THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
REGULAR MEETING MINUTES FOR
MAY 23, 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
Fresno Irrigation District – Chairman Jerry Prieto, Jr.
Garfield Water District – Director Karl Kienow

BOARD SEATS ABSENT
None

MEMBER STAFF PRESENT
Executive Officer Kassy Chauhan – North Kings GSA
Legal Counsel Andrew Aller – 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

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

1. CALL TO ORDER

The meeting was called to order by Chairman Prieto at 6:00 pm.

2. PLEDGE OF ALLEGIANCE

Chairman Prieto led the attendees in the Pledge of Allegiance.

Ms. Chauhan reviewed the teleconference procedures that needed to be adhered to since meeting attendance was being offered virtually to members of the public. Ms. Chauhan welcomed the participation from anyone participating from the public.

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

No changes to the agenda.

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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

Ms. Sue Ruiz, who works for Self-Help Enterprises, stated that she and staff sought a better understanding of water, prompting them to visit the City of Fresno's Southeast Surface Water Treatment Plant (SESWTP) on a field trip today. She praised Russ Guilliams from the City of Fresno's Southeast Surface Water Treatment Plan (SESWTP) for his informative tour and deep knowledge about the plant's history. The tour emphasized the importance of collaboration, fostering relationships, and forward-thinking planning, which have contributed to the plant's success. Additionally, she mentioned that the City has reduced its groundwater dependency by about one-third. Alternate Director Buche noted that they previously relied entirely on groundwater, but now it is down to 40% reliance on groundwater to meet demands due to the operation of surface water treatment plants within the City of Fresno.

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]

Director Pacheco clarified that although he does not perceive a conflict, he wanted to publicly disclose that, as a County Supervisor, he serves on multiple GSAs for the County, including the McMullin AreaGSA (MAGSA). In the Executive Officer's report, there is a letter concerning the MAGSAAquaterra Underground Water Bank project and he believes it to be an informational item only, not an action item, so no conflict of interest. Chairman Prieto concurred.

7. ADMINISTRATIVE MATTERS

a. Discussion/Possible Action on Board Meeting Minutes – February 22, 2024

There were no corrections or suggestions to the February 22, 2024, meeting minutes.

Chairman Prieto and Director Kienow both abstained from voting because they did not attend the last meeting.

M/S/C (Buche/Basgall) That the Board of Directors approved the minutes of the February 22, 2024, Regular Board meeting as presented by the following vote: (Ayes – Pickens, Buche, Moeller, Basgall, Pacheco; Nays – 0; Absent – 0; Abstain – Prieto, Kienow)

b. Update on NKGSA Board of Directors Official Roster – New Fresno Irrigation District Appointed Alternate Director (Chauhan)

Ms. Chauhan stated that there was a request to change Fresno Irrigation District's (FID) appointed Alternate Director position for the NKGSA Board from Director Chris Woolf to FID's Board President Ryan Jacobsen.

c. Kings Subbasin Coordination Update

- Well Mitigation Program reviewed by Technical Advisory Committee, revisions made, out to GSA boards for adoption (June / July 2024)
    - Coordinated proposal for Administration of program for North, North Fork, Kings River East, and Central
- Interconnected Surface Water coordination on San Joaquin River and Kings
    - Interbasin coordination with Madera Basin, USBR and Friant Water Authority
- GSP Revisions for other corrective actions initiated
    - Draft redline GSPs to Technical Advisory Committees in August
    - Public comment Period in October, with adoption in December/January for submittal to Department of Water Resources (DWR) by January 31, 2025
- Water Allocation Framework discussions ongoing
    - North Fork continues to drive this effort
- Tracking State Board process for other basins
- Spring 2024 water level readings collected

Mr. Samuelian reported that the issue of Interconnected Surface Water continues. Monthly meetings are ongoing, with the next scheduled for a week from Monday. They plan to present a coordinated scope between the basins, communicating to Department of Water Resources (DWR) that there is still a lot of work Friant and the Bureau of Reclamation need to do to provide us with information on the actual losses on the river.

Only then can our GSAs begin to consider what portion of those losses may be caused by groundwater pumping.

Mr. Samuelian presented the charts below and reported that the Kings Basin Annual Report was submitted on March 29, 2024.

Mr. Samuelian noted that the average surface water deliveries in Kings Basin amount to about 1.2 million acre-feet annually. Last year, combining direct use with managed recharge, it totaled about 1.9 million acre-feet, 700,000 acre-feet above average. However, in the years 2020-2022, the combined surface water delivery was only 1.8 million acre-feet, falling short of the average by 1.8 million acre-feet average annual deliveries. That means the Kings Basin is currently be about 1.1 million acre-feet behind, nearly a full year's worth, if we consider the period starting from 2020. Essentially, while 2023 was a remarkable water year, it does not compensate for the deficits of the preceding dry years.

Table 2-3 – Kings Subbasin Surface Water Use (WY2023)

Water Use	Volume (AF)
Direct Use	1,286,000
Managed Recharge	651,000
Total	1,937,000

Water Year	% Historical Diversions	Water Year Type
2015	20%	Dry
2016	75%	Normal
2017	158%	Wet
2018	100%	Normal
2019	151%	Wet
2020	75%	Normal
2021	23%	Dry
2022	47%	Dry
2023	**155%**	**Wet**
Average	102%	Normal

Mr. Samuelian presented the below schedule for the studies and GSP revisions.

TASK	2023					2024												2025
	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J
Confined Aquifer Study																		
ISW Studies																		
Basin Domestic Well Mitigation Program																		
GSA Specific Domestic Well Mitigation Plans																		
GSP Language Revisions																		
Admin Draft GSPs and Periodic Eval (PE) to GSAs																		
Draft GSPs & PE Posted for Comment																		
Draft GSP Revisions																		
Final GSP & PE Adoption by GSA Boards																		
GSP Posting to SGMA Portal																		

Ms. Chauhan stated that Mr. Claes had a conflict so she will be presenting the Water Conditions Report.

d. Water Conditions Update

A Lot of Changes Since End of February!

- March 1 Snow Survey: 68% of April 1 average
  - *It is going to be a dry year*
- Then weekly late March/early April storms
- April 1 Snow Survey: 90% of April 1 average
  - *It is going to be almost an average year*
- Today: 100% of average April-July runoff projected
  - *A statistically exact average year happens 1x every 120 years*

Ms. Chauhan used the analogy of 2023 was an A++ water year, concluding at 243% of the average. Prior to that, we were in the F- category, and this year we are at a C.

Kings River Conditions

- "Internal" Flood release: May 5 – 15 (11 days)
  - No water spilled to Mendota Pool
- Pine Flat Storage: 959,000 AF (96% full, rising ~3k AF per day)
  - Pine Flat Capacity is 1,000,000 AF
  - Anticipated to peak at end of May
- FID storage: 136k AF
  - Plan to fill FID's 141k AF max "bucket" by end of May

San Joaquin River / Friant Conditions

- USBR CVP Friant "Uncontrolled Season" declared May 1-28
- Goal: offer lots of cheap water to Friant contractors to keep Millerton Lake from spilling
    - Millerton Lake Capacity 500,000 AF
- FID's Strategy
    1. Utilized Kings River flood releases until those ended May 15
    2. Bulk import of "Uncontrolled Season" CVP Friant water through May 16-28
    3. Decrease FID's Kings River demands (by taking more CVP Friant water) to fill FID's Pine Flat storage "bucket" by May 28

FID's 2024 Irrigation Season

- District-wide deliveries began April 1
- Continue through August (5 months)
- Deliver ~500k AF
- FID "Norm": 5 months & 500k AF

Ms. Chauhan stated that this water delivery season and water year are expected to be average.

A Director inquired about the allocation of storage given FID's 141,000 acre-feet and Pine Flat's total of one million acre-feet. Ms. Chauhan explained that the Kings River Water Association (KRWA), comprising of twenty-eight member agencies, collectively shares Pine Flat's storage. The remaining 859,000 acre-feet would be divided among the other twenty-seven agencies according to the agreements at KRWA.

e. Advisory Committee Update

Mr. Redelfs reported that the Advisory Committee met on May 3, 2024, and that they engaged in lengthy discussion on the Well Mitigation Program, which is progressing expeditiously. It is anticipated to have a recommendation and approval of the program at the next advisory committee and board meetings in June 2024. Additionally, he stated that they took the following recommended actions.

Recommended Actions:

- Approval of Expense Reports for January – March 2024
- Approval of the Financial Statements as of March 31, 2024
- Approval of the Revised FY 2023-2024 Budget

f. Technical Workgroup Update

Current Efforts:

- Every 3 weeks since End of 2023
- Domestic Well Mitigation Program
    - Impacts to NKGSA
    - First Year and Long-Term Funding Options and Recommendations
    - Drafting Policy for Well Mitigation
    - Review and Comment on the Kings Basin Rules and Regulations

Ms. Chauhan stated that the Technical Workgroup is focused on the Domestic Well Mitigation Program. They are drafting a policy for the Board's consideration, which establishes the program's purpose and the Board's intent to mitigate for domestic wells impacted by declining water levels. Additionally, they are working on a recommendation for funding the program.

Domestic Well Mitigation Program

- Kings Basin Completed Draft Guidelines and Rules and Regulations – April 2024
- GSAs to Adopt Policy, Rules and Regulations and Commit Funding to First Year Implementation – May-July 2024
- Secure Admin Support contract, vendor contracts – August – September 2024
- Program Begins – October 1, 2024

NKGSA Policy 2024-002 Domestic Well Mitigation Program

- Purpose: To implement the rules and regulations for mitigation of domestic wells that go dry because of lowering of groundwater levels within the NKGSA.

Mr. Samuelian presented a draft copy of the Domestic Well Mitigation Policy. He believes each GSA may handle it slightly different, but each GSA Board will adopt a policy that states the implementation of the Kings Basin Rules and Regulations for the Domestic Well Mitigation Program.

- Rules and Regulations:
    - Eligibility
    - Process
    - Cost-Share – Determined based on age of well
        - Grant/Loan

Mr. Samuelian presented a final draft of the general eligibility requirements for the Kings Basin Domestic Well Mitigation Program Rules and Regulations, which focus on domestic wells or small community systems (5 to 15 connections). He mentioned that the program recommends prorating reimbursement based on the age of the well. Additionally, a GSA may consider providing bridge funding for those unable to pay for their portion of the well. He noted that there will be an income limit or threshold, and the program will not be applied retroactively. It will be effective starting October 1, 2024.

Mr. Samuelian showed a final draft of a flow chart detailing how claims and the well evaluation process will work.

- Domestic Well Mitigation Program – Current Efforts
    - Administrative Support
        - Cost-Sharing Option with Other GSAs
            - Provost & Pritchard
            - KRCD

    - First Year Implementation Funding Proposal
        - $500,000 – Proposed Seed Funds
        - Long Term
            - Evaluating Alternatives

Mr. Samuelian stated that most GSAs are considering using individual pots of money initially. The program's first year is challenging due to water level fluctuations and the uncertainty of future conditions. Predicting specific funding needs is difficult, but most GSAs are looking to provide around $500,000 in seed money to kick-start the program.

Mr. Samuelian noted that the administrative proposal was presented by Provost & Pritchard, and it is being considered by the GSAs in coordination with KRCD.

Ms. Chauhan added a couple of points. First, regarding the expedited timeline, she mentioned that several directors questioned the speed of moving through initial funding

and long-term funding. The urgency stems from the board's commitment through the GSP process, revised and resubmitted in January 2022, to implement a domestic well mitigation program. The DWR's approval letter emphasized the need to not only adopt a program but also to begin mitigating by the January 2025 report. This accelerated the timeline, prompting a first year of implementation to gain experience. While challenging, this phase allows meeting obligations under the DWR determination letter and planning for longer-term, more complex funding needs.

Alternate Director Buche inquired whether the rules and regulations were collectively developed by the GSAs. Mr. Samuelian confirmed that they were, having undergone review by each GSA's Technical Advisory Committees and are now being considered at the Advisory Committee or Board level of each GSA.

Ms. Chauhan stated that in June they will present the policy, 2024-2025 budget proposal, and the rules and regulations to the Board. She clarified that each GSA will have their own policy which will be consistent with the rules and regulations. Mr. Samuelian mentioned that the rules and regulations will be referenced or incorporated directly into the GSP.

Alternate Director Buche expressed concerns about not having enough time to review the rules and regulations before adoption. Ms. Chauhan explained that the established process for North Kings involves working through Technical, Advisory, and Board levels. The rules and regulations have been discussed for a few months at the Advisory Committee level, with a detailed presentation last month. At the June Board meeting, they will recommend a policy to mitigate for domestic wells impacted by declining water levels, suggest an initial first-year funding amount, and recommend the rules and regulations. Ms. Chauhan also stated that once the Advisory Committee is ready to make a recommendation, she will forward a supplemental report so the Board can review the information a couple of weeks before the Board meeting.

g. Well Registration Update (Chauhan)

- Launched –March 2024

- Portal Accessible on NKGSA Website Home Page
- Email Blast Via NKGSA and FID email distribution lists
- Coordination with Fresno County White Area Landowners – Re-engagement

- FID Grower Meetings
- Batch Upload Option for those with many wells
    - Continue Campaign

Ms. Chauhan stated that they are encouraging people to voluntarily provide their well information. She mentioned receiving a few calls and visits, which has led to an increase in registered wells. She encouraged the Board to refer anyone needing assistance to her, as she would be happy to help.

Ms. Chauhan mentioned that a $1.3 million WaterSMART grant has been secured specifically for FID growers. We have the opportunity to prioritize funding for those who register and apply for a measurement device, such as a well meter or soil moisture sensors. This incentive aims to encourage well owners within the FID service area to participate and register their wells.

h. Well Permitting Update (Chauhan)

Ms. Chauhan reported that the number of well permits has significantly decreased, indicating improvements in the water level over the past year.

All Well Permits Issued

January	5
February	2
March	11
April	8
May	4
Total to Date	30

- 2023: 293 permits were issued

8. FINANCIAL MATTERS (Stork)

a. Discussion/Possible Action – Approval of the Expense Reports for January 2024, February 2024, and March 2024

Ms. Stork reported that January, February, and March were typical months with routine expenditures.

b. Discussion/Possible Action – Approval of the Financial Statements as of March 31, 2024

Ms. Stork presented the financial statements as of March 31, 2024.

M/S/C (Kienow/Buche) That the Board of Directors approved the Expense Reports for January 2024, February 2024, and March 2024, and the Financial Statements as of March 31, 2024, as presented by Staff, by the following vote: (Ayes – Pickens, Prieto, Jr., Kienow, Buche, Moeller, Basgall, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

c. Discussion / Possible Action – Revised Fiscal Year 2023-2024 Budget

Ms. Stork presented the revised budget, outlining all the differences.

M/S/C (Pickens/Kienow) That the Board of Directors approved the Revised Fiscal Year 2023-2024 Budget, as presented by Staff, by the following vote: (Ayes – Pickens, Prieto, Jr., Kienow, Buche, Moeller, Basgall, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

d. Interested Parties Invoices Update

Ms. Stork stated that invoices were sent out to the interested parties. She noted that we have received checks from Pinedale Community Service District and Malaga County Water District.

9. EXECUTIVE OFFICER REPORT (Chauhan)

a. 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.

b. SGMA Implementation Projects Update

Ms. Chauhan mentioned that the Malaga County Water District intertie project with Fresno Metropolitan Flood Control District basin is currently underway and nearing completion. Additionally, Pinedale County Water District finalized an agreement with Fresno Irrigation

District for a small water supply to recharge at basin DH, which commenced for the first-time last month. The City of Kerman has completed their Lions Park recharge project; they have recently received and installed the meter, enabling them to measure the water supply they obtain from FID.

Ms. Chauhan stated that they are continuing their collaboration with Fresno State on coordination efforts. They have appointed a new farm manager, and we are holding meetings approximately every 4 to 6 weeks to ensure they are progressing towards meeting their mitigation targets and implementing necessary changes on the farm. These changes primarily aim to offset the pumping at their wells for Fresno State's farm operations.

Ms. Chauhan also noted that FID completed their Kenneson-Sanchez Basin, which added forty-seven additional acres for groundwater recharge.

Chairman Prieto asked if Fresno State expanded their surface water usage. Ms. Chauhan explained that they have not yet. She acknowledged a learning curve, especially for the new farm manager, despite the presence of an experienced operations manager. The new manager is engaged and interested, with productive meetings thus far. They are working within the CSU system to leverage funds for on-farm improvements and prioritize surface water usage. Additionally, they are exploring water storage options, including utilizing a small basin in sandy soil areas where crops need removal.

c. Outreach / External Affairs Update

- Social Media
  - Continuing to have a strong presence on social media
- Website
  - Continuing to provide updates on our website
- Email Distribution
  - Provide information regarding the GSA monthly
- NKGSA On the Move
  - FAACT Class – Fresno County Farm Bureau
  - FID Grower Meetings – April 30-May 2
  - ACWA Panel Discussion – May 8
  - DWR SGMA Forum – May 23

Ms. Chauhan stated that they are currently developing a tool in response to our newly adopted minimum well depth construction policy. This tool will streamline access to information regarding monitoring, well depth recommendations, and water levels by allowing users to simply input their address. Developed in collaboration with Provost & Pritchard, this tool aims to be user-friendly, enabling individuals to find answers quickly without the need for phone calls.

d. 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
    - 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 stated that they are focusing on improving our representative monitoring network, recognizing its critical role in understanding water levels. As part of budget discussions, we are collaborating with the Advisory Committee to allocate funds for this purpose. Our goal is to transition to a network with dedicated monitoring wells over the next 3 to 5 years, ensuring more accurate and consistent data collection compared to our current reliance on existing wells. This investment will enhance the reliability of our monitoring efforts, aligning with our long-term objectives for water management.

e. Miscellaneous

- Spring 2024 Water Level Measurements – Improvements
  - Completed in March and we are seeing improvements in groundwater levels.
- MAGSA Aquaterra Water Bank Project – Initial Study/Mitigated Negative Declaration Draft Docs and Comment Letter
- Proposed Legislation
  - AB2079 (Well Drilling)
  - AB828 (SGMA Exemptions)

- Additional Water Supply:
  - Big Dry Creek Reservoir Reoperation
    - Fresno County Stream Group Project
    - Enable conservation storage
  - Friant-Kern Canal Turnout Project

Ms. Chauhan highlighted concerns regarding proposed legislation, specifically mentioning AB2079 introduced by Assembly Member Bennett. This bill aims to restrict the drilling of large diameter wells, defined as eight inches or greater, affecting most public water system wells and agricultural wells. Notably, domestic wells are excluded from these restrictions. The bill, sponsored by the Department of Water Resources, is expected to pass despite significant opposition efforts. Ms. Chauhan reported that the bill has recently passed the Assembly and is now headed to the Senate floor.

Ms. Chauhan expressed concern about another piece of legislation, AB828 by Assembly Member Connolly. This bill essentially carves out exceptions within SGMA, restricting GSAs from implementing extraction limitations and fees for small community water systems and wetlands. This erosion of local control provided by SGMA through such carve-out bills is troubling, as they undermine the authority granted to local agencies.

Ms. Chauhan provided updates on two projects: the Big Dry Creek Reservoir reoperation and the Friant Kern Canal turnout project. The former, a Fresno County Stream Group initiative, aims to reoperate the basin in northeast Fresno to enable conservation storage. The latter involves constructing a new turnout on the Friant-Kern Canal, facilitating the diversion of flood releases from Millerton Lake to Big Dry Creek Reservoir during flood events. This year's conditions highlight the significance of the turnout project, which will serve as a practical example of utilizing infrastructure to manage water resources effectively.

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 – said that we were talking about the success of the City getting, expanded use of surface water and long-range planning. Long-range planning is just a continued commitment, but the City of Fresno will be, so that we can meet demands today and the future of sustainability.

11. ADJOURNMENT

With nothing further to discuss, Chairman Prieto adjourned the meeting at 7:08 pm.

Submitted by,

Kassy D. Chauhan

Kassy Chauhan, Executive Officer-Secretary/Treasurer