THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
REGULAR MEETING MINUTES FOR
AUGUST 25, 2022, AT 6:00 P.M.
2907 SOUTH MAPLE AVENUE – FRESNO, CA

TELECONFERENCE / IN-PERSON MEETING

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

BOARD SEATS ABSENT
None

MEMBER STAFF PRESENT
Executive Officer Kassy Chauhan – North Kings GSA
Legal Counsel Kevin Dale – Atkinson, Andelson, Loya, Ruud, & Romo (via teleconference)
City of Clovis Representative / Advisory Committee Chairman – Scott Redelfs
Fresno Irrigation District Representative / Technical Workgroup Chair – Adam Claes
Fresno Irrigation District Representative – Bill Stretch
Fresno Metropolitan Flood Control District Representative – Staff Analyst Andrew Remus (via teleconference)
Fresno Irrigation District Representative / Recording Secretary – Lynn B. Rowe

OTHERS PRESENT (who wanted to be identified for the record)
Lisa Koehn - Clovis (via teleconference)
Marthedal Enterprises, Inc., Representative – Austin Hubble (via teleconference)
Westland Water District Representative – Kitty Campbell (via teleconference)

Ms. Chauhan reviewed the teleconference procedures that needed to be adhered to since meeting attendance is being offered virtually. Ms. Chauhan proceed with the roll call of directors, alternate directors, staff, and interested parties who wished to be identified.

1. CALL TO ORDER

The meeting was called to order by Chairman Prieto at 6:02 pm.

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2. PLEDGE OF ALLEGIANCE

Chairman Prieto lead the attendees in the Pledge of Allegiance.

3. NKGSA RESOLUTION 2022-14

a. In accordance with AB361, the Board will consider adoption of NKGSA Resolution 2022-14: 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 reported this is the same required resolution to hold modified teleconference meeting that staff has brought to the Board the last several months and requested a motion and a second from the Board.

M/S/C (Whalen/Moeller) That the Board of Directors approved Resolution 2022-14 in accordance with AB 361. Ms. Chauhan proceeded with calling of the roll call vote. (Ayes – Pickens, Kienow, Moeller, Prieto, Jr., Buche, Whalen, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

4. REVIEW AGENDA

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

There were no changes to the agenda's open session. The item of *Conference with Legal Counsel – Potential Litigation* under Closed Session will not be discussed.

5. REVIEW OF FUTURE MEETINGS

Chairman Prieto reminded the Board of the alternate dates for the November and December Board meetings due to the holidays.

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

There were no Public Presentations.

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7. 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.

8. ADMINISTRATIVE MATTERS

a. Discussion/Possible Action – Appointment of Board Chair and Vice-Chair (Chauhan)

Adhering to the North Kings GSA bylaws, the positions of chairman and vice-chairman are scheduled to be elected for a one-year term at the beginning of each fiscal year (July) or the first meeting thereafter. Due to the cancellation of the regular Board Meeting in July 2022, this item was deferred to the August agenda. Chairman Prieto turned the meeting over to the Executive Officer Ms. Chauhan for the call for nominations for the position of chairman.

Ms. Chauhan opened nominations for the position of Board Chairman for the upcoming year. Director Whalen stated that if both Chairman Prieto and Vice-Chairman Pacheco are willing to serve another year, he would move to nominate them to continue their roles; providing the Board did not have any objections with acting on both positions with one motion. There were no objections. With no further nominations or comments, Ms. Chauhan called for the vote.

M/S/C (Whalen/Moeller) That the Board of Directors approved Director Prieto to continue as Board Chairman and Director Pacheco to continue as Board Vice-Chairman. Ms. Chauhan proceeded with calling the roll call vote. (Ayes – Pickens, Kienow, Prieto, Jr., Buche, Moeller, Whalen, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

b. Discussion/Possible Action on Board Meeting Minutes – June 23, 2022

There were no corrections or suggestions to the June 23, 2022, meeting minutes.

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M/S/C (Kienow/Whalen) That the Board of Directors approved the minutes of the June 23, 2022, regular Board meeting. Ms. Chauhan proceeded with the calling of the roll call vote. (Ayes – Pickens, Kienow, Moeller, Prieto, Jr., Buche, Whalen, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

c. Discussion/Possible Action on Special Board Meeting Minutes – July 13, 2022

Ms. Chauhan stated on Page 64 of the July 13 special meeting minutes, the motion should read "That the Board of Directors approved the revised GSP to address comments from the Department of Water Resources." This change will be reflected in the corrected minutes.

M/S/C (Pickens/Buche) That the Board of Directors approved the corrected minutes of the July 13, 2022, special Board meeting. Ms. Chauhan proceeded with the calling of the roll call vote. (Ayes – Pickens, Kienow, Moeller, Prieto, Jr., Buche, Whalen, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

d. Kings Subbasin Coordination Update (~~Samuelian~~ Chauhan)

In the absence of Mr. Samuelian, Ms. Chauhan reviewed the following:

- All Revised GSPs submitted on time (all seven GSA submitted their revisions prior to July 27 deadline). DWR posts for 60-day Public Comment Period (SGMA Portal)
  - DWR's determination anticipated "winter 2022/2023"
- Planning for New Data Gap Studies and Programs
  - Confined Aquifer Pumping, Interconnected SW, and Shallow Well Mitigation Program
- Considering basin-wide demand changes since base period. Crop conversions is reflective in demand changes
- Reviewing (by P&P) how other basins have developed allocations
- Grants:
  - 4.8 million DWR SGMA Implementation Grant Round 1 Projects Underway (FID (completed Savory Pond project) and Kerman in North Kings)
  - $7.6 million DWR SGMA Implementation Grant Round 2 – Awarded. Final contract in process (North Kings – additional recharge basin)

- Additional $200 million in grant funds will become available in Fall 2022. NKGSA will be prepared to apply for any funds that become available.
- DWR Planning Grant – Well Construction information on RMWs and new Monitor wells (one last video inspection to complete by Fall 2022).
- DWR technical support Services – new monitor wells in GSAs

➢ Preparing for fall 2022 water level data

e. Water Conditions Update (Claes)

Mr. Claes reported on the following water conditions:

- Pine Flat (Kings River): 148,000 acre-feet of storage
- Millerton Lake (San Joaquin River): 253,000 acre-feet
- CVP: Class I initial allocation: 30%
  - Exchange Contractors call has ended
  - Unreleased Restoration Flows (URFs) made available
- CVP North and South of Delta: 0%
- State Water Project: 5%

➢ Summary
- Early August monsoonal weather: ~30,000 acre-feet to Kings
- 2022 Kings annual runoff to be around 45% of average
- FID will soon complete three-month irrigation season (June – August)

f. Advisory Committee Update (Redelfs)

Mr. Redelfs reported the Advisory Committee last met in a special meeting on August 19, 2022.

Recommended Actions:
- Approval of Expenses (May and June 2022)
- Approval of Financial Statements as of May 31, 2022
- Recommend Adoption of the NKGSA Updated Project List

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g. Discussion/Possible Action – Consider Approval of Member Agency Projects to be Incorporated into GSP and Completed Project Summary Table (Chauhan)

Ms. Chauhan reviewed with the Board the Call for the May – August 2022 Projects List. This list is continually updated. The following table summarizes the project submittal forms received during the active solicitation period and other proposed updates to the project list.

Category	Quantity	Details
Completed Projects	1	FID Savory Basin
Edits to Existing Projects		FID Recharge Basins – match planned to actual sizes; revised names
New Projects	5*	3 – Bakman Water Company 2 – Fresno Metropolitan Flood Control District

The Advisory Committee is recommending including the three Bakman Water Company projects on the project list but holding off on recommending the FMFCD projects until more evaluation can be done.

Recommendation:

- For the NKGSA Board of Directors to approve the updated NKGSA GSP Project List – August 2022
    - Upon Approval – To be posted to NKGSA Website

M/S/C (Kienow/Pickens) That the Board of Directors approve the updated Member Agency Projects List to be Incorporated into GSP and Completed Project Summary Table. Ms. Chauhan proceeded with the calling of the roll call vote. (Ayes – Pickens, Kienow, Moeller, Prieto, Jr., Buche, Whalen, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

h. NKGSA Conflict of Interest Code – Update (Dale/Chauhan)

Ms. Chauhan updated the Board on the Conflict of Interest (COI)) Code process:

- 2022 Conflict of Interest Code Reviewed by Legal Counsel
- No Changes Filed with Fresno County

- No Further Action Required at this Time – Next Review Period is 2024

i. Governor's Executive Order N-7-22: Well Permitting Update (Chauhan)

Ms. Chauhan stated the process remains the same. Staff continues to respond to the well permits forwarded by Fresno County.

Well Permits Issued within Fresno County (January – August 2022):

January	20
February	25
March	24
April	32
May	52
June	66
July	49
August (as of 19th)	24
Total	292

AB 2201 (Bennett) – Currently on the legislative floor. Affects new well permits and wells being modified. Codifies the revised permitting process for each and every well permit. Will cause time delays and increased costs. Opposition letters and op-ed pieces are being created to persuade the governor to veto the bill if it makes it through the legislature.

j. Workgroup Updates (Claes)

i. Technical Workgroup (Claes)

Reconvened Technical Committee – Technical Workgroup

- The sub-committee will continue to meet during the DWR's review process of the revised GSP
  - Committee will assist with review of studies committed to in the revised GSP as they are developed including the study on Interconnected Surface Waters on both the Kings and San Joaquin Rivers.

ii. Policy Workgroup (Chauhan)

Workgroup will continue to meet as needed.

9. FINANCIAL MATTERS

a. Discussion / Possible Action – Recommend Approval of Expense Report for May and June 2022 (Koehn)

Ms. Chauhan stated that Ms. Hailey was unable to attend the meeting - Ms. Koehn will present the financial reports.

The expenses were normal and necessary for the month of May. Expenses included Provost & Pritchard, Constant Contact, Atkinson, Andelson, Loya, and Kings River Conservation District. For June, the expenses were for the same vendors with the addition of payment to Fresno Irrigation District for April - June.

b. Discussion / Possible Action – Recommend Approval of the Financial Statements as of May 31, 2022 (Koehn)

Ms. Koehn reviewed the Balance Sheet as of May 31, 2022. It was reported that the Finances as of May 31 are within budget.

At the direction of the Board, items 9. a. and b. were taken as one motion.

M/S/C (Whalen/Kienow) That the Board of Directors approved the Expense Reports for May and June 2022 and approve the Financial Statements as of May 31, 2022. Ms. Chauhan proceeded with calling of the roll call vote. (Ayes – Pickens, Kienow, Moeller, Prieto, Jr., Buche, Whalen, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

c. Review of Draft Financial Statements as of June 30, 2022 (Koehn)

Ms. Koehn provided the draft of the Balance Sheet as of June 30, 2022. Staff did not request approval of the Financial Statement – the auditor has yet to complete its audit. The finalized financial statements will be presented to the Board for consideration at a future meeting.

d. Fiscal Year 2021-2022 Audit Update (Koehn)

Audit is in process. Staff expects it to be completed and brought to the Board by September or October.

10. EXECUTIVE OFFICER REPORT (Chauhan)

a. Department of Water Resources Prop 68 Grant Update

- Savory Pond project completed. Ribbon cutting ceremony held August 19 with DWR, media, and interested parties in attendance. Will allow for up to 900 acre-feet of water to be recharged, which will help the local area
- Savory Pond is the first SMGA implementation project completed with Prop 68 grant funding

b. Outreach / External Affairs Update

- Speaking Engagements:
  - Sons in Retirement – July 13
  - FID Ribbon Cutting – August 19 (Savory Pond)
  - Panelist at the California H2O Women's Conference – September 29 & 30

c. Representative Monitoring Network Update

- Making progress on obtaining construction information on monitoring wells
- Working on filling in data gaps. Growers have volunteered wells for monitoring purposes (Fowler Packing and Marthedal Enterprises)
- Staff looking at current available wells – will determine if any additional wells need to be drilled for monitoring purposes
- Still working on access agreements to allow for monitoring (between FID and growers)
- Continuing to update GIS location map of well permit data within the NKGSA boundaries

d. Miscellaneous

- Groundwater Conditions Update – waiting to receive fall readings to determine the amount of decline since 2021

- Meeting with Undersecretary for Rural Development – Ms. Xochitl Torres Small
    - Learned of potential funding opportunities for the grower and agency levels for groundwater recharge projects
- Biola Recharge Basin – received confirmation that project has been approved to move forward (expect to begin in winter 2022)
- Boundary Flow Study Update
    - Pump Testing to Occur on Wells in October
- Future Investigations
    - Shallow Well Mitigation Study
    - Interconnected Surface Water Investigation
    - Confined Aquifer Pumping Data Gap Evaluation

- Technical Workgroup:
    - Well Registration Program
    - Input on Future Studies

11. DIRECTORS REPORT

Alternated Director Pickens – nothing to report

Director Kienow – stated his gratitude to Directors Prieto and Pacheco for their past and future service

Alternate Director Buche – nothing to report

Director Prieto – received his last irrigation water for the 2022 season

Director Whalen – nothing to report

Director Pacheco – nothing to report

Director Moeller – FID has done a great job in bringing in water. Other districts are experiencing groundwater changes that are having a negative impact.

The Board went into Closed Session at 7:00 pm.

Conference with Legal Counsel – Anticipated Litigation would not be discussed during Closed Session.

CLOSED SESSION

Government Code Section 54957 – Public Employee Performance Evaluation: Executive Officer

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

Closed Session ended at 7:34 p.m.

12. REPORT ON ACTIONS(S) TAKEN IN CLOSED SESSION

Chairman Prieto stated there was nothing to report out of Closed Session.

13. ADJOURNMENT

With nothing further to discuss, Chairman Prieto adjourned the meeting at 7:35 pm.

Submitted by,

Kassy D. Chauhan

Kassy Chauhan, Executive Officer-Secretary/Treasurer