

KINGS COUNTY

Water Commission Meeting

Michael Newton – District 1
Laura Brown – District 4
Harold Reed – Special District

Jim Razor – District 2
Roger Reynolds – District 5
Alvaro Preciado – City Rep.

Jim Verboon – District 3
Eric Osterling – Member at Large
Sid Palmerin – City Rep.

Secretary: Chuck Kinney

Staff: Alex Hernandez (559) 852-2679

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Kings County Community Development Agency at (559) 852-2680 by 3:00 p.m. on the Friday prior to this meeting

AGENDA

REGULAR MEETING

Monday, May 22, 2023, at 5:00 P.M. or soon thereafter

This regular meeting of the Kings County Water Commission will be held at the Kings County AG Commissioner's Multi-Purpose Room, 680 N. Campus Drive, Hanford, CA.

The Kings County Water Commission requests that all cell phones and other electronic communication devices be muted or turned off while the meeting is in progress.

I. CALL TO ORDER - Chairperson

- A. Roll Call of Water Commission Members: (*Chuck Kinney- Secretary*)
- B. **Unscheduled Comments:**
Any person may address the Commission on any subject matter within the jurisdiction or responsibility of the Commission at the beginning of the meeting; or may elect to address the Commission on any agenda item at the time the item is called by the Chair, but before the matter is acted upon by the Commission. Unscheduled comments will be limited to five minutes.
- C. Approval of Minutes of the March 13, 2023, Special meeting - *Chairperson: call for motion, second and voice vote.*

II. OLD BUSINESS – NONE

III. NEW BUSINESS –

A. Kings River Conservation District current levee management & status of flood releases

- 1. Presentation
- 2. Discussion
- 3. Recommendation (*if desired*)

B. Flood management recharge efforts

- 1. Presentation
- 2. Discussion (Is there anything Kings County should consider to encourage aquifer recharge programs?)
- 3. Recommendation (*if desired*)

C. Tulare Lake flood management status

- 1. Presentation
- 2. Discussion
- 3. Recommendation (*if desired*)

D. South Fork Kings GSA Emergency Recharge Policy for review & comment

1. Discussion
2. Recommendation (*if desired*)

IV. MISCELLANEOUS

- A. Future Agenda Items:
- B. Member comments:
- C. Staff comments:
- D. Correspondence:

V. ADJOURNMENT – Next Regular meeting is scheduled for August 28, 2023.

KINGS COUNTY WATER COMMISSION MINUTES

DISTRICT 1
Michael Newton

DISTRICT 2
Jim Razor

DISTRICT 3
Jim Verboon

DISTRICT 4
Laura Brown

DISTRICT 5
Roger Reynolds

MEMBER AT LARGE
Eric Osterling

**SPECIAL DISTRICT
REPRESENTATIVE**
Harold Reed

CITY REPRESENTATIVE
Alvaro Preciado

CITY REPRESENTATIVE
Sid Palmerin

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY STAFF:
Chuck Kinney – Secretary (559) 852-2674

Alex Hernandez – (559) 852-2679

CALL TO ORDER: A special meeting of the Kings County Water Commission (KCWC) was called to order by Chairman Reynolds at 5:03 p.m., on March 13, 2023. The KCWC meeting was held in Kings County AG Commissioner’s Multi-Purpose Room, 680 N. Campus Drive, Hanford, CA.

Roll call of members was conducted by Secretary Kinney, and a quorum of appointed Committee members were in attendance.

COMMITTEE MEMBERS PRESENT: Michael Newton, Jim Razor, Laura Brown, Roger Reynolds, Eric Osterling, Jim Verboon

COMMITTEE MEMBERS ABSENT: Alvaro Preciado, Harold Reed, Sid Palmerin

STAFF PRESENT: Chuck Kinney – Director, Sean Cash – County Counsel, Alex Hernandez – Deputy Director

VISITORS PRESENT: Riley Jones, Chantal Ouellet, JJ Westra, Jeff Gilcrease

UNSCHEDULED COMMENTS: None

APPROVAL OF MINUTES:

A motion was made and seconded (Newton/Osterling) to approve the February 27, 2023 minutes as presented. Motion carried unanimously with Preciado, Reed, and Palmerin absent.

OLD BUSINESS:

A. Water Resources Oversight Commission Formation Ordinance –

Commissioner Brown presented a PowerPoint which summarized the recommendations of the subcommittees as well as information and feedback collected during the subcommittee meetings. She provided a list of recommendations provided by the subcommittees including preserving the existing Water Commission, updating the Water Commission Bylaws, improving communications, the Water Commission retaining its advisory role, and the Water Commission continuing to keep drought conditions as a standing agenda item. Commissioner Brown also mentioned if the current Water Commission is to be dissolved, then the request from the subcommittees is for the Water Resources Oversight Commission to consist of same designations.

B. Role of Water Commission – Item included in previous agenda item discussion, Water Resource Oversight Commission Formation Ordinance.

A motion was made and seconded (Osterling/Newton) to present the recommendations of the Water Resource Oversight Commission Formation and Role of Water Commission subcommittees to the Board of Supervisors. Motion carried unanimously with Preciado, Reed, and Palmerin absent.

C. Groundwater Export Ordinance – Chairman Reynolds provided a summary of prior events leading up to the discussion and recommendation of the Groundwater Export Ordinance. He provided a list of goals, ordinance corrections, and comments from the subcommittee for the Groundwater Export Ordinance. Commissioner Verboon shared comments regarding the Groundwater Export Ordinance and overconsumption of groundwater.

A motion was made and seconded (Osterling/Newton) to present the recommendations of the Groundwater Export Ordinance subcommittee to the Board of Supervisors. Motion carried unanimously with Preciado, Reed, and Palmerin absent.

NEW BUSINESS: NONE

MISCELLANEOUS

- A. Future Agenda Items** – None
- B. Member Comments** – Commissioner Brown stated Kern County has put out its OES Information in regard to emergency services offered to government agencies and water districts. Mr. Kinney stated the Governor’s office did include Kings County in their most recent declaration. Commissioner Verboon recommended in the future it should be determined if the Board of Supervisors would like for Water Commission to participate in planning or handling of flood releases.
- C. Staff Comments** – None
- D. Correspondence** – None

Next regular meeting of the Water Commission is scheduled for Monday, May 22, 2023. The meeting was adjourned at 6:03 p.m.

Respectfully submitted
KINGS COUNTY WATER COMMISSION



Chuck Kinney, Secretary

DRAFT

South Fork Kings Groundwater Sustainability Agency 2023 Temporary Emergency Recharge Policy For Voluntary Landowner-Initiated Surface Water Recharge

The South Fork Kings Groundwater Sustainability Agency (SFK GSA) in the Tulare Lake Subbasin needs an emergency recharge policy to facilitate recharge when surplus surface water is available in wet years and flood situations, such as the current conditions as of January 2023. SFK GSA recognizes that a water accounting program is currently not in place. As such, this policy is intended to encourage recharge with the expectation that a program will be enacted in the future.

While several elements of a recharge policy are still only qualitative, the SFK GSA intends to recognize an approximate recharge credit for compliant recharge operations during the 2023 calendar year. The policy is intended to work concurrently with the Governor's Executive Order N-4-23. The following constituted the 2023 Temporary Emergency Recharge Policy.

Policy

The South Fork Kings GSA sets forth the following requirements and conditions for executing the 2023 Temporary Emergency Recharge Policy:

1. Participation shall be limited to owners of record (Landowners) or lessees of real property within the SFK GSA who meet all requirements and agree to comply with all the terms and conditions set forth below.
2. To be considered for a recharge credit, the Landowner must:
 - a. Complete the 2023 Temporary Emergency Recharge Application and Agreement form and submit any and all required supporting documentation.
 - b. Provide documentation of the surface water source being used for recharge.
 - c. Provide information regarding the intended recharge method/facility (location, planned actions, etc.).
 - d. Provide accurate measurement into the recharge facility or property using reasonable measurement methods. This could include documents from the contracting water purveyor regarding diverted quantities.
3. Landowner shall be solely responsible for:
 - a. Securing a contract with a surface water purveyor and/or water right.
 - b. Any and all fees associated with securing a contract with a surface water purveyor, a water right, and the cost of any surface water.
 - c. Any infrastructure necessary to enable the recharge.
 - d. Securing and constructing any necessary or appropriate private encroachments through adjacent parcels for the delivery of water and any other regulatory approval if needed.
 - e. Any permitting or other regulatory requirements necessary to enable recharge, including all Federal, State, and/or local agency requirements.
4. The SFK GSA has no obligation whatsoever related to the Landowner acquiring necessary approvals to participate.

5. Limitations per Executive Order N-4-23:
 - a. No on-farm recharge shall occur in Dairy Land Application Areas unless the Landowner has provided notification and received concurrence from staff of the Central Valley Regional Water Quality Control Board.
 - b. No on-farm recharge shall occur on an agricultural field that has had fertilizer applied within the last 30 days.
 - c. No recharge to any area that could cause damage to critical levees, infrastructure, wastewater, and drinking water systems, drinking water wells, or other potable water supplies. Recharge must not exacerbate the threat of flood or create other health and safety concerns.
6. SFK GSA recognizes that recharge potential varies across the GSA, and that applied recharge may percolate to one or more underlying aquifer zones. As such, the total recharge credit will be calculated as 85% of the total measured recharge quantity placed into the landowner's property during calendar year 2023. These values can be adjusted if the landowner provides site specific engineering data.
7. Credit shall be applied to the future water account for the property from which credit is generated. However, the recharge credit amount for 2023 will be reduced by 20% at the end of each calendar year starting in 2025. Further allocation of the recharge credit to one or more underlying aquifer will be made on a case-by-case basis.
8. Recognizing that time is of the essence for this 2023 Temporary Emergency Recharge Policy, the SFK GSA reserves the right to modify these conditions and requirements as may be necessary based on reasonable information to assure consistency with applicable Federal, State, or local laws or regulations. Landowner's voluntary participation pursuant to this 2023 Temporary Emergency Recharge Policy is unique and shall not be considered as a precedent for future SFK GSA recharge program requirements and conditions.

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