



Board Agenda Item 65

DATE: June 18, 2019

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Revise Appointment of Alternate Member to the Kings River East Groundwater Sustainability Agency Board of Directors

RECOMMENDED ACTION(S):

- 1. Appoint District 5 Supervisor Nathan Magsig to serve as County of Fresno's Alternate Member on the Board of Directors for the Kings River East Groundwater Sustainability Agency effective June 18, 2019 to June 18, 2023; and,**
- 2. Direct the Clerk of the Board to revise 2019 Chairman's Appointments of Board Members to various Boards, Commissions and Committees based on Recommended Action No. 1 and post on the County's website.**

Approval of the recommended actions would appoint the District 5 Supervisor as an Alternate Board Member of the Board of Directors for the Kings River East Groundwater Sustainability Agency (KREGSA) and remove the Department of Public Works and Planning designee. The appointment is for a four-year term. Districts 4 and 5 overlie the territory of the KREGSA, therefore fulfilling the board member requirements of the legislation. This item pertains to locations in Districts 4 and 5.

ALTERNATIVE ACTION(S):

Your Board may choose not to approve the recommended action; however, it would result in the lack of an alternate member to serve on the KREGSA board as provided within the legislative requirements of KREGSA Act (Senate Bill 37: Chapter 391, Statutes of 2016) (SB 37).

FISCAL IMPACT:

There is no fiscal impact associated with the recommended action.

DISCUSSION:

The Sustainable Groundwater Management Act (SGMA), signed into law in September of 2014, established a new structure for managing California's groundwater resources at a local level by local agencies. SGMA allows the formation of locally controlled groundwater sustainability agencies (GSAs) in the State's higher priority groundwater basins. Each GSA is then required to develop and implement a Groundwater Sustainability Plan (GSP) to meet the sustainability goal of the basin to ensure operation within its sustainable yield, without causing undesirable results, by January 31, 2020. Failure to implement a GSP in a groundwater basin could result in the State asserting its power to manage local groundwater resources.

On February 9, 2016, the Board authorized the execution of a Memorandum of Understanding (MOU) between the County and several Irrigation Districts, Cities, and other public water providers, with the intent to advocate for the formation of a GSA by either forming a joint powers authority or a special act district to act as the GSA for a portion of the Kings Groundwater Subbasin, refer to Exhibit A. On September 16, 2016, the Governor approved SB 37, which authorized the creation of KREGSA as a special act agency.

SB 37 established powers of KREGSA as described in SGMA, which includes the requirement to develop and implement a GSP. The monitoring and regulation of groundwater extraction, assessment of fees, coordination with adjacent GSAs within the Kings Groundwater Subbasin and surrounding subbasins and the reporting of information and data to the California Department of Water Resources.

SB 37 provided for a seven-member governing Board with one appointment each, to serve a four-year term, as follows:

- One member from the Alta Irrigation District.
- One member from the County of Fresno.
- One member from the County of Tulare.
- One member shared between the Cities of Dinuba, Orange Cove, and Reedley.
- One member shared between Hills Valley Irrigation District, Kings River Water District, Orange Cove Irrigation District, and Tri-Valley Irrigation District.
- One member from the members of the governing boards of special districts that provide drinking water within the territory of the KREGSA.
- One member chosen by the other six board members to represent agricultural interests within the territory.

On November 15, 2016, the Board approved the appointment of Chairman Buddy Mendes to serve as the County's appointed member on the KREGSA with Department of Public Works and Planning designee as alternate.

As it relates to appointing an Alternate Member to KREGSA, one will be chosen in the same manner and by the same entity as the board member whose districts or divisions overlie the territory of the KREGSA. Districts 4 and 5 lie within the KREGSA boundaries, therefore fulfilling the board member requirements of the legislation. The recommended action will appoint District 5 Supervisor Nathan Magsig as the Alternate Member, removing the Department's designee.

On January 8, 2019, the Board of Supervisors formally approved their Board and Committee assignments for the 2019. Approval of the second recommended action revise the County's alternate to the KREGSA.

REFERENCE MATERIAL:

BAI #52, November 15, 2016
BAI #38, February 9, 2016
BAI #13, January 8, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A

CAO ANALYST:

Sonia M. De La Rosa