THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
REGULAR MEETING MINUTES FOR
FEBRUARY 22, 2024, AT 6:00 P.M.
2907 SOUTH MAPLE AVENUE – FRESNO, CA

TELECONFERENCE / IN-PERSON MEETING

AGENCIES – DIRECTORS / ALTERNATE DIRECTORS PRESENT
County of Fresno – Director Brian Pacheco
Bakman Water Company – Director Steve Pickens
City of Clovis – Director Matthew Basgall
At-Large Seat 7 (Fowler Packing) – Director Kyle Moeller
City of Fresno – Alternate Director Brock Buche

BOARD SEATS ABSENT
Fresno Irrigation District – Chairman Jerry Prieto, Jr.
Garfield Water District – Director Karl Kienow

MEMBER STAFF PRESENT
Executive Officer Kassy Chauhan – North Kings GSA
Legal Counsel Dave Boyer – Atkinson, Andelson, Loya, Ruud, & Romo
City of Clovis Representative / NKGSA Advisory Committee Chairman – Scott Redelfs
Fresno Irrigation District Representative / NKGSA Fiscal Agent – DeAnn Stork
Fresno Irrigation District Representative – Bill Stretch
Fresno Irrigation District Representative / NKGSA Advisory Committee Vice Chairman – Adam Claes

OTHERS PRESENT (who wanted to be identified for the record)
None

1. CALL TO ORDER

The meeting was called to order by Director Pacheco at 6:00 pm.

2. PLEDGE OF ALLEGIANCE

Director Pacheco led the attendees in the Pledge of Allegiance.

Ms. Chauhan thanked Director Pacheco for standing in for Chairman Prieto, Jr. She also mentioned that no requests for public comment had been received; however, following each agenda item, a call for public participation can be made.

Director Pacheco introduced the legal counsel representative, Mr. Boyer from AALRR, and thanked him for attending the meeting.

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

No changes to the agenda.

4. **REVIEW OF FUTURE MEETINGS**

No changes to future meetings.

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

No public presentations.

6. **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.

7. **ADMINISTRATIVE MATTERS**

   a. **Discussion/Possible Action on Board Meeting Minutes – January 25, 2024**

There were no corrections or suggestions to the January 25, 2024, meeting minutes.

M/S/C (Buche/Pickens) That the Board of Directors approved the minutes of the January 25, 2024, Regular Board meeting as presented by the following vote: (Ayes – Pickens, Buche, Moeller, Basgall, Pacheco; Nays – 0; Absent – Prieto, Jr., Kienow; Abstain – 0)

   b. **Kings Subbasin Coordination Update**

- Continuing work on 3 Primary Data Gap Studies
  - Well Mitigation Program, Confined Aquifer and Interconnected Surface Water
  - Initiated Interbasin ISW effort with Madera for San Joaquin River

- Other GSP corrective actions will follow 3 studies
- Basin level approach identified, then bring to technical committees
- Revised GSPs will be publicly noticed again and re-adopted by Boards
- Water Allocation Framework discussions ongoing
- Collected fall water level readings
    - Held a meeting with the different agencies/individuals who collect groundwater level data to improve consistency and quality control
    - Spring groundwater level data to be collected in March
- Annual report for WY22-23 being prepared
- Tracking State Board process for other basins

Mr. Samuelian provided a significant update on the Domestic Well Mitigation Program, noting that guidelines, rules, and regulations have been established and agreed upon by the King's Basin Coordination Group. These documents are currently being distributed to GSA managers, who will collaborate with their technical committees to review the program outlines. Anticipated comments are expected by early April, with plans to finalize the program in April and present it to the Boards for adoption in May and June. Adoption by each GSA Board is expected no later than July. This program will be included in the GSA update.

Mr. Samuelian reported that he and Ms. Chauhan have maintained good coordination with the Madera Basin regarding the Interconnected Surface Water issue concerning the San Joaquin River. He noted that the Department of Water Resources (DWR) has not offered extensive guidelines or guidance, underscoring the importance of maintaining strong coordination with the Madera Basin. Fortunately, there is alignment in the approach both parties wish to take, which will be beneficial in demonstrating to the state that they are actively engaging with affected stakeholders, especially the Friant Water and San Joaquin River partnership.

c. Water Conditions Update (Claes)

- CVP & San Joaquin River Conditions
    - Millerton Lake Storage: 333,000 af (102% of avg)
    - Friant-Kern Canal – undergoing slow refill after shutdown
    - USBR 2024-25 Initial Allocation
        - Friant System: 60% Class 1, no Class 2

- Kings River Conditions
  - Pine Flat Storage: 705,000 af (156% of avg)
    - Full capacity approximately 1,000,000 af
  - FID storage: 66,000 af
    - Capacity 141,000 af
  - Closely monitoring storage to avoid any potential spills that may occur near May 1

Mr. Claes presented the Tulare Basin 6-Station Precipitation Index for Water Year 2024. The data indicated that from October 2023 to January 2024, precipitation levels were consistently below average, except for February, which surpassed the average. In total, the region has received approximately 75% of the average precipitation.

Mr. Claes presented a chart displaying the snow water content for the Southern Sierra region. The chart indicates that the current snow water content is approximately 65% of the April 1 average, an improvement compared to 2020-2022 but considerably less than the levels observed in 2023.

Kings Snow Conditions & Runoff Forecasts

- Snow Water Content Sensors: 54% of April 1 avg (February 19)

- April – July Runoff Forecasts
  - Department of Water Resources Bulletin 120: 82% of avg (February 20 update)
  - National Weather Service CNRFC: 111% of avg (February 22)

Mr. Claes presented the above Kings snow conditions and runoff forecasts. He noted the Kings River Water Association (KRWA) recognized discrepancies between the numbers from the Department of Water Resources (DWR) and the National Weather Service and the actual water content in the snow. As a result, KRWA is seeking clarification from the DWR and the National Weather Service. Additionally, KRWA plans to conduct a ground snow survey tomorrow, and an Airborne Snow Observatory (ASO) flight over the Kings watershed is scheduled for this weekend, which will provide a more accurate assessment of the water content in the snow. The last ASO flight was conducted on February 1, revealing a measurement of only 300,000 acre-feet of water in the snow. It is hoped that the storms that occurred in February will raise this figure.

d. Advisory Committee Update (Claes)

Mr. Claes reported that the Advisory Committee took the following recommended actions during their last meeting.

Recommended Actions:

- Approval of Expense Reports for December 2023
- Approval of the Financial Statements as of December 31, 2023
- Approval of NKGSA 2024-001 Minimum Well Depth Construction Policy
    - Advisory Committee recommended that the Board approve this policy
- Direction on Monitoring Network Improvements under FY 2023-2024 Budget
    - Includes the addition of automated data loggers

e. Technical Workgroup Update (Claes)

Mr. Claes mentioned that the Technical Workgroup was established to discuss projects and policies before presenting them to the Advisory Committee.

Current Efforts:

- Monitoring Network Improvements
    - Short and long-term
- Domestic Well Mitigation Program
    - Minimum Well Depth Construction Policy
    - Impacts to NKGSA
    - Pilot Program
    - Funding Options for Pilot
- Well Intake Portal
- Water Quality Monitoring Network Improvements

f. Discussion/Possible Action on Approval of NKGSA Policy 2024-001 – Minimum Well Depth Construction Policy (Chauhan)

Ms. Chauhan presented NKGSA Policy 2024-001 for board consideration to establish minimum well depths for newly constructed wells within the NKGSA boundary. The purpose of the policy is to provide minimum depth standards for the construction of new wells with consideration of anticipated future GW elevations within the NKGSA. The

policy is needed for the following reasons:

- GSP includes Glide Path Approach to Sustainability and Allows GW Levels to Decline
- Need to Mitigate for GW Uses and Users Impacted by Declining GW Levels
- Implementing a Domestic Well Mitigation Program in Future
- Stop the Bleeding

- Other Considerations
  - Ministerial Permit Process – Drilling New Wells
  - Cannot Deny Drilling, But CAN:
    - Limit Pumping
    - Limit Available Resources from NKGSA – For Wells Not Drilled to Standard
  - Since January 2020 – No Shallow Wells
  - Review Only of Domestic Well Permits – Limited Opportunity to Provide Comment
  - Policy Memorializes the NKGSA Standard – Controls Future Liabilities and Responsibilities

Ms. Chauhan stated that the Technical Workgroup, Advisory Committee, and legal counsel have reviewed the policy, and is now ready for recommendation to the Board for adoption. This policy establishes a minimum well depth requirement for new wells drilled within the NKGSA boundary. Its primary objective is to ensure that wells are initially drilled to an adequate depth, thereby avoiding the need for future mitigation due to the risk of the well going dry. Ms. Chauhan also noted that she does not anticipate a significant impact on landowners within the GSA. She explained that she already reviews all permit applications for new wells within the NKGSA boundary, and all proposed wells are intended to be drilled much deeper than the minimum thresholds set by the policy.

Director Pacheco inquired about the range of well depth requirements and expressed surprise at the existence of areas within the GSA where water could be reached in less than 30 feet. Ms. Chauhan confirmed that there are very shallow wells in the northeast area but clarified that even in this area, wells are proposed to be drilled at depths of at least 100 to 200 feet.

Director Pacheco further inquired about how individuals will know the minimum depth

requirement when drilling a well and whether this information will be provided to them. Ms. Chauhan explained that information will be available on our website and will also be communicated during the well review process to ensure compliance with the policy and minimum depth standards.

Director Buche raised concern regarding the minimum well depth requirements, particularly in the context of potable wells, noting that DWR typically requires a 50-foot seal for potable wells. Ms. Chauhan affirmed this requirement and emphasized that all well standards are in addition to the minimum depth established by the policy.

Director Buche suggested that the policy should include the DWR's 50-foot seal requirement to avoid potential misinterpretations. Ms. Chauhan agreed and expressed willingness to incorporate a statement regarding the other well standards as well as additional requirements related to groundwater sustainability.

Director Buche inquired about the creation of an exhibit to communicate the minimum depths across the GSA. Ms. Chauhan confirmed that there will be a tool available for the public to use. She explained that they currently possess a table from their GSP detailing well locations, minimum thresholds, and measurable objectives for those wells. This data will be transferred onto a map. However, they would still need to verify with the GSA to ensure they have interpreted the map correctly.

Director Buche expressed concern about a well being drilled to the minimum requirement without the effects of drawdown being considered. Ms. Chauhan clarified that drawdown was not discussed during the Technical Workgroup or Advisory Committee meetings, but DWR standards were. She noted that the County conducts a review to determine the influence of other wells in the area when drilling a new well. Ms. Chauhan proposed citing regulations covering these two areas. Mr. Claes pointed out that the policy contains language that places the responsibility on the well owner and the well driller to conduct research to ascertain the depth required below the minimum threshold.

Director Buche inquired about the sufficiency of the verbiage for legal defense. Mr. Boyer responded affirmatively, stating that referencing the DWR regulations and the County guidance should be sufficient.

M/S/C (Buche/Moeller) That the Board of Directors approved the NKGSA Policy 2024-001 – Minimum Well Depth Construction Policy as presented by the

following vote: (Ayes – Pickens, Buche, Moeller, Basgall, Pacheco; Nays – 0; Absent – Prieto, Jr., Kienow; Abstain – 0)

g. Well Registration Tool Launch Schedule Update (Chauhan)

- Roll Out Schedule – February/March 2024
- Portal Accessible on NKGSA Website Home Page – February 2024
- Well Registration Educational Webpage Live on NKGSA Website – February 2024
- Email Blast Via NKGSA and FID email distribution lists – February 2024
- Coordination with Fresno County White Area Landowners – Re-engagement
- Full Launch – April – December 2024

Ms. Chauhan reported that they are prepared to launch the well registration tool, with Provost & Pritchard working on developing messaging to announce its availability on the NKGSA website. The soft launch is scheduled through March, while the full launch will span from April to December 2024. At the end of this period, they will assess the amount of information collected and determine the next steps for the well registration program.

h. Well Permitting Update (Chauhan)

Ms. Chauhan reported that to date 16 domestic and 5 agricultural well permit applications have been reviewed. She noted that the number of permits issued is lower compared to the same time period in recent years. Ms. Chauhan highlighted the positive relationship building with the well drillers and the sharing of information, including the new well policy. She also mentioned speaking with Fresno County Environmental Health about having a webinar to inform well owners about the available well drilling information.

All Well Permits Issued	Agricultural Wells	Domestic Wells
January	4	15
February (to date)	1	1
Total	5	16

- 2023: 293 permits were issued

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8. **FINANCIAL MATTERS (Stork)**

   a. **Discussion/Possible Action – Approval of the Expense Reports for December 2023**

Mrs. Stork reported that December was a typical month with routine expenditures.

M/S/C (Pickens/Basgall) That the Board of Directors approved the Expense Reports for December 2023, as presented by staff, by the following vote: (Ayes – Pickens, Buche, Moeller, Basgall, Pacheco; Nays – 0; Absent – Prieto, Jr., Kienow; Abstain – 0)

   b. **Discussion/Possible Action – Approval of the Final Financial Statements as of December 31, 2023**

Mrs. Stork presented the financial statements as of December 31, 2023, noting that this marks the halfway point for the financial statements.

M/S/C (Buche/Basgall) That the Board of Directors approved the Final Financial Statements as of December 31, 2023, as presented by Staff, by the following vote: (Ayes – Pickens, Buche, Moeller, Basgall, Pacheco; Nays – 0; Absent – Prieto, Jr., Kienow; Abstain – 0)

   c. **Fiscal Year 2023-2024 Budget Revise and Proposed Fiscal Year 2024-2025 Proposed Budget Update**

Mrs. Stork stated that they are currently working on the revised budget for this year and the new budget for next year. The budget will include utilizing the $25,000 for the monitoring network of wells as presented to the Advisory Committee.

Ms. Chauhan informed the Board that they are advancing the schedule for the revised budget and proposed 2024/2025 budget by a month or two. This adjustment is necessary due to the requirement to implement a domestic well mitigation program, which currently lacks budget allocation in the current financial plan.

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9. EXECUTIVE OFFICER REPORT (Chauhan)

a. 2023 Year in Review and 2024 Priorities Discussion

Highlights for 2023:

- Approved GSP – Kings Basin
- Historic Kings River Water Year and more than 200,000 AF of water recharged in NKGSA boundary – Reduced Groundwater Pumping
- Development of Well Intake Portal – Better data and better management
- Adoption of New Policies
    - The adoption of financial policies help the GSA maintain a strong financial position
- Representative Monitoring Well Data Collection
    - Improvements will continue moving forward
- Stakeholder Engagement – Social Media
- Review of Well Permit Applications and Planning Documents
    - Reviewed over 300 applications
- Updated Project List – Solicitation
- Implementation Projects Completed – 1 – Biola CSD Basin and Started Two More – Kenneson/Sanchez Basin (FID) and Kerman Lions Park
- Water Supply Agreements: Biola CSD, Malaga CWD, Pinedale CWD and City of Kerman
- Speaking Engagements

Priorities for 2024:

- Completing the Required Studies per GSP Approval from DWR
- Implementing and funding a domestic well mitigation program
- Monitoring Network Improvements
- 2023 Annual Report to DWR by April 1
- Launch of Well Intake Portal
- Preparing and releasing a revised GSP for public comment
- Submittal of revised GSP – January 2025
- Review of Member Agency Mitigation Targets and Efforts and Progress to Address Overdraft
- Continued Outreach and Stakeholder Engagement
- Engage with Elected Officials and Policy Makers
- Routine Engagement with NKGSA Board of Directors

b. Kings Basin Special Studies Update

Ms. Chauhan stated that an update on the studies were discussed earlier and proceeded to provide an overview of the SGMA Implementation Projects.

c. SGMA Implementation Projects Update

- Biola Community Services District – Biola Recharge Project
  - Completed by 4/2024
- FID – Temporary Pumps at FMFCD Basins; Interconnect FMFCD Basins; Future Basins; Kenneson-Sanchez Basin this fall
- Malaga County Water District
  - FMFCD Basin Intertie Project and Water Supply Agreement
- City of Kerman – Lions Park Intertie and Meter
  - Materials have been ordered
- Fresno State – Coordination Efforts

Ms. Chauhan mentioned that they have reengaged with the new Fresno State farm manager and are actively seeking data related to the farm. The objective is to assist them in optimizing their utilization of surface water supplied by FID, thereby reducing the need for pumping. Additionally, they have identified a few locations suitable for storing water for recharge benefits.

d. Outreach / External Affairs Update

- Social Media
  - Continue to stay engaged and post information on social media, including details about meetings and activities
  - Next grower spotlight will be on Fairmont School
- Website
- Email Distribution

e. Representative Monitoring Network Update

- Short-Term

- Work with DWR to Complete the TSS Well
- Data Loggers and Telemetry
  - Direction to add at up to 10 monitoring wells – Cost - $20,000.00
  - Complete Well Video of 1 Remaining SMC Well

- Long Term
  - Add Up to 48 New Dedicated Monitoring Wells to the Network
    - Develop 3-to-5-year plan – starting FY 2024/2025
    - Begin drilling dedicated monitoring wells in Fall 2024 – dependent upon available budget.

Ms. Chauhan reported that at the direction of the Advisory Board, they will be allocating project funds to add telemetry to up to ten monitoring locations with historical data collection issues. Additionally, construction information is being gathered for a well in a critical area of the northeast portion of the District to ensure accurate data collection. A monitoring well, funded by DWR's technical services contract, is expected to be completed in the spring. The Technical Workgroup will be developing a plan to establish a dedicated monitoring network, combining existing wells with new ones drilled specifically for the GSA's needs.

f. Miscellaneous

- Additional Water Supply
  - Big Dry Creek Reservoir Reoperation – Fresno County Stream Group Project
    - Federal Cost Share Agreement with ACOE – Executed on February 7, 2024
      - ACOE, FMFCD – FID, Clovis, and Fresno
- Friant Kern Canal Turnout Project

Ms. Chauhan presented a picture of Colonel Chad Caldwell of the Army Corps of Engineers Sacramento District and Peter Sanchez of Fresno Metropolitan Flood Control District General Manager signing the agreement at the Army Corps Sacramento District office.

10. DIRECTORS REPORT

Director Pickens – nothing to report

Director Kienow – nothing to report

Director Prieto – nothing to report

Director Basgall – nothing to report

Director Moeller – nothing to report

Director Pacheco – nothing to report

Director Buche – stated that after last year's rainy season, groundwater levels within the City of Fresno rose 4.5 feet

11. ADJOURNMENT

With nothing further to discuss, Vice-Chairman Pacheco adjourned the meeting at 6:54 pm.

Submitted by,

Kassy Chauhan

Kassy Chauhan, Executive Officer-Secretary/Treasurer