THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
REGULAR MEETING MINUTES FOR
JUNE 27, 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
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 6:01 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

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. FINANCIAL MATTERS (Stork)

a. Discussion/Possible Action – Approval of the Expense Reports for April 2024

Ms. Stork reported that April was a typical month with routine expenditures.

Ms. Chauhan informed the Board that the Advisory Committee reviewed all the financials and is recommending approval of the financial documents.

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

b. Discussion/Possible Action – Approval of the Financial Statements as of April 30, 2024

Ms. Stork presented the financial statements as of April 30, 2024.

M/S/C (Basgall/Pickens) That the Board of Directors approved the Financial Statements as of April 30, 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 – Consider Fiscal Year 2024-2025 Proposed Budget

- Overall Income - $783,113.20
  - Interested Parties (2023-2024) - $7,113.20
  - Member Assessments - $776,000.00
- Expenses
  - Kings Subbasin Coordination
    - Groundwater Pumping Estimations
    - San Joaquin River Interconnected Surface Water Efforts
    - Annual Reporting – Due April 1st
    - Basin Coordination and GSP Revisions
  - Professional Services
    - Engineering Consultant
      - Ongoing Technical Assistance
      - GSP Specific Revisions
      - Annual Report – Specific to NKGSA
      - Staff Support
  - Public Information/Public Affairs
    - Provost & Pritchard External Affairs Team
      - Routine – E-news Updates; Social Media, Website
      - Special Campaigns
      - Annual Report Outreach, Well Registration Outreach, Other
  - Project Costs
    - Domestic Well Mitigation Program – $500k
      - First Year Implementation Funding Recommendation:
        - $500,000 – Existing Cost Share for Member Agencies
          - $125k - FY 24-25 Budget
          - $375k – Reserves

- $300k – Operating Reserves
- $75K – Excess from FY 2023-2024 Budget (Approx. $58k and $25k – Interest Income)

- Use of Operating Reserves:
  - All Budgeted Revenues Expended First
    - Monthly Reporting on Funds Expended
    - Notification to Board of Directors/Advisory Committee when need to pull from reserves

Ms. Chauhan reported that the Technical Work Group and Advisory Committee put in substantial effort to determine the appropriate level of funding for the first year of the Domestic Well Mitigation Program. Due to the mandate from the Department of Water Resources as a condition of the GSP approval, mitigation for impacted wells must start by January 2025, necessitating a program with dedicated funding. Ms. Chauhan also mentioned that it is currently impossible to determine the actual costs for the Domestic Well Mitigation Program due to numerous factors. Given the scope of the problem, mitigating for all 489 wells could potentially cost up to $12 million, making the proposed $500,000 seems like an appropriate initial funding level. The Technical Work Group and Advisory Committee both approved moving forward with recommending $500,000 for the initial first year.

- Representative Monitoring Network – $200k
  - Multi-Year Program
    - Add 48 Dedicated Monitoring Wells to Create a 3-mile grid for Monitoring Network
      - Total Cost $3.6 million

- Staff Costs
  - Executive Officer
  - Support Staff
    - Fiscal Agent, Secretary, Administrator, FID Engineering Technician, and GIS Specialist

- Total Expenses – FY 2024-2025
  - $1,183,000.00
  - Net Operating Income: -$399,886.80

Comparison of Total Budgets:

Budget Year	Total Member Agency Contributions
2019-2020	$746,000.00
2020-2021	$677,000.00
2021-2022	$677,000.00
2022-2023	$629,000.00
2023-2024	$253,950.00**
2024-2025	$776,000.00

** 50% from Contributions and 50% from Balances
23% increase compared to 2022-2023 Total Contributions

- Recommendation
    - Approval of the FY2024-2025 Proposed Budget to the NKGSA Board of Directors including provision to allocate $375k from reserves/participation balances to cover projected expenses.
        - Reviewed and recommended by the Advisory Committee

Director Buche expressed concern about committing to a half-million-dollar program without sufficient support, documentation, and understanding of its implications. Director Buche suggested it would be more prudent to complete the initial year of well replacements before asking member agencies for additional funds. Staff emphasized the importance of securing these funds for the first year to demonstrate a clear commitment to the program to the Department of Water Resources (DWR). Staff also explained that any unused funds will be rolled over into participation balances, earmarked for future years of implementing the domestic well mitigation program. As a result, less funding may be needed in the second and future years of the program.

Director Pacheco inquired about the negative impact if the mitigation program is not implemented. Staff explained that failing to establish the program would mean not addressing a corrective action outlined by DWR in our GSP determination letter, potentially jeopardizing our approved status and leading to probation, which we want to avoid. It was also noted that this program is the cost of maintaining local control, something that has been vigorously defended.

Director Kienow inquired about the number of wells that meet the criteria in the mitigation program and whether there is a registration deadline. Ms. Chauhan explained that while the wells do need to be registered to be considered eligible for the domestic well mitigation program, there is no specific deadline. The best estimate is 489 wells. Provost & Pritchard spent considerable time evaluating well logs and levels, but due to the poor data quality, this is a conservative estimate of potentially impacted wells.

Director Pacheco noted that the county participates in all GSAs throughout the basin and contributes funds to each. While there is little enthusiasm for additional contributions, this proposal is considered well thought out, and it is believed that approaching the situation from a position of strength is crucial. Despite any reservations, the proposal is seen as a necessary step. It has been thoroughly discussed among county staff, who fully support it as presented. The proposal is viewed as an obligation and a means to maintain local control.

M/S/C (Pacheco/Basgall) That the Board of Directors approved Fiscal Year 2024-2025 Proposed Budget, as presented by Staff, by the following vote: (Ayes – Pickens, Prieto, Jr., Kienow, Buche, Moeller, Basgall, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

Chairman Prieto thanked staff for their hard work and expressed his belief that the passing of this motion will help the GSA remain in compliance.

Director Pacheco expressed gratitude for the staff's efforts in reallocating funds from the reserves, which minimized each agency's outlay. This approach was acknowledged as being well thought out, making the most of the funds already contributed.

d. Interested Parties Invoices Update

- Contributing Entities:
  - Malaga County Water District
  - Pinedale County Water District
  - EJ Gallo Winery
- Requested in April 2024
- Applied to FY 2024-2025 budget

Ms. Stork reported that a $250 check was received from EJ Gallo, and for this fiscal year, it appears that an additional $7,000 will be available to apply to next year. It was also noted that no further contributions from the interested parties are anticipated during June, as only a few days remain.

8. ADMINISTRATIVE MATTERS

a. Discussion/Possible Action on Board Meeting Minutes – May 23, 2024

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

M/S/C (Pickens/Kienow) That the Board of Directors approved the minutes of the May 23, 2024, Regular Board meeting as presented by the following vote: (Ayes – Pickens, Kienow, Prieto, Buche, Moeller, Basgall, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

b. Kings Subbasin Coordination Update

- Well Mitigation Program Rules & Regulations presented to Boards for adoption
- Interconnected Surface Water coordination
- Water Allocation Framework discussions ongoing
- Tracking State Board process for other basins
- GSP Revisions
    - 8/2 – All GSPs updated and sent to GSAs for review
    - 9/13 – Comments due from GSAs
    - 9/20 – Finalize changes at Coordination Mtg
    - 10/4 – All GSPs updated and sent to GSAs for public review/comment
    - By/Before 11/15 – All public comments received
    - By/Before 12/20 – Final GSP revisions completed for adoption
    - By/Before 1/17 – Each GSA adopts
    - 1/27 – GSPs and Periodic Eval updated

Mr. Samuelian reported that the issue of Interconnected Surface Water remains ongoing, with monthly meetings continuing. An agreement is currently being drafted with Friant and the Bureau of Reclamation to formalize collaboration with stakeholders on this matter.

Mr. Samuelian noted that the Bureau of Reclamation is still assessing the losses they have incurred since the start of the restoration project.

Mr. Samuelian stated that the main focus right now is on the GSP revisions, with the next coordination meeting scheduled for July 19th.

c. Water Conditions Update

Ms. Chauhan noted that Mr. Claes is absent and that she will be delivering his reports.

CVP & San Joaquin River (as of June 26):

- Millerton Lake Storage: 466,365 AF
  - On June 12: 522,800 AF
- San Joaquin River Release: 390 cfs
- Friant-Kern Canal: 3,358 cfs
- Madera Canal: 878 cfs
- Friant Class 1 – 100%
- Friant Class 2 – finished Uncontrolled, Unrestricted Season on June 14

Kings River as of June 25:

- Pine Flat Storage: 941,635 AF
- Peek irrigation deliveries.
  - FID continues irrigation deliveries through August 2024
    - Deliveries began on April 1, 2024
  - Deliver ~500k AF

Ms. Chauhan noted that FID is expected to have an average delivery season of approximately 500,000 acre-feet.

d. Advisory Committee Update

Ms. Chauhan reported that the Advisory Committee recommended Board approval of the Expense Reports, Financial Statements, and the Proposed Budget for FY 2024-2025, along with two additional agenda items to be discussed shortly: the NKGSA 2024-02 Domestic Well Mitigation Policy and the associated Rules and Regulations for the Domestic Well Mitigation Program. Deep appreciation was expressed for the continued support of the Advisory Committee and the effort involved in bringing these recommendations forward.

Recommended Actions:

- Approval of Expense Reports for April 2024
- Approval of the Financial Statements as of April 30, 2024
- Approval of the Proposed Budget for FY 2024-2025
- Approval of the NKGSA 2024-002 Domestic Well Mitigation Policy
- Approval of the Kings Basin Domestic Well Mitigation Program Rules and Regulations – April 2024

e. Discussion / Possible Action – NKGSA Policy 2024-002 – Domestic Well Mitigation Policy (Chauhan)

- 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.

Ms. Chauhan expressed gratitude for the Board's support on passing the funding for the Domestic Well Mitigation Program. Updates on the program's spending will be provided. It was emphasized that the policy being recommended, NKGSA 2024-002, is specifically aimed at mitigating wells that go dry due to groundwater level declines in the NKGSA. Other factors, such as water quality or faulty construction, are not included. The policy is brief, with background information and a clear intent to provide mitigation, and approval is recommended.

Director Pacheco asked if staff anticipates any friction during the state review. Ms. Chauhan noted that there could be some pushback, particularly regarding some of the eligibility criteria. The decision was made to base eligibility on the average lifespan of a domestic well, as documented, and to prioritize assistance for those unable to afford well replacement on their own.

Director Buche inquired about the process for making future amendments to the rules and regulations. Ms. Chauhan explained that any proposed changes, such as adjustments to eligibility criteria, would begin at the Technical Workgroup level, proceed to the Advisory Committee, and then be brought to the Board for approval. Re-adopting the policy would not be necessary; only the rules and regulations for the program would need approval.

Chairman Prieto asked if the expense for investigating well failure, as outlined in Section 5.1 of the claim application, would also be covered in addition to the cost of replacing the well. Ms. Chauhan responded that if the well is deemed eligible for the Domestic Well Mitigation Program, the cost of the evaluation could potentially be covered as well.

M/S/C (Kienow/Basgall) That the Board of Directors approved NKGSA Policy 2024-002 – Domestic Well Mitigation Policy as presented by the following roll call vote: (Ayes – Pickens, Kienow, Prieto, Buche, Moeller, Basgall, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

f. Discussion / Possible Action – Approval of the Kings Basin Domestic Well Mitigation Program – Rules and Regulations – April 2024 (Chauhan)

Domestic Well Mitigation Program Rules and Regulations

- 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

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

Domestic Well Mitigation Program – Current Efforts

- Administrative Support
  - Cost-Sharing Option with Other GSAs
    - Provost & Pritchard
    - KRCD
- First Year Implementation Funding Recommendation
  - $500,000 – Existing Cost Share for Member Agencies
    - Excess from FY23-24 Budget
    - $125k– FY 24-25 Budget
    - $375k – Reserves

Ms. Chauhan noted that while any specific questions can be addressed, much of the program's components have already been discussed. The proposal is set for adoption this evening, with plans to ramp up the program and begin accepting applications on October 1.

M/S/C (Kienow/Moeller) That the Board of Directors approved the Kings Basin Domestic Well Mitigation Program – Rules and Regulations – April 2024 as presented by the following vote: (Ayes – Pickens, Kienow, Prieto, Buche, Moeller, Basgall, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

g. Well Registration Update (Chauhan)

Well Registration Tool

- Launched – March 2024
- Portal Accessible on NKGSA Website Home Page
- Email Blast Via NKGSA and FID email distrobution lists
- Coordination with Fresno County White Area Landowners – Re-engagement
- FID Grower Meetings
- Batch Upload Option
    - 85 Entries - Continue Campaign

Ms. Chauhan stated that efforts will be ramped up to improve participation in the well registration program, including developing specific groups to work with and conducting additional outreach. Ms. Chauhan also mentioned that a QR code is now available for well registration. Anyone who hears of individuals with questions or concerns about registering their wells is encouraged to direct them her way.

h. Well Permitting Update (Chauhan)

All Well Permits Issued

January	20
February	10
March	18
April	18
May	26
June	6
Total to Date	98

- 2023: 293 permits were issued

Ms. Chauhan reported that the numbers remain very low compared to this time last year. The updated figures, based on recent reports from Fresno County, show a total of only six wells in June, including both agricultural and domestic wells. This is notably lower than in previous years.

9. EXECUTIVE OFFICER REPORT (Chauhan)

a. Kings Basin Special Studies Update

- Interconnected Surface Water Study
  - Working with Madera County GSA, MAGSA, Friant Water Authority and USBR
  - Memorandum of Understanding to document current efforts and a willingness to continue to work together underway
    - Reviewed by Legal Counsel – No Concerns
    - Execute MOU and include in GSP revisions to be submitted to DWR

Ms. Chauhan stated that once the MOU is fully executed, a copy will be provided to the Board, and it will be included in the revised GSP that will be submitted to DWR.

b. SGMA Implementation Projects Update

- FID
- Malaga CWD
- Pinedale CWD
- City of Kerman
- Fresno State – Coordination Efforts

Ms. Chauhan reported that significant progress is being made on SGMA Implementation Projects. Bakman is currently working on several projects, and there is a strong emphasis on the need for all agencies to be actively working on projects. Updates on these projects will be requested to ensure that the revised GSP, which will be submitted to DWR in January, includes the most current information.

c. Outreach / External Affairs Update

- Social Media
  - Continuing to have a strong presence on social media
- Website – Revisions to GSP Page
  - Translated documents
- Email Distribution
- NKGSA on the GO:
  - ABIRC Workshop – July 17th

Ms. Chauhan mentioned that the GSP page on the website is undergoing significant updates to include the most recent information, in preparation for noticing the GSP revisions. Public notices will be issued to counties and cities in July to provide advance notice of a public hearing and inform them about the GSP revisions. The public comment period will begin in October, with the public hearing likely scheduled for the November Board meeting.

Ms. Chauhan mentioned that she will be participating in the ABIRC Workshop, which primarily serves Hmong Southeast Asian growers. Efforts are underway to provide advance notice about well registration and inform participants about the necessary documentation they need to bring to the workshop for registering their wells.

d. Representative Monitoring Network Update

Ms. Chauhan reported that work is ongoing to install the approved telemetry in the representative monitoring network. Following the end of the fiscal year next week, efforts will begin to identify the initial monitoring well locations for dedicated wells, establish easements, and determine where to allocate the first round of funding approved by the board to enhance the representative monitoring network.

e. Miscellaneous

- Proposed Legislation
  - AB2079 (Well Drilling) – Bill Dead for this year.
  - AB828 (SGMA Exemptions) – Amended to exclude areas within a GSA with an approved GSP

- Partnership Agreement – California Water Institute
    - Grant for: Collaborative Stakeholder Structure for Climate Resiliency Through Regional Water Recharge in the San Joaquin Valley
        - Reviewed by Legal – Proceed to Signature
- Additional Water Supply:
    - Big Dry Creek Reservoir Reoperation – Fresno County Stream Group Project
    - Friant Kern Canal Turnout Project

Ms. Chauhan reported that AB2079, a bill proposed by Assembly Member Bennett and sponsored by the Department of Water Resources, was killed in the Senate Natural Resources Committee, and will not move forward this year. The bill, which aimed to restrict permitting of wells 8 inches in diameter or larger, would have had detrimental effects across the valley.

Ms. Chauhan reported that AB828, the legislation providing exemptions for wetlands habitat and small community water systems, has been amended. Although the bill is still in the process of being adopted, time is running out. The amendment excludes restrictions for GSAs with approved plans, so the Kings Basin is not affected, as it has an approved plan.

Ms. Chauhan reported that significant progress continues on the Big Dry Creek Reservoir Reoperation feasibility study in collaboration with the Army Corps of Engineers. Additionally, notable advances are being made on the permitting and environmental clearances for the Friant-Kern Canal Turnout Project.

10. DIRECTORS REPORT

Director Pickens – nothing to report

Director Kienow – nothing to report

Director Prieto – mentioned that during a visit to the High Sierras yesterday, snow was falling on the mountains above Lodgepole

Director Basgall – nothing to report

Director Moeller – nothing to report

Director Pacheco – nothing to report

Director Buche – nothing to report

11. ADJOURNMENT

With nothing further to discuss, Chairman Prieto adjourned the meeting at 7:13 pm.

Submitted by,

Kassy D. Chauhan

Kassy Chauhan, Executive Officer-Secretary/Treasurer