 8, 2022

MINUTES
(Preliminary – Subject to Revision/Approval at next meeting)

NKGSA Advisory Committee Meeting
April 8, 2022

VIA TELECONFERENCE:

In attendance:

*Scott Redelfs – City of Clovis
*Shay Bakman – Bakman Water Company
*Dejan Pavic – City of Fresno
* Adam Claes – FID
* Brent Sunamoto – FMFCD
* Nick Keller – Garfield Water District
Kassy Chauhan – NKGSA
Andrew Aller – NKGSA (legal counsel)
Paul Armendariz – City of Clovis
Kristen Freberg – City of Clovis
Brandy Swisher – FMFCD
Ronnie Samuelian – Provost & Pritchard
Austin Hubbell
Lisa Koehn – Clovis
Don Wright – Reporter

* - Voting representative on Advisory Committee

*__**Note:__ This meeting was conducted via web conference due to COVID-19 social distancing requirements.*

Item 1 – Called to order at 1:32 PM

Special Instructions:
Special teleconferencing procedures for the Advisory Committee meeting were read by Executive Officer Kassy Chauhan. The special instructions included information on written and verbal comments for the Advisory Committee members and members of the public participating via teleconference.

Following the special teleconference instructions, a roll call vote was taken with the following results:

Agency Name	Name of Person	Present/Absent
Bakman Water Company	Shay Bakman	Present
Biola CSD	-	Absent
City of Clovis	Scott Redelfs	Present
City of Fresno	Dejan Pavic	Present
Fresno County	-	Absent
Fresno Irrigation District	Adam Claes	Present
Fresno Metropolitan Flood Control District	Brent Sunamoto	Present
Garfield Water District	Nick Keller	Present
International Water District	-	Absent
City of Kerman	-	Absent

Item 2 – Discussion/Possible Action – NKGSA Resolution 22-07: Resolution of the Advisory Committee of the North Kings Groundwater Sustainability Agency – Resolution Continuing Advisory Committee Authority to Hold Virtual Meetings Pursuant to AB361

AB361 requires that this item be revisited every 30 days in order for virtual meetings to continue while the Governor's state of emergency order is still in place.

Motion by member Claes; second by member Keller. Committee votes as follows:

Member: Bakman	Aye
Member: Redelfs	Aye
Member: Pavic	Aye
Member: Claes	Aye
Member: Sunamoto	Aye

Member: Keller	Aye
(Biola, Fresno County, International, & Kerman absent)	

6 Aye; 4 Absent. Motion passed.

Item 3 – Public Presentations

There were no public presentations.

Item 4 – Approval of Minutes

Item 4a – Approval of Minutes from March 11, 2022 Meeting
Motion to approve minutes by member Keller; second by member Claes. Committee votes as follows:

Member: Bakman	Aye
Member: Redelfs	Aye
Member: Pavic	Aye
Member: Claes	Aye
Member: Sunamoto	Abstain
Member: Keller	Aye
(Biola, Fresno County, International, & Kerman absent)	

5 Aye; 1 Abstain; 4 Absent. Motion passed.

Item 5 – Financial Report

Item 5a – Discussion/Possible Action – Recommend Approval of Expense Report and Financial Statements as of February 28, 2022
(Presented by Lisa Koehn)

Expenses for the month of February totaled $27,701.35, consisting of standard expenses as well as a one-time expense of $511.99 to purchase a table cover and banner for public events. Total assets are currently at $1,362,874.70. Through February 2022, a total of $218,863.56 has been sent, which is about 35% of the year's budget.

Motion to approve expense report and financial statements by member Keller; second by member Claes. Committee votes as follows:

Member: Bakman	Aye
Member: Redelfs	Aye
Member: Pavic	Aye
Member: Claes	Aye
Member: Sunamoto	Aye
Member: Keller	Aye
(Biola, Fresno County, International, & Kerman absent)	

6 Aye; 4 Absent. Motion passed.

Item 5b – Discussion – Revised Budget, FY 2022-2023 Budget Preparations, Interested Parties Invoices Updates
(Presented by Kassy Chauhan)

The Board will be discussing proposed budget amendments at the next Board meeting. There are 9 interested parties to whom invoices were sent out on April 1st.

Item 6 – Receive – Basin Coordination Update
(Presented by Ronnie Samuelian)

Item 6a – Discussion – Groundwater Sustainability Plan Revisions Update
The Savory Pond project is almost completed. Final approval for the next round of funding from DWR is pending.

An extension is being requested for the planning grant due to issues with accessing wells.

Regarding GSP revisions, the proposed changes on water level deficiencies have been drafted and a follow-up meeting with DWR will be held next week to discuss. Proposed changes for water quality deficiencies have been drafted and the GSPs are being updated accordingly. For land subsidence deficiencies, proposed changes have been drafted and will be submitted to the GSA representatives next

week for their review. Lastly, a meeting will be held with DWR to discuss the approach to the deficiencies for interconnected surface water.

The goal is still for the revised GSPs to be given to the GSAs in June for adoption in July and submission to the State by July 27th.

Item 6b – Discussion – 2021 Kings Subbasin Annual Report to DWR
The annual report has been completed for WY 20-21 and was submitted to DWR on March 31st. Per the report, only 335,000 acre-feet of surface water was delivered into the Basin for this water year, which is about 23% of the average. An estimated 2.3 million acre-feet of groundwater was pumped and there was an estimated 890,000 acre-feet of groundwater storage change. (For comparison, the cumulative storage change since 2015 is estimated at 660,000 acre-feet.)

Item 7 – Administrative
(Presented by Kassy Chauhan)

Item 7a – Governor's Executive Order N-7-22: Well Permitting Update (Fresno County)
The Governor has issued an executive order requiring that any new well being drilled have GSA approval with written verification from the GSA that the well will not cause adverse effects. This takes effect on November 29th. Some wells (such as those controlled by domestic well owners) are exempt from this order. However, the new requirements will cause delays in issuing permits. The executive order was put into place due to the ongoing drought status in the state.

Item 7b – Multi-Benefit Land Repurposing Grant Application Update
A mutli-benefit land repurposing grant application was submitted by KRCD on April 1st. The grant would assist in the development of multi-benefit agricultural land. Agencies partnering with or in support of this endeavor include NKGSA, CSU Fresno, UCCE, and other GSAs. The project is expected to have a total cost of $10 million.

Item 8 – Workgroup Updates and Actions

Item 8a – Technical Workgroup Update
(Presented by Adam Claes)

The Technical Workgroup did not meet in March or April. They are hoping to meet in May, pending ongoing deficiency discussions with DWR.

Item 8b – Policy Workgroup Update
(Presented by Kassy Chauhan)

The Policy Workgroup has been working on the mitigation policy. A draft of the policy is currently being reviewed by consultants. The Workgroup is meeting again in 2 weeks and is hoping to present a draft of the policy to the Advisory Committee next month.

Item 8c – Kings Water Alliance – Stakeholder Advisory Committee Report
(Presented by Lisa Koehn)

The KWA Stakeholder Advisory Committee did not meet in March or April. The next meeting is on May 12th. At the February meeting, a well owner from the North Fork GSA presented some questions regarding well depth. Lisa commented that there may be similar questions in the future from well owners in the North Kings GSA.

Item 9 – Member Agency/Committee Member Reports

Item 9a – Advisory Committee/Member Agency Reports/Updates
Member Claes presented an update on snow conditions and how they are currently predicted to affect the GSA.

The DWR forecast should be updated today. The last one showed between 30% and 50% of average runoff for this time of year. The National Weather Service shows about 46% of average runoff, while KRWA's snow sensors are indicating 48% of average (41% if excluding outliers). Historically, this week is the one where significant amounts of snow start to melt, so the state of snow conditions in the next few weeks will be very important in predicting the rest of the year.

At the April 6th FID Board meeting, it was determined that there would be a 2-month irrigation season run through June/July, which will deliver about 200,000 acre-feet of water. (By comparison, 2021 had a 1-month irrigation run and 2020 had a 3-month run.)

Item 10 – Executive Officer Update
(Presented by Kassy Chauhan)

Item 10a – DWR Prop 68 Grant Project Update
The Savory Pond project (located near Lincoln & Chestnut) at is mostly complete and signage is in progress.

Item 10b – Outreach / External Affairs Update
Speaking engagements in the past month included World Water Day (March 22nd), FID's grower meetings (March 29th-31st), a SGMA panel discussion at the WELL Conference in Reedley (April 2nd), and the Women for Agriculture meeting in Fresno (April 4th).

Upcoming panel discussions include the Almond Growers Board meeting on May 2nd and the Groundwater Resource Agency's GSA Summit on June 9th.

Item 10c – Representative Monitoring Network Update
Work is still being done to fill in the data gaps for the well construction information. This has been challenging due to the need for well pumping.

Item 10d – Miscellaneous
The Biola Recharge Basin Project received a contract amendment to allow more time.

The upper aquifer study is in progress.

Item 11 – Adjourned

Motion by member Claes to adjourn; second by member Pavic. Meeting adjourned at 2:48 PM.

Next Meeting

May 13, 2022

5 (a) - FINANCIAL REPORT –

Expense Reports (March 2022) &

Financial Statements Through

March 31, 2022

NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY

AGENDA ITEM NO: 5 (a)
Executive Officer: KDC

NKGSA-
REPORT TO THE ADVISORY COMMITTEE

TO: Chair and Advisory Committee Members

FROM: DeAnn Hailey – Fiscal Agent

DATE: May 10, 2022

SUBJECT: Financial Update

ATTACHMENTS:
(A) NKGSA – Expense Reports – March 2022
(B) Financial Statements as of March 28, 2022

CONFLICT OF INTEREST

None

RECOMMENDATION

For the Advisory Committee to recommend approval of the Expense Reports for March 2022, and Financial Statements through March 31, 2022, to the NKGSA Board of Directors.

EXECUTIVE SUMMARY

The fiscal agent, DeAnn Hailey, has prepared the monthly expense reports for March 2022 (Attachment A) and the financial statements as of March 31, 2022 (Attachment B). All expenses are within the budget amounts and no unexpected expenses were noted.

The inclusion of the financial reports for consideration by the NKGSA Advisory Committee is a procedural change implemented in October 2020 to allow for review prior to submittal to the NKGSA Board of Directors for approval.

FISCAL IMPACT

The fiscal impact is shown on the attached reports. Expenses are in line with the amounts included in the NKGSA 2021-2022 Revised Budget.

REASON FOR RECOMMENDATION

The reports represent expenses and revenues for the NKGSA for this reporting period.

ACTIONS FOLLOWING APPROVAL

The expense report and financial statements will be provided to the NKGSA Board of Directors for approval at its regular board meeting on May 26, 2022.

Prepared by: DeAnn Hailey

9:19 AM
04/18/22
Accrual Basis

North Kings Groundwater Sustainability Agency
Balance Sheet
As of March 31, 2022

	Mar 31, 22
ASSETS	
Current Assets	
Checking/Savings	
Checking Account	240,113.75
Money Market Account	1,055,836.66
Total Checking/Savings	1,295,950.41
Accounts Receivable	
Accounts Receivable	22,615.97
Total Accounts Receivable	22,615.97
Total Current Assets	1,318,566.38
TOTAL ASSETS	**1,318,566.38**
LIABILITIES & NET POSITION	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	18,434.73
Total Accounts Payable	18,434.73
Total Current Liabilities	18,434.73
Total Liabilities	18,434.73
Net Position	
Legal Reserves	300,000.00
Net Investment	546,014.32
Change in Net Position	454,117.33
Total Net Position	1,300,131.65
TOTAL LIABILITIES & NET POSITION	**1,318,566.38**

North Kings Groundwater Sustainability Agency
Income Statement - Budget vs. Actual
July 2021 through March 2022

	Jul '21 - Mar 22	Budget	$ Over/(Under) Budget	% of Budget
Ordinary Income/Expense				
Income				
Interested Party Contribution	7,113.20	7,113.20	0.00	100.0%
Grant Income	32,450.03	0.00	32,450.03	100.0%
Member/Contracting Entity				
Bakman Water Company	4,000.00	4,000.00	0.00	100.0%
Biola Community Services Distr	1,000.00	1,000.00	0.00	100.0%
City of Clovis	34,000.00	34,000.00	0.00	100.0%
City of Fresno	166,000.00	166,000.00	0.00	100.0%
City of Kerman	5,000.00	5,000.00	0.00	100.0%
County of Fresno	85,000.00	85,000.00	0.00	100.0%
Fresno Irrigation District	376,000.00	376,000.00	0.00	100.0%
Garfield Water District	4,000.00	4,000.00	0.00	100.0%
International Water District	2,000.00	2,000.00	0.00	100.0%
Total Member/Contracting Entity	677,000.00	677,000.00	0.00	100.0%
Total Income	716,563.23	684,113.20	32,450.03	104.74%
Expense				
Audit Expense	4,475.00	4,500.00	-25.00	99.44%
Bank Charges	70.00	120.00	-50.00	58.33%
Dues and Subscriptions	3,315.00	2,900.00	415.00	114.31%
Grant Administration Costs	0.00	50.00	-50.00	0.0%
Insurance	2,553.27	2,000.00	553.27	127.66%
Kings Basin Coordination	21,412.00	35,000.00	-13,588.00	61.18%
Legal	17,109.23	60,000.00	-42,890.77	28.52%
Legal Reserves Expense	50,000.00	50,000.00	0.00	100.0%
Office Supplies	0.00	500.00	-500.00	0.0%
Printing/Materials Costs (FID)	0.00	50.00	-50.00	0.0%
Professional Services				
Engineering Consultant	83,254.58	171,500.00	-88,245.42	48.55%
Security Services	0.00	500.00	-500.00	0.0%
Professional Services - Other	11,205.77	150,000.00	-138,794.23	7.47%
Total Professional Services	94,460.35	322,000.00	-227,539.65	29.34%
Public Information	13,468.07	25,000.00	-11,531.93	53.87%
Staff Expense				
Executive Officer	48,208.92	100,000.00	-51,791.08	48.21%
Supporting Staff (FID)	7,449.80	20,000.00	-12,550.20	37.25%
Total Staff Expense	55,658.72	120,000.00	-64,341.28	46.38%
Total Expense	262,521.64	622,120.00	-359,598.36	42.2%
Net Ordinary Income	454,041.59	61,993.20	392,048.39	732.41%

9:24 AM
04/18/22
Accrual Basis

North Kings Groundwater Sustainability Agency
Income Statement - Budget vs. Actual
July 2021 through March 2022

	Jul '21 - Mar 22	Budget	$ Over/(Under) Budget	% of Budget
Other Income/Expense				
Other Income				
Interest Income	75.74	100.00	-24.26	75.74%
Total Other Income	75.74	100.00	-24.26	75.74%
Net Other Income	75.74	100.00	-24.26	75.74%
Net Income	**454,117.33**	**62,093.20**	**392,024.13**	**731.35%**

9:19 AM
04/18/22
Accrual Basis

North Kings Groundwater Sustainability Agency
Expense Report
March 2022

Type	Date	Num	Memo	Account	Amount
ACWA/Joint Powers Insurance Authority					
Bill	03/16/2022	20220316	Rate Stabilization Fund	Insurance	584.27
Total ACWA/Joint Powers Insurance Authority					584.27
Atkinson, Andelson, Loya, Ruud & Romo					
Bill	03/01/2022	646378	February 2022 Legal	Legal	4,504.50
Total Atkinson, Andelson, Loya, Ruud & Romo					4,504.50
Constant Contact, Inc.					
Check	03/28/2022	EFT		Public Information	45.00
Total Constant Contact, Inc.					45.00
Fresno Irrigation District					
Bill	03/29/2022	6918	Feb 2022 Hours	Executive Officer	7,882.69
Bill	03/29/2022	6918	Feb 2022 Fiscal Agent Hours	Supporting Staff (FID)	269.74
Bill	03/29/2022	6918	Feb 2022 Recording Secty Hours	Supporting Staff (FID)	412.00
Bill	03/29/2022	6918	Feb 2022 Eng Asst Hours	Supporting Staff (FID)	49.68
Bill	03/29/2022	6918	Feb 2022 6% Admin Fee	Supporting Staff (FID)	516.85
Total Fresno Irrigation District					9,130.96
HP Water Systems					
Bill	03/21/2022	42212	Meter 1009927031 Well Video for Ins...	Professional Services	4,215.00
Total HP Water Systems					4,215.00
Provost & Pritchard Consulting Group					
Bill	03/09/2022	90745	Project 02643-21-001	Engineering Consultant	15,625.05
Bill	03/09/2022	90746	Project 02643-21-003 Boundary Flows	Engineering Consultant	1,635.30
Bill	03/09/2022	90749	Project 02643-22-001	Kings Basin Coordination	7,918.00
Total Provost & Pritchard Consulting Group					25,178.35
TOTAL					**43,658.08**

5 (b) – NKGSA – Fiscal Year 2021-2022 Proposed Budget Revisions

NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY

AGENDA ITEM NO: 5 (b)
Executive Officer: KDC

NKGSA-
REPORT TO THE ADVISORY COMMITTEE

TO: Chair and Advisory Committee Members

FROM: DeAnn Hailey – Fiscal Agent

DATE: May 13, 2022

SUBJECT: Consider Fiscal Year 2021-2022 Budget Revision

ATTACHMENTS: (A) FY 2021-2022 Budget Revision

CONFLICT OF INTEREST

None

RECOMMENDATION

For the Advisory Committee to recommend to the NKGSA Board of Directors to approve the revised budget for Fiscal Year 2021-2022.

EXECUTIVE SUMMARY

The North Kings Groundwater Sustainability Agency (NKGSA) Board of Directors approved the FY 2021-2022 budget at a regular meeting on May 27, 2021. Expenses through March 31, 2022, showed total expenses are less than what has been budgeted but there are some line items that need adjusting to account for increased or reduced expenses. The primary line items being adjusted are a decrease in legal fees (from $60,000 budgeted to $40,000 revised). a decrease in engineering consultant fees (from $171,500 budgeted to $120,000 revised), a decrease in the professional services by others (from $150,000 budgeted to $30,000 revised), an increase in the Kings Subbasin Coordination costs (from $35,000 budgeted to $60,000 revised) and an overall reduction in staffing costs (Executive Officer reduced from $100,000 budgeted to $93,000 revised). Some line items (Dues and Subscriptions and Insurance) were increased to reflect actual expenses incurred.

Additionally, the income was adjusted by $32,450 to account for grant income received from the Prop 68 grant award – Round 3. The total income received for FY 2021-2022 was $716,563.20 generated from each member agency's assessment, grant income and interested party contributions ($7,113.20) from FY 2020-2021.

Member Agency Participation Balances

Per direction from the Advisory Committee and the Board of Directors, $200,000 from the member agency balances was allocated to the legal reserve fund to achieve a fully-funded legal reserve of $500,000, as was previously approved by the Board. Given the reduction in expenses for FY 2021-2022, it is expected the NKGSA member agencies will continue to have a balance. In consultation with the Fiscal Workgroup and Fiscal Agent, staff is recommending the balances as of June 30, 2022, continue to be held in reserve to provide a more robust reserve than the current reserve of 10 percent. As has been past practice, the NKGSA typically follows Fresno Irrigation District (FID) policies and procedures in the absence of NKGSA-specific policies and procedures. FID financial policies require a minimum of six months of operating expenses to be held in reserve. The member agency balances as of June 30, 2022, can serve as the additional reserve for the NKGSA. Any need to pay expenses from the reserve would be subject to Board approval and presented to the Advisory Committee before any board action.

FISCAL IMPACT

The revised budget for Fiscal Year 2021-2022 results in an overall reduction in total expenses from $622,120.00 to $449,590.00. The net position change of $267,073.20 will be applied to each member agency's assessment in FY 2022-2023.

REASON FOR RECOMMENDATION

The revised budget for Fiscal Year 2021-2022 reflects total expenses remaining through the end of the fiscal year. The proposed budget for FY 2022-2023 will be prepared based on expected expenses during the next fiscal year. Member agency contributions will be determined based on the percentages adopted by the Board for member agency assessments and total anticipated expenses for Fiscal Year 2022-2023.

ACTIONS FOLLOWING APPROVAL

The revised budget will be submitted to the Board for approval at its May 26, 2022, regular board meeting.

Prepared by: Kassy D. Chauhan

Attachment A

North Kings Groundwater Sustainability Agency
Statement of Revenues, Expenses, and Changes in Net Position

	Jul '21 - Mar '22 Actual	5/27/2021 Approved 2021-2022 Budget	% of Budget	5/26/2022 Proposed 2021-2022 Budget	% of Budget
Operating Income/Expense					
Income					
Interested Party Contribution	7,113.20	7,113.20	100%	7,113.20	100%
Grants Income	32,450.03	0.00	100%	32,450.03	100%
Member/Contracting Entity					
Bakman Water Company	4,000.00	4,000.00	100%	4,000.00	100%
Biola Community Services Distr	1,000.00	1,000.00	100%	1,000.00	100%
City of Clovis	34,000.00	34,000.00	100%	34,000.00	100%
City of Fresno	166,000.00	166,000.00	100%	166,000.00	100%
City of Kerman	5,000.00	5,000.00	100%	5,000.00	100%
County of Fresno	85,000.00	85,000.00	100%	85,000.00	100%
Fresno Irrigation District	376,000.00	376,000.00	100%	376,000.00	100%
Garfield Water District	4,000.00	4,000.00	100%	4,000.00	100%
International Water District	2,000.00	2,000.00	100%	2,000.00	100%
Total Member/Contracting Entity	677,000.00	677,000.00	100%	677,000.00	100%
Total Income	716,563.23	684,113.20	105%	716,563.23	100%
Expense					
Audit Expense	4,475.00	4,500.00	99%	4,500.00	99%
Bank Charges	70.00	120.00	58%	120.00	58%
Dues and Subscriptions	3,315.00	2,900.00	114%	3,315.00	100%
Grant Administration Costs	0.00	50.00	0%	50.00	0%
Insurance	2,553.27	2,000.00	128%	2,555.00	100%
Kings Basin Coordination	21,412.00	35,000.00	61%	60,000.00	36%
Legal	17,109.23	60,000.00	29%	40,000.00	43%
Legal Reserves	50,000.00	50,000.00	100%	50,000.00	100%
Office Supplies	0.00	500.00	0%	500.00	0%
Printing/Materials Costs (FID)	0.00	50.00	0%	50.00	0%
Professional Services					
Engineering Consultant	83,254.58	171,500.00	49%	120,000.00	69%
Security Services	0.00	500.00	0%	500.00	0%
Professional Services - Other	11,205.77	150,000.00	7%	30,000.00	37%
Total Professional Services	94,460.35	322,000.00	29%	150,500.00	63%
Public Information	13,468.07	25,000.00	54%	25,000.00	54%
Staff Expense					
Executive Officer	48,208.92	100,000.00	48%	93,000.00	52%
Supporting Staff (FID)	7,449.80	20,000.00	37%	20,000.00	37%
Total Staff Expense	55,658.72	120,000.00	46%	113,000.00	49%
Total Expense	262,521.64	622,120.00	42%	449,590.00	58%
Net Operating Income	454,041.59	61,993.20	732%	266,973.23	170%
Non-Operating Income					
Interest Income	75.74	100.00	76%	100.00	76%
Total Non-Operating Income	75.74	100.00	76%	100.00	76%
Change in Net Position	**454,117.33**	**62,093.20**	**731%**	**267,073.23**	**170%**

5 (c) – NKGSA Fiscal Year 2022-2023 Proposed Budget

NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY

AGENDA ITEM NO: **5 (c)**
Executive Officer: KDC

NKGSA-
REPORT TO THE ADVISORY COMMITTEE

TO: Chair and Advisory Committee Members

FROM: Kassy D. Chauhan – Executive Officer

DATE: May 13, 2022

SUBJECT: Consider Fiscal Year 2022-2023 Proposed Budget

ATTACHMENTS: (A) FY 2022-2023 Budget

CONFLICT OF INTEREST

None

RECOMMENDATION

For the Advisory Committee to recommend to the NKGSA Board of Directors to adopt the proposed budget for Fiscal Year 2022-2023.

EXECUTIVE SUMMARY

The North Kings Groundwater Sustainability Agency (NKGSA) Board of Directors approves the operating budget annually for the NKGSA. In coordination with the prior Administration/Fiscal Committee Chair, Lisa Koehn, and the Fiscal Agent, the proposed budget for FY 2022-2023 has been prepared. The FY 2022-2023 proposed budget includes considerations for continued Kings Subbasin coordination efforts and the upper aquifer boundary flow study, currently underway and previously approved by the Board. Additionally, the proposed budget includes engineering consultant technical services for ongoing technical support and a public information line item to continue with stakeholder engagement including funds for direct mailings, if needed.

Income:

Each of the member agencies will be assessed for their portion of the FY 2022-2023 budget based on the acreage in their service area as previously approved by the Board

of Directors beginning February 1, 2020. The proposed budget reflects an income of $636,113.20. The member agency contributions amount to $629,000 which is decreased by $48,000.00 from the total member agency contributions in FY 2021-2022 due to a decrease in planned expenses since the groundwater sustainability plan (GSP) resubmittal will be completed. Additional non-operating income is anticipated from the interested parties who were invoiced based on their acreage within the NKGSA boundary or a minimum of $250.00. Interested parties voluntary contributions collected in FY 2021-2022 were applied to the FY 2022-2023 budget as discussed below.

Expenses:

Legal Expenses:

It is projected that NKGSA legal expenses be approximately $60,000 in FY 2022-2023. The legal fees are for general counsel expenses and attorney fees associated with routine NKGSA business. The NKGSA has a fully-funded legal reserve of $500,000 which is intended to be used, if there is any type of litigation needed on behalf of the NKGSA. It was previously recommended and approved by the Board of Directors to establish a legal reserve of at least $500,000.00 at all times. Member agency balances as of June 30, 2021, in the amount of $200,000 were used to complete contributions to the legal reserve. Therefore, the FY 2022-2023 budget does not include the previously included legal reserve line item of $50,000.

Professional Services:

The total expenses for engineering consultant are expected to be $135,000.00 which includes engineering consultant services to assist with the following:

Phase	Description
General	Provide continued assistance with member agency groundwater mitigation responsibility, providing assistance on policy development, general technical assistance and attendance at board and advisory committee meetings.
WEL	Well Construction Information Gathering and Monitoring Network
BND	Boundary Flow Study – Previously approved $120,000 in FY 2021-2022 budget

Kings Subbasin coordination efforts including development of the annual report are expected to be $80,000.00 in FY 2022-2023. The costs for the Kings Subbasin coordination activities are split amongst the seven GSAs within the Kings Subbasin. The FY 2022-2023 proposed budget reflects an overall increase of $20,000, up from $60.000.00 in FY 2021-2022.

Other professional services (Professional Services – Other) are expected to be $120,000.00 which includes additional well videoing services at NKGSA monitoring network wells and possibly new monitoring wells to enhance the monitoring network. The NKGSA is required to have well construction information on each of the representative

monitoring wells and has realized some cost savings by utilizing the small-diameter video camera to obtain the required well construction information. The $120,000 proposed budget amount provides funds for pulling pumps on the remaining monitoring wells to conduct the downhole video inspection to obtain well construction information.

Public Information/Public Affairs:

The Public Information line item includes all public affairs and outreach/stakeholder engagement expenses for the Kings River Conservation District External Affairs team and the Provost & Pritchard External Affairs Group to be able to continue to provide assistance with maintaining the website, social media management, creation of news releases and development of resources for the stakeholders in the NKGSA. This line item also includes the costs associated with the upkeep of the web platform, the email distribution software (Constant Contacts), hosting of webinars and distribution of Stakeholder resources. The total proposed budget for these activities is $75,000.00, increased from $25,000 in FY 2021-2022 budget. The increased budget for public affairs is primarily associated with the cost of direct mailings which are anticipated to be included as the NKGSA works towards having a better accounting of the wells within the boundary and the associated outreach. The NKGSA will continue to coordinate with the Kings Subbasin GSAs on opportunities to collaborate on development of resources and other outreach activities which could result in cost savings for the NKGSA.

Staff Expense:

The FY 2022-2023 proposed budget includes expenses for the executive officer ($100,000.00) and supporting staff ($30,000.00). Support staff includes costs for FID staff for NKGSA activities including costs for the fiscal agent, executive assistant and engineering technicians. The staff expenses were increased from $20,000 to $30,000.00 for FY 2022-2023 in anticipation of additional work related to the drought, development of the well registry, outreach to domestic well owners, responding to and tracking the well permit applications received from the well permitting agencies, and responding to inquiries from the media and agencies regarding the NKGSA response to the severe drought conditions.

Member Agency Assessments:

The member agency assessments are calculated based on percentages determined by the overall acreage in the NKGSA boundary. The percentages were revised in February 2020, based on the approval of the NKGSA board. As of June 30, 2022, it is expected each member agency will have a balance due to previous year's expenses being less than the budgeted amount. In FY 2021-2022, $200,000 from the member agency balances were used to fully fund the legal reserve. In consultation with the former Fiscal Committee and the Fiscal Agent, staff is recommending the remaining member agency balances be held in reserve to increase the total amount of reserve for the NKGSA. , the FY 2022-2023 budget includes a 10 percent operating reserve as has been the practice since the inception of the NKGSA. However, it is recommended the NKGSA have a total

of at least six months of operating expenses in reserve to cover unexpected expenses. Any use of the reserves requires committee approval and board action.

Interested party voluntary contributions were received from Malaga County Water District, Pinedale County Water District and Self-Help Enterprises in FY 2021-2022. As approved by the Board of Directors, voluntary contributions from the Pinedale County Water District were agreed to be credited to the City of Fresno since the Pinedale County Water District acreage is included in calculation for the City of Fresno's participation amount. Likewise, fees collected from Malaga County Water District were approved to be credited to Fresno Irrigation District given FID's participation amount includes the acreage within the Malaga County Water District. Should any voluntary contributions received from the California State University, Fresno, those fees would be credited to FID since they are charged for the CSUF acreage in their member agency participation amount. The voluntary contribution of $250.00 provided by Self Help Enterprises is identified as additional income and is spread amongst all agencies.

FISCAL IMPACT

The proposed budget for Fiscal Year 2022-2023 shows a total income of $636,113.20 and total expenses as $579,120.00.

REASON FOR RECOMMENDATION

The proposed budget was prepared for consideration by the Advisory Committee and the NKGSA Board of Directors to manage the finances for FY 2022-2023.

ACTIONS FOLLOWING APPROVAL

The proposed budget will be submitted to the Board for approval at its regular board meeting on May 26, 2022.

Prepared by: Kassy D. Chauhan

Attachment A

North Kings Groundwater Sustainability Agency
Statement of Revenues, Expenses, and Changes in Net Position

	Jul '21 - Mar '22 Actual	5/26/2022 Proposed 2021-2022 Budget	% of Budget	5/26/2022 Proposed 2022-2023 Budget	% of Budget
Operating Income/Expense					
Income					
Interested Party Contribution	7,113.20	7,113.20	100%	7,113.20	100%
Grants Income	32,450.03	32,450.03	100%	0.00	100%
Member/Contracting Entity					
Bakman Water Company	4,000.00	4,000.00	100%	4,000.00	100%
Biola Community Services Distr	1,000.00	1,000.00	100%	500.00	200%
City of Clovis	34,000.00	34,000.00	100%	31,000.00	110%
City of Fresno	166,000.00	166,000.00	100%	154,000.00	108%
City of Kerman	5,000.00	5,000.00	100%	3,500.00	143%
County of Fresno	85,000.00	85,000.00	100%	80,000.00	106%
Fresno Irrigation District	376,000.00	376,000.00	100%	351,500.00	107%
Garfield Water District	4,000.00	4,000.00	100%	3,700.00	108%
International Water District	2,000.00	2,000.00	100%	800.00	250%
Total Member/Contracting Entity	677,000.00	677,000.00	100%	629,000.00	108%
Total Income	716,563.23	716,563.23	100%	636,113.20	113%
Expense					
Audit Expense	4,475.00	4,500.00	99%	6,000.00	75%
Bank Charges	70.00	120.00	58%	120.00	58%
Dues and Subscriptions	3,315.00	3,315.00	100%	4,000.00	83%
Grant Administration Costs	0.00	50.00	0%	0.00	0%
Insurance	2,553.27	2,555.00	100%	3,000.00	85%
Kings Basin Coordination	21,412.00	60,000.00	36%	80,000.00	27%
Legal	17,109.23	40,000.00	43%	60,000.00	29%
Legal Reserves	50,000.00	50,000.00	100%	0.00	100%
Office Supplies	0.00	500.00	0%	500.00	0%
Printing/Materials Costs (FID)	0.00	50.00	0%	0.00	0%
Professional Services					
Engineering Consultant	83,254.58	120,000.00	69%	100,000.00	83%
Security Services	0.00	500.00	0%	500.00	0%
Professional Services - Other	11,205.77	30,000.00	37%	120,000.00	9%
Total Professional Services	94,460.35	150,500.00	63%	220,500.00	43%
Public Information	13,468.07	25,000.00	54%	75,000.00	18%
Staff Expense		0.00			
Executive Officer	48,208.92	93,000.00	52%	100,000.00	48%
Supporting Staff (FID)	7,449.80	20,000.00	37%	30,000.00	25%
Total Staff Expense	55,658.72	113,000.00	49%	130,000.00	43%
Total Expense	262,521.64	449,590.00	58%	579,120.00	45%
Net Operating Income	454,041.59	266,973.23	170%	56,993.20	797%
Non-Operating Income					
Interest Income	75.74	100.00	76%	100.00	76%
Total Non-Operating Income	75.74	100.00	76%	100.00	76%
Change in Net Position	**454,117.33**	**267,073.23**	**170%**	**57,093.20**	**795%**

6 (a) – NKGSA Groundwater Sustainability Plan Revisions Update

NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY

AGENDA ITEM NO: **6 (a)**
Executive Officer: KDC

NKGSA-
REPORT TO THE ADVISORY COMMITTEE

TO: Chair and Advisory Committee Members

FROM: Kassy D. Chauhan, P.E.

DATE: May 10, 2022

SUBJECT: NKGSA Groundwater Sustainability Plan Revisions Update

ATTACHMENTS: None

CONFLICT OF INTEREST

None

RECOMMENDATION

This item is informational only and no recommendation is being made at this time.

EXECUTIVE SUMMARY

As previously reported, the California Department of Water Resources (DWR) notified the Kings Subbasin of its incomplete determination on the groundwater sustainability plans (GSPs) submitted by the Kings Subbasin Groundwater Sustainability Agencies (GSAs) including the North Kings GSA.

There were four deficiencies along with associated corrective actions for consideration by the GSAs in the Kings Subbasin. The deficiencies noted addressed the sustainable management criteria associated with chronic lowering of groundwater levels, water quality, land subsidence and interconnected streams. Since the release of the incompleteness letter by DWR, the GSA managers in the Kings Subbasin have met multiple times to discuss revisions needed to address DWR's comments/concerns. The primary focus has been on addressing the management criteria related to the chronic lowering of groundwater levels. DWR has indicated the NKGSA/Kings Subbasin failed to

consider the impacts to all beneficial uses and users of the groundwater. Specifically, DWR has expressed a position of if one groundwater user or use is impacted, that is an undesirable result. Specifically, DWR is concerned about how the Kings Subbasin GSPs have addressed impacts to domestic well owners given how the sustainable management criteria for groundwater levels was set in the basin. The Kings Subbasin agreed on a glide path approach to reaching sustainability including allowing the groundwater levels to continue to decline before flattening and remaining between the operational zone (space between the minimum thresholds and the measurable objectives). Some GSAs, including the NKGSA, did complete an evaluation of impacts to domestic wells but the data set was not complete, and some assumptions had to made. It was estimated that between 3 and 12% of domestic wells would be impacted based on where the water levels are expected to stabilize in the NKGSA. The NKGSA specifically referenced calling on currently existing resources to help with mitigating for the impacted domestic wells.

DWR has indicated the Kings Subbasin should consider the development of a domestic well mitigation program during recent consultations. While SGMA does not explicitly include a requirement to mitigate for a single impact to a beneficial user of groundwater, based on information shared by DWR, the Kings Subbasin GSAs are considering the inclusion of a Shallow Well Mitigation Program as a project, to be developed, in Chapter 6 of the GSPs. The development of the Shallow Well Mitigation Program will take a significant amount of time which is not afforded in the regulation between the time DWR makes their determination and the time the revised GSP has to be submitted. It is expected the development of the Program could take two to three years and will likely be contingent upon being able to develop a funding mechanism for the Program. The NKGSA joined other Kings Subbasin GSAs in submitting a letter to the DWR expressing concerns with the interpretation that SGMA requires mitigation if a single groundwater user is impacted as that could be a significant and unreasonable impact to other groundwater users in the GSA boundaries.

The Technical Workgroup, consisting of agency representatives, met on May 6th to discuss the proposed changes to the GSP. Given the short timeline to develop the GSP revisions and the need to be coordinated and consistent in all of the GSPs, the redline version of the GSP was not shared rather a table noting the deficiencies/corrective actions and proposed approach to addressing the comments. The next Technical Workgroup meeting is scheduled for May 20, 2022, and additional information on the proposed revisions will be shared at that time.

Timeline:

The Kings Subbasin has180 days to address the comments, get revised plans approved by governing boards, conduct any necessary public hearings and resubmit to DWR to avoid being referred to the State Water Resources Control Board on a probationary status. The resubmittal deadline is July 27, 2022. Given the time it will take to prepare the redline version of the GSP, per DWR's requirements and the resubmittal process, staff is recommending presenting the final proposed changes at the June 10th Advisory Committee Meeting and then presented to the Board of Directors for possibly adoption at the June 23rd meeting. Special Board of Director meetings have been scheduled for July 6th in case additional time is needed to get the required approval of the GSP.

FISCAL IMPACT

Costs associated with revising the GSPs for the Kings Subbasin were included in the 2021-2022 budget approved by the NKGSA Board. A Shallow Well Mitigation Program could be a significant financial burden and funding mechanisms will be vital for implementation of such a program. Those costs and fiscal impacts will be considered during the development phase of the project.

REASON FOR RECOMMENDATION

Informational item only.

ACTIONS FOLLOWING APPROVAL

The Technical Workgroup will continue to meet to discuss revisions to the GSP as presented by the Technical Team. Discussions will take place at each of the Advisory Board meetings and regular Board of Directors meetings on the status of the revisions.

Prepared by: Kassy D. Chauhan

7 (d) – NKGSA 2022-001 – Draft Groundwater Impact Mitigation Policy Update

NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY

AGENDA ITEM NO: 7 (d)
Executive Officer: KDC

NKGSA-
REPORT TO THE ADVISORY COMMITTEE

TO: Chair and Advisory Committee Members

FROM: Kassy D. Chauhan – Executive Officer

DATE: May 13, 2022

SUBJECT: Consider Approval – Agency Groundwater Impact Mitigation Policy - NKGSA – 2022-001

ATTACHMENTS: (A) Draft – Agency Groundwater Impact Mitigation Policy, NKGSA -2022-001

CONFLICT OF INTEREST

None

RECOMMENDATION

For the Advisory Committee to recommend to the NKGSA Board of Directors approval of the Agency Groundwater Impact Mitigation Policy, NKGSA – 2022-001.

EXECUTIVE SUMMARY

There is varied pumping of groundwater and use of surface water within the NKGSA. Some entities within the NKGSA own and operate their own wells to provide groundwater, while other entities do not directly pump groundwater as that is performed by landowners. This policy is required as the member agencies and entities of the NKGSA have agreed to mitigate for their respective entity's groundwater impact, and the NKGSA will be responsible to ensure that each entity is meeting its mitigation obligation.

The purpose of the policy is have the executive officer lead an effort with the member agencies and entities to determine the groundwater impact mitigation requirements of

each groundwater pumping Entity within the NKGSA. In addition, the Policy aims to establish the monitoring and reporting criteria for the member agencies and Entities.

The draft policy was originally presented to the NKGSA Advisory Committee at its August 13, 2021 meeting, at which time, concern with some aspects of the Policy were expressed causing indefinite delays with policy adoption. While the concerns related to displaced water are worked on, the Board expressed a desire to expedite the creation of the groundwater impact mitigation policy before too much additional time lapsed to memorialize the member agency and entities commitment to mitigate for the groundwater pumping within their respective service areas.

The draft policy (Attachment A) references a Groundwater Impact Mitigation Methodology Technical Memorandum (Technical Memorandum) to be developed with details on individual agency responsibilities. The Technical Memorandum will be created at a later time and presented to the Advisory Committee for review prior to recommending the NKGSA Board of Directors take action on the technical memorandum.

The other key component of the draft policy is the monitoring and reporting section which provides details necessary for the NKGSA to monitor progress by the entities towards mitigating for their groundwater impacts. It is expected information would be reported by the entities on an annual basis at which time additional reviews and analyses would be completed.

The Policy Workgroup met on May 9, to review comments received on the redrafted groundwater impact mitigation policy. The proposed changes were reviewed and the Policy Workgroup agreed the redrafted Policy should be presented to the Advisory Committee.

FISCAL IMPACT

The fiscal impact associated with this policy to the NKGSA is minimal and is related to the time spent by staff on review of the mitigation reports to be submitted annually. Each agency will incur costs associated with building mitigation projects as well as preparing the necessary reports to be submitted annually to the NKGSA.

REASON FOR RECOMMENDATION

The Agency Groundwater Impact Mitigation Policy is necessary as each entity within the NKGSA has agreed to mitigate for the estimated net impact of their pumping. The agencies within the NKGSA have chosen this responsibility method to provide an equitable method of mitigation that is based on impact of actions by each agency, and to allow each agency to control its own method of mitigation and implementation. This policy establishes the monitoring and reporting to allow the NKGSA to monitor mitigation progress.

ACTIONS FOLLOWING APPROVAL

The Policy will be considered by the NKGSA Board of Directors. Once approved, it will be posted to the NKGSA website and provided to each of the entities. The policy would be effective on the day it is approved by the Board of Directors and the annual report for water year 2022 (October 1 through September 30) would be due October 31, 2022.

Prepared by: Kassy D. Chauhan

NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY

Policy No: NKGSA – 2022--001
Policy Title: Agency Groundwater Impact Mitigation Policy
Board Approval Date: _____, 2022

1.0 Purpose

The purpose of this policy is to:

1. Direct the Executive Officer to lead an effort with member agencies and entities (Entity or Entities) to determine the groundwater impact mitigation requirements of each groundwater pumping Entity within the North Kings Groundwater Sustainability Agency (NKGSA) in accordance with Section 6.1 of the NKGSA's Groundwater Sustainability Plan (GSP).
2. Identify the NKGSA's monitoring and reporting of groundwater impact mitigation progress by each Entity.

2.0 Background

There is varied pumping of groundwater and use of surface water within the NKGSA. Some Entities within the NKGSA own and operate their own wells to provide groundwater, while other Entities do not directly pump groundwater as that is performed by landowners. This policy is required as the Entities of the NKGSA have agreed to mitigate for their respective Entity's groundwater impact, and the NKGSA will be responsible to ensure that each Entity is meeting its mitigation obligation.

Section 6.1 of the NKGSA's GSP includes the following:

> *The NKGSA member agencies and entities have agreed to have each groundwater pumping entity mitigate for the estimated net impact of their pumping. The agencies within the NKGSA have chosen this responsibility method in order to provide an equitable method of mitigation that is based on impact of actions by each agency, and to allow each agency to control its own methods of mitigation and implementation.*

Section 6.1 further states:

> *The NKGSA will provide the ongoing monitoring of impacts by agency, and oversee each agency to ensure mitigation requirements are met.*

3.0 Rationale for Policy

The NKGSA and the groundwater pumping Entities within the NKGSA recognize that there are many variables and estimations that are included in groundwater mitigation calculations. The groundwater pumping Entities have identified a potential method for determining each Entity's initial estimate of groundwater impact mitigation responsibility. Although some components of the estimates for groundwater impact mitigation are not fully completed, mitigation needs to be initiated by groundwater pumping agencies in order for the NKGSA to begin to reach sustainability. Preliminary groundwater impact mitigation estimates have been identified and the NKGSA needs to monitor and report on progress by Entities regarding the groundwater mitigation efforts they are taking. The EO and Entities are still working towards the completion of a Groundwater Impact Mitigation Methodology Technical Memorandum (Technical Memorandum) that may be presented to the Advisory Committee and Board for approval in the future. The NKGSA will monitor and report annually to the Advisory Committee the values and progress by each Entity, as well as Technical Memorandum changes if necessary.

Groundwater Impact will be measured over an extended period and it is expected that some years may be positive and some negative, but the long-term average will need to be neutral or positive. Consistent with basin requirements to correct overdraft conditions, the NKGSA is expecting Entities to cumulatively correct its impact at a minimum based on the following milestones: 10% by 2025, 30% by 2030, 60% by 2035 and 100% by 2040.

4.0 Scope and Applicability

This Policy specifically applies to the groundwater pumping Entities within the NKGSA:

a. Bakman Water Company
b. Biola Community Services District
c. California State University Fresno
d. City of Clovis
e. City of Fresno
f. City of Kerman
g. County of Fresno (responsible for groundwater pumping outside of the other Entities)
h. Fresno Irrigation District
i. Garfield Water District
j. International Water District
k. Malaga County Water District
l. Pinedale County Water District

5.0 Authority

As a Groundwater Sustainability Agency (GSA) properly organized pursuant to the Sustainable Groundwater Management Act of 2014 (Water Code 10720 et. Seq.) (SGMA), NKGSA is authorized to adopt rules, regulations, ordinances, and resolutions for purposes of fulfilling its obligations as a GSA (Water Code 10725.2 (b)), and NKGSA adopts this Policy pursuant to this authority.

6.0 Data Collection and Reporting

The NKGSA intends to request annual reports from each Entity identified in Section 4.0 of this policy. The information shall include but not be limited to groundwater pumping estimations (annual reporting), groundwater recharge volumes (annual reporting), list of programs and/or projects and tentative schedules within their jurisdiction that the Entity may implement or construct to mitigate groundwater pumping. The annual reports will be used to monitor progress made by each Entity as they mitigate for the groundwater pumping in their boundary. The data on groundwater pumping estimations and groundwater recharge volumes will be used to complete the annual groundwater impact mitigation evaluations.

It is critical to understand the groundwater impact is an estimation with many variables and assumptions. The NKGSA will compare the Entity reported information and estimated groundwater impacts to actual groundwater level readings and storage change calculations that best reflect the actual aquifer conditions. This comparison may lead to changes or modifications to the groundwater impact analysis or requirements of the Entities.

7.0 Policy Statement

With acknowledgement of the information set forth herein above, until further modified as set forth hereafter, the following shall serve as the NKGSA Policy for Agency Groundwater Impact Mitigation:

a. With input from the groundwater pumping Entities within the NKGSA, the Executive Officer (EO) shall work towards completion of a Technical Memorandum that may be presented to the Advisory and Board of Directors for review and adoption.

b. Each Entity identified in Section 4.0 of this policy shall be responsible to mitigate for its estimated groundwater impact.

c. The EO, or his/her designee, shall monitor the progress of each Entity as those Entities address their Groundwater Impact. The EO shall begin this effort and provide each Entity its preliminary mitigation values as determined in Section 1.1 and referred to in Section 3 .0 of this policy. Information submitted to the EO shall include but not be limited to groundwater pumping estimations

and groundwater recharge volumes. The Entities shall report to the EO at least annually the information as identified in Section 6.0, including:

1. The annual report to the EO which shall be in the format specified by the EO and be based on water year (October 1 through September 30).
2. The annual reports shall be submitted to the EO by October 31st of each year.

d. The EO shall present to the Advisory Committee the annual reporting on the progress made by each Entity to perform groundwater impact mitigation.

e. The Advisory Committee shall review the annual report and recommend the EO to present to the Board of Directors.

8.0 Effective Date and Modification

a. This Policy shall become effective upon its passage and adoption.

b. NKGSA's Board of Directors may modify this Policy at any time, at its sole discretion, pursuant to the applicable procedures described in NKGSA's bylaws.

The foregoing Agency Groundwater Impact Mitigation Policy was passed and adopted by the Board of Directors for the North Kings Groundwater Sustainability Agency, at a regular meeting thereof held on the ____ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSENT:

_____

Chairperson, Board of Directors

Mr. Jerry Prieto

North Kings Groundwater Sustainability Agency

ATTEST:

_____

Kassy D. Chauhan, P.E.

Approved as to legal form and effect:

_____

Kevin R. Dale, Esq. AALRR

10 (a - d) – Executive Officer Report

NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY

AGENDA ITEM NO:	10 (a) - (d)
Executive Officer:	KPC

NKGSA-
REPORT TO THE Advisory Committee

TO: Chair and Committee Members

FROM: Executive Officer – Kassy Chauhan

DATE: May 10, 2022

SUBJECT: NKGSA Executive Officer Report

ATTACHMENTS: A: None

Department of Water Resources Prop 68 SGMA Implementation Grants

DWR awarded the Kings Subbasin $7.6 million during a check ceremony on May 4, 2022 at an event held at the Spring ACWA Conference. The additional funding is from Round 1 Prop 68 application for projects including: Central Kings Recharge Project, James ID Basins 1 and 2 Project, Laguna ID Laton North Conveyance Project and Fresno ID Bybee Basin Project was submitted in February 2022. Fresno Irrigation District is serving as the applicant and grant manager and will work with the other agencies on sub-agreements similar to the previous Proposition 68 round of grant funds.

Outreach and External Affairs

Since the last Advisory Committee meeting on April 8, 2022, North Kings GSA has been actively engaged with stakeholders via e-blogs and social media. Additionally, the North Kings GSA has participated in the following speaking engagements to provide updates on the status of the North Kings GSA and its efforts to implement the approved groundwater sustainability plan (GSP):

Date	Organization or Event
4/19/2022	Interview with Adam Solis, Clovis Roundup on the Governor's Executive Order and specifically the well permitting requirements for GSAs.
4/26/2022	Participation in ACWA's Leadership to Leadership Webinar to provide input on ACWAs role with the work done by GSAs.

5/10/2022	State Water Board Regular Board Meeting – Provided comment on the efforts by the Kings Subbasin GSAs to complete projects in a short period of time.
5/11/2022	California Farm Bureau Leadership Class – Provided an overview of SGMA and the importance of groundwater recharge.

The NKGSA submitted an application to the Groundwater Resource Association (GRA) for its GSA Stakeholder Awards to be presented at the GRA meeting on June 9th in Sacramento. The application highlighted the almost 100 outreach events completed during GSP development and the last two years of implementation. The NKGSA was notified the application was selected as a finalist and additional information is needed. Updates will be provided as the selection process continues.

Representative Monitoring Network

The monitoring network includes data gaps and the NKGSA is currently working with Provost & Pritchard to review wells of properties which were volunteered to be part of the monitoring network. While the first attempt will be to work with landowners of existing wells to be added to the network, there may be a need in the future for dedicated monitoring wells.

Miscellaneous

Groundwater Conditions Update:

The NKGSA continues to review each of the well permit applications submitted to permitting agencies for wells being drilled within the NKGSA boundary. Data obtained from the well permit applications is compiled to facilitate ease of review and tracking. The NKGSA has been reviewing all new well permit applications submitted to Fresno County. The locations of the proposed new wells (including replacement wells) are being mapped to enable the NKGSA to identify any areas of concerns. In light of the Governor's Executive Order (N-7-22), permitting procedures have been changed to include GSA approval on all wells, with the exception of deminimus wells and community wells, prior to the County issuing the permit for the well construction. The NKGSA will continue to monitor the condition of the aquifer and evaluate areas of concern using the replacement well mapping to assist with identifying the potential areas of concern.

Prepared by: Kassy D. Chauhan