

BOARD OF DIRECTORS MEETING MINUTES

Date: Thursday, May 7, 2020
Time: 1:00 P.M.
Location: Remotely via Microsoft Teams

DUE TO COVID-19 RESTRICTIONS THIS MEETING IS ONLY HELD REMOTELY

NOTICE: Pursuant to Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, and guidance by the California Department of Public Health dated March 16, 2020, this meeting will be conducted by teleconference. The public may attend the meeting and offer public comments by phone or online, using the Microsoft Teams information or call-in number above.

 [Join Microsoft Teams Meeting](#) – Hyperlink to Web Conference

[+1 559-512-2821](#) United States, Fresno (Toll)
Conference ID: 378 386 215#

DIRECTORS AND ALTERNATES PRESENT

Eric Averett and Roy Pierucci, Rosedale-Rio Bravo WSD
Dennis Johnston & Jeevan Muhar, Arvin-Edison WSD
Charlie Riddle, Henry Miller WD
Don Collins, Pete Kaiser and Mark Mulkay, Kern Delta WD
Skye Grass and Bruce Kelsey, Kern-Tulare WD
Kimberly Brown, North Kern WSD
Ben Wilson and Dana Munn, Shafter-Wasco ID
Jason Gianquinto, Semitropic WSD
Michael Blaine, Wheeler Ridge-Maricopa WSD

DIRECTORS AND ALTERNATES ABSENT

David Nixon, Arvin-Edison WSD
Dick Diamond, North Kern WSD
Jeff Siemens and Jim Nickel, Olcese WD
Dan Bartel, Rosedale-Rio Bravo WSD
Tom Toretta, Semitropic WSD
Lefty Delis, Wheeler Ridge-Maricopa WSD

ASSOCIATE MEMBERS PRESENT

Dave Hampton, Cawelo Water District Coalition
Kris Lawrence, Westside Water Quality Coalition

ASSOCIATE MEMBERS ABSENT

Tim Ashlock, Buena Vista Coalition

OTHERS PRESENT

Nicole Bell, KRWCA Manager
Steve Torigiani, General Counsel, Young Wooldridge, LLP
Ryan Dodd, Provost & Pritchard
Sarah Rutherford, Provost & Pritchard



Morgan Campbell, Provost & Pritchard
Steve Teglia, Kern Delta WD
Kevin Gobler, Wonderful Citrus
Colleen Taber, KCFB
Stephanie Hearn, GEI
George Cappello, Grimmway
Patty Poire, KGA
Richard Iger, Kern Delta WD

1. CALL TO ORDER

Acting Chairman Gianquinto called the meeting to order at 1:07 P.M. Chairman Eric Averett arrived at 1:17 P.M. and took over the meeting at item #8.

2. ANNOUNCEMENT OF QUORUM

Acting Chairman Gianquinto announced a quorum.

3. INTRODUCTIONS

None.

4. PUBLIC COMMENT

None.

5. APPROVAL OF 2/6/2020 Board Meeting Minutes*

Director Dennis Johnston moved to approve the regular Board Meeting Minutes of February 6, 2020. Upon a second by Director Ben Wilson, a vote was taken with no abstentions and was unanimously carried.

6. TREASURERS REPORT

- a. March 2020, April 2020, and May 2020 Accounts Payable/Receivable Ratification and Approval*

Manager Bell reviewed the Financial Reports with the Authority Board. Treasurer Johnston reported that he has reviewed all financial reports and recommends approval. Director Skye Grass verified that the financial reports match Kern Co Fund Balance. Director Kim Brown moved to approve and ratify the financial reports as submitted. Upon a second by Director Dennis Johnston, a vote was taken with no abstentions and was unanimously carried.

7. CONTRACTING & SCOPE OF WORK

Manager Bell reviewed the following agreements with the Authority Board.

- a. Special Counsel, Change in Firm, Representation Letter, Approval*

Direct Kim Brown moved to continue our agreement with Tess Dunham at her new firm. Upon a second by Director Ben Wilson, a vote was taken with no abstentions and was unanimously carried.

8. KRWCA MANAGER REPORT/ILRP PROGRAM UPDATE

Manager Bell reported on the following:

- a. Administration

i. Form 700, Deadline extended to June 1, 2020

ii. JPA Agreement Amendment*: Reminder that Signature Pages are needed so the KRWCA Board can take action to approve the JPA First Amendment.



- iii. Request for Second Waiver of Late Fees: Nesh Farms, #10947*
Director Kim Brown moved the late fee be waived with the stipulation that the past practice be followed requiring if the member is late again, ALL late fees that have been waived will be due and payable. Upon a second by Director Bruce Kelsey, a vote was taken with no abstentions and was unanimously carried.
- b. Member Updates
 - i. 2020 Member Enrollment Update: \$1,511,993.25 deposited
 - ii. 2019 NMP Reporting Update: 612 required, 564 complete, 92%
- c. Regional Water Board
 - i. 2020 New Requirements for On-Farm Drinking Water Wells, RB Mailed Letters 11/1/19

9. REPORT OF PROVOST & PRITCHARD CONSULTING GROUP

- a. Surface Water Monitoring: Sarah Rutherford reported the following:
 - i. Surface Water Expert Panel Meeting Update:
 - 1. The first meeting of the Surface Water Expert Panel was held in Rancho Cordova on January 7th, 8th, and 9th.
 - 2. Expert panel asked for additional information on 1) toxicity methods and interpretation, 2) Downstream water quality and incorporation of data sets for sites not monitored by the ESJ, 3) hydrologic connectivity and transport pathways across the entire region, 4) case studies to demonstrate how the management plan framework in implemented.
 - 3. An advisory group conference call determined who and what pieces of information will be provided to the expert panel to meet the additional information requests.
 - 4. Next Expert Panel meeting was previously scheduled for April 28, 29 and 30 to provide additional information. However, was rescheduled due to Shelter in Place Orders.
 - 5. The next meeting is currently scheduled to be an in-person meeting in Rancho Cordova August 24-26.
 - ii. Surface Water Monitoring Plan – Upper Kern Update:
 - 1. March 4, 2020 Regional Board letter requested a monitoring and sampling regime proposal in response to the previously submitted Reduced Monitoring Proposal.
 - 2. An extension request was submitted and granted for an additional 90 days to allow for time to coordinate with Dr. Kenneth Tate from UC Cooperative Extension, as well as grower outreach and field tours.
 - 3. Ongoing coordination with Dr. Tate includes additional grower surveys and documentation of grower practices protective of water quality.
 - iii. Monitoring Results Update:
 - 1. December monitoring results resulted in the submittal of an exceedance letter to the Regional Board.



- b. Ground Water Trend Monitoring Program Update: Morgan Campbell provided the following:
- i. Groundwater Trend Monitoring Annual Report*:
 1. Due on and submitted May 1, 2020:
 - a. In February, Executive Officer shifted deadline for groundwater trend monitoring reports from August 31st to May 1st to align deadlines across all Central Valley Coalitions.
 - b. Contents of the report remain the same as the report approved and submitted August 31, 2019 for 2018 data.
 2. Report contents include information on:
 - a. Network design and well site locations
 - b. Sampling methods and procedures
 - c. Groundwater quality field and laboratory results
 - d. Summary of precision, accuracy, data validity, and laboratory completeness
 3. No groundwater quality trend analyses were completed due to the program only having two years of data.
- Director Jason Gianquinto moved to ratify the report as submitted. Upon a second by Director Kim Brown, a vote was taken with no abstentions and was unanimously carried.
- c. CVGMC Update: Morgan Campbell reported the following:
- i. MRP Revisions:
 1. On February 28, 2020, the Executive Officer amended the MRP language to align key deadlines for the Central Valley Groundwater Monitoring Collaborative (CVGMC):
 - a. Accepted the CVGMC request to submit a combined 5-year assessment report in lieu of individual third-party Groundwater Assessment Report (GAR) updates and groundwater quality trend evaluations.
 - i. First GAR update is due November 30, 2021 and every five years thereafter,
 - ii. Annual Groundwater Quality Trend Monitoring Report due May 1,
 - iii. By November 30, 2021 and every 5th year thereafter, include GTM data in the 5-year assessment report.
 - ii. Data Management System:
 1. To accurately gather groundwater data (including critical QAQC components) to achieve the CVGMC commissioned MLJ Environmental to develop an electronic data management system that all participating coalitions will submit the required data into annually.
 2. The DMS has successfully had the 2018 and 2019 GTM KRWCA data entered.
- d. MPEP Update: Ryan Dodd reported the following:
- i. Funding:
 1. CIG:
 - a. The first USDA NRCS CIG grant of \$2M was completed in September 2019.



- b. The SSJV MPEP Committee applied for another two CIG grants totaling \$7M in late 2019, but both were unsuccessful.
 - c. CIG is currently soliciting proposals for the next round of classic CIG funding for up to \$2M. Applications are due June 29, 2020. Water quality is a focus area. We will likely be pursuing this funding in some capacity.
 - d. We are not pursuing the On-Farm CIG.
2. CDFA FREP:
- a. We are continuing work with a \$225k grant to improve nitrogen removal coefficients (2017-2019). We requested a no-cost extension on the project as we have funds remaining.
 - b. We submitted two concept preproposals for the next round of funding:
 - i. An irrigation/fertigation project
 - 1. 3 years, \$225k
 - 2. Not selected for a full proposal
 - ii. Phase 2 of nitrogen removal coefficient updates
 - 1. 3 years, \$225k
 - 2. Our concept proposal was approved, and we were invited to submit a full proposal that is due May 15, 2020.
3. CDFA Specialty Crop Block Grant:
- a. Increasing grower use of statewide ET and soils data to improve irrigation uniformity and efficiency.
 - b. Cooperating with Almond Board and UCD.
 - c. \$450k.
- ii. MPEP Workplan
- 1. Workplan revision is required by July 1, 2020.
- iii. SWAT Modeling
- 1. The first phase of SWAT modeling was completed in 2019 and summarized in a methods report.
 - 2. Currently, not much additional modeling occurring explicitly under the MPEP. Funding pursuits and other program activities will influence our direction.
- iv. Other MPEP Activities
- 1. Not a lot of MPEP activities. We are focusing on the funding projects, the 2019 Annual Report, grant proposals, priority investigation study plans, and other MPEP requirements in the new General Order.
 - 2. Coordination with Thomas Harter's group is ongoing to link SWAT output to their groundwater model known as the Groundwater Flow Tool. This is a required and critical item in the General Order and the MPEP Workplan. Ultimately, the SWAT model results only provide information on what leaves the root zone. The groundwater model will provide information on the impact to groundwater quality, which is the primary regulatory interest.
 - 3. The Northern MPEP group is now concurrently completing SWAT model runs. North and South Coordination is somewhat limited to discussion of each group's activities.
 - 4. Barriers to Adoption Study
 - a. Currently working to mail out management practices survey to some growers.

**10. CV-SALTS <http://www.cvsalinity.org>**

Manager Bell and Land IQ represent KRWCA at the Monthly CV-SALTS Meetings. Links to the monthly Meeting Package and Summary Report as well as general information related to CVSALTS is also provided on our website.

- a. [CV-SALTS Meeting Package, February 13, 2020 Meeting](#)
- b. [Land IQ Summary Report for February 13, 2020 Meeting](#)
- c. [CV-SALTS Meeting Package, March 20, 2020 Meeting](#)
- d. [Land IQ Summary Report for March 20, 2020 Meeting](#)
- e. [CV-SALTS Meeting Package, April 23, 2020 Meeting](#)
- f. [Land IQ Summary Report for April 23, 2020 Meeting](#)
- g. [CV-SALTS Brochure](#)
- h. [CV-SALTS Brochure: New Water Quality Regulations Provide Options for Flexibility](#)
- i. [Prioritization and Optimization Study \(P&O\) Overview](#)

11. OLD OR NEW BUSINESS

None.

12. ATTORNEYS REPORT

None.

13. CLOSED SESSION

The Authority went into closed session at 2:04 P.M. to discuss the items listed below, and upon the conclusion of closed Session at 3:17 P.M. the Chairman reconvened to open session to announce that no reportable action was taken.

- a. Conference with Legal Counsel - Pending Litigation - Government Code Section 54956.9(d)(1)
 - i. Petitions filed by the Kern River Watershed Coalition Authority, et al. with the State Water Resources Control Board (SWRCB) regarding the Tulare Lake Basin General Order.
 - ii. Environmental Law Foundation v. SWRCB, et al., Sac. County Sup. Ct., Case No. Case No. 34-2018-80002851
 - iii. Protectores Del Aqua Subterranea v. SWRCB, et al., Sac. County Sup. Ct., Case No. 34-2018-80002852
 - iv. Monterey Coastkeeper, et al. v. Central Valley Regional Water Quality Control Board, et al., Sac. County Sup. Ct., Case No. 34-2018-80002853
 - v. Petition for Review by Protectores Del Aqua Subterranea with the SWRCB in Re CVRWQCB Order R5-2019-001 Amending General Orders for Grower Members of a Third-Party Group: Tulare Lake Basin Area R5-2013-0120-06, etc.
- b. Conference with Legal Counsel – Anticipated Litigation/Significant exposure to litigation – Government Code Section 54956.9(d)(2). Two potential cases.
- c. Public Employee Performance Evaluation* Government Code Section 54957:
 - i. Position: Manager

14. KRWCA MEETING ATTENDANCE HIGHLIGHTS – INFORMATION ITEM

- a. 2/13, CVSALTS/CVSC Meeting
- b. 2/19, PEOC Call
- c. 2/21, MPIR Report Call
- d. 2/24, CVGMC Call
- e. 3/04, SSVWQC/MPEP Committee Conference Call
- f. 3/16, CVGMC Call with RB
- g. 3/17, PEOC Call



- h. 3/20, CVSALTS Meeting
- i. 3/26, MPIR Report Call
- j. 4/1, SSJVWQC/MPEP Committee Call
- k. 4/21, MPIR Report Call
- l. 4/21, PEOC Call
- m. 4/23, CVSALTS/CVSC Meeting
- n. 5/6, SSJVWQC/MPEP Committee Call

15. NEXT MEETING

The next KRWCA Board Meeting is scheduled for 1:00 PM on June 4, 2020 location TBD.

16. ADJOURN

There being no further business to come before the Board, the meeting was adjourned at 3:17 P.M.