

The mission of KRCD is to provide flood protection, achieve a balanced and high quality water supply, and develop power resources on the Kings River for the public good.

KRCD News

Ag Discharge Listing Requirement Delayed

Agricultural discharge and the potential for new regulatory processes and fees remain very live issues and real possibilities although one key requirement has been eased temporarily.

California's Water Resources Control Board decided October 29 not to immediately require submission of personal information about farmers and farm operators in connection with ag discharges.

"This action in no way means that the ag discharge issue has gone away," said David Orth, Kings River Conservation District General Manager and Southern San Joaquin Water Quality Coalition Coordinator.

"Despite all the uncertainties and confusion surrounding ag discharges, all signs continue to point to focus by the Regional Board and its staff on identifying individual dischargers," Orth said. "Many of the legal questions with which we are wrestling involve what constitutes a 'discharge' or a 'discharger'. It is conceivable that most or all farms might ultimately be subject to this new regulatory process."

At this time, Orth said, it still appears farm owners and perhaps their operators have three options to gain regulatory coverage and avoid possible Regional Board enforcement action. They include:



KRCD's General Manager David Orth gives an overview of water quality coalitions and their role in the ag discharge waiver process at one of two ag waiver workshops held on November 19 for landowners in Clovis and Hanford.

- Participating in a water quality group such as the Southern San Joaquin Water Quality Coalition to take advantage of a provision in the July conditional waiver that grants coverage benefits under a collective watershed program without having to obtain an individual discharge permit.
- Participating as an individual under the conditional waiver, which would subject the discharger to monitoring and reporting plan requirements of the new rules. Initial plan development is estimated to cost \$3,000-\$6,000 per farm and average annual monitoring costs would be expected to range from \$7,000-\$14,000 per farm.

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Haugen Is New KRWA Watermaster

Steve Haugen, a long-time member of the Kings River family, is the river's new Watermaster.



Haugen was appointed October 21 by the Kings River Water Association's Board of Directors. He has been KRWA's Assistant Watermaster since 2001 after having served in a variety of positions over more than a decade for the Kings River Conservation District.

"I'm excited about the opportunity to serve the Kings River's water users and agencies," said Haugen. "The Kings River is vital to Fresno, Kings and Tulare counties and I am committed to carry-

ing on the KRWA's long record of outstanding resource management."

Haugen is only the sixth to serve as Watermaster since the KRWA was established in 1927. He succeeds Tim O'Halloran, who resigned earlier this year to accept a position managing a Sacramento Valley water agency.

John Howe, KRWA Chairman, said Haugen has done an excellent job of managing the KRWA and administering its many agreements and water entitlement schedules on an interim basis over the past several months.

In June, Haugen was named Executive Officer of the Kings River Fisheries Management Program, a cooperative venture involving KRWA, KRCD and the California Department of Fish and Game.

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Fifth-Straight 'Dry' Water Year Comes To A Conclusion

Another below-average water year has been written into the Kings River's record with a consoling note that it might well have been worse.

The 2002-03 water year that concluded September 30 yielded Kings River runoff totaling 1,426,148 acre-feet, said Kings River Watermaster Steve Haugen.

That is 84 percent of the Kings' average annual runoff and the fifth drier than normal water year in a row, although none of those years have approached the critically dry 1987-92 string of drought years.

Six of the past 10 water years and 13 out of the last 20 years have produced Kings River runoff that has failed to reach the annual average, some 1,700,000 acre-feet.

Six stormy weeks during April and early May produced enough rain and mountain snow to save the day and prevent a third straight much-below-average year.

The 2001-02 water year's runoff was 67 percent of average while the 2000-01 runoff was just 58 percent.

Kings River runoff for the peak April-through-July period also ended up at 84 percent of average, or 1,038,234 acre-feet, Haugen said. That amount was about 20 percent higher than was predicted before the big spring storms dampened the effects of what had been a dry winter.

The Kings River's maximum daily calculated natural flow (as it would have occurred at the foothill community of Piedra if there were no dams) was 15,526 cubic feet per second on May 28, nearly twice the maximum natural flow that occurred on any day in 2001-02.

A total of 1,302,863 acre-feet of water was released to meet irrigation demands of Kings River Water Association member units in portions of Fresno, Kings and Tulare counties. No flood releases were necessary for a fifth straight year. The highest release was 7,334 c.f.s. On June 13.

Pine Flat Reservoir storage ranged from 133,154 acre-feet (13 percent full) on October 2, 2002 to a high of 804,527 acre-feet, or 80 percent of capacity, on June 8. 🌊



General Manager's Report David Orth

Framing KRCD's Future

In the nearly two years since I had the privilege of being named Kings River Conservation District General Manager, two of my biggest challenges have been improving an already excellent organization and building public recognition for KRCD.

In the process, KRCD and its board and staff have re-evaluated the District from the inside out. All of us knew that before his retirement in 2001 and untimely death less than a year later, former General Manager Jeff L. Taylor left us a public agency well positioned to be of outstanding public service in the future.

All of us recognize that a terrific foundation has been laid at KRCD to offer strong resource management, particularly in power generation, water management and environmental stewardship.

KRCD's past record ensured we did not have to climb to achieve the highest standards of reliability, competency, trustworthiness, public access and responsiveness because we were already there. Yes, we have made some internal organizational changes but nothing about KRCD has impressed me more than the professionalism, efficiency, excellence and innovation of our staff and its integrity, respect and openness in dealing with all people and issues.

On the other hand, I found myself concerned that many years of quietly and competently going about its business while intentionally doing little tooting of its own horn had left KRCD with fairly minimal public awareness. If the District were thought of at all, it tended to be mixed up with our neighbors at the Kings River Water Association, and both KRCD and KRWA were apt to be confused with the name of the Kings River Water District, an agency near Sanger.

The result is that KRCD has been working with Panagraph, a leading marketing firm, to enhance its public outreach with a variety of strategies, including new informational materials that are now in use as well as a new video and reconstructed website that will soon be ready.

Helping all of you get to know us better is vital but the most important reason involves KRCD's quickly growing involvement in electrical energy through what we now know as KRCD Power.

KRCD's founders envisioned a future with such a District involvement. They wisely included power among KRCD's authorized activities when the enabling legislation that formed the District was approved in 1951.

That future opportunity arrived when KRCD completed its Pine Flat Power Plant at the base of Pine Flat Dam in 1984, generating reliable, low-cost power for the State Water Project. As a practical matter, Pine Flat power has always been used right at home, delivered into the local utility's system (with equivalent amounts of electricity delivered elsewhere to the state's facilities) as a significant boost to the Fresno area's energy resources.

Then, last December, the state Department of Water Resources offered an opportunity to KRCD Power to develop and operate a local gas-fired peaking power generation plant. The plant will become reality, and a big help to everyone in the Fresno region, by December 2004.

Finally, and most importantly, KRCD Power has analyzed the central San Joaquin Valley's energy deficiencies. We believe the District can help correct the problems. We're in the process of exploring the feasibility of a number of projects with prospects for helping existing utilities meet our area's power demands and while looking at ways for consumers to save money, too.

The possibilities are promising and exciting. The challenges are here to be met. KRCD's future is now. 🌊

Senator Trying Again With Wild-Scenic Bill

Parts of the Kings River system are again being targeted with legislation that would blanket those reaches with federal Wild and Scenic River protections.

Senator Barbara Boxer on August 1 introduced legislation that would extend federal Wild and Scenic Rivers designations to parts of the Kings River not already listed as well as all of Dinkey Creek.

The bill, nearly identical to legislation introduced by Boxer in 2002, would also place portions of 21 other California river systems, and dozens of their tributaries, under Wild and Scenic Rivers mandates.

It would create or enlarge vast acreage of wilderness areas and establish two conservation areas while mandating studies of additional wilderness and wild and scenic designations. Millions of acres could be affected.

"Our concerns with this bill are exactly what they were a year ago," said Kings River Conservation District General Manager David Orth.

"Senator Boxer's legislation would simply shut the door on even investigating future resource uses on the Kings River and Dinkey Creek, no matter what future needs might arise," Orth said. "Such a federal mandate would take away regional resource consideration and decision making."

KRCDD, the Kings River Water Association, many Kings River units and other agencies oppose the legislation, which was based on suggestions made by some 200 environmental and outdoors groups.

No reservoir or hydroelectric projects are being considered on Dinkey Creek or the Kings River although projects have been

proposed in the past on both reaches. In 2001, the Kings River Conservation District, in the midst of California's energy crisis, briefly re-examined the Dinkey Creek and Rodgers Crossing sites. Neither is being pursued.

If Boxer's bill were ever to become law, additional water and power options anywhere on the Kings River system above Pine Flat Reservoir would probably be lost forever.

The Boxer legislation, called the California Wild Heritage Wilderness Act of 2003, includes these Kings River watershed proposals:

- Dinkey Creek - A total of 20 miles in five separate, unconnected reaches as a wild river, one mile in two reaches as a scenic river and six miles in two reaches as a recreational river. In the past, KRCDD proposed (and nearly built) a dam and reservoir on Dinkey creek to provide two proposed hydroelectric power plants with water.

- Kings River - Four miles from the existing wild river boundary to the end of the road from Pine Flat as a wild river, seven miles from the road's end to the western boundary of the Kings River special management area as a scenic river, and one mile between Pine Flat Reservoir and the Bailey Bridge as a recreational river. The area upstream from the bridge includes the entire site identified long ago for a dam and reservoir at Rodgers Crossing. The special management area already requires that if a proposal for a dam and reservoir were to be advanced, Congress would have to give its specific approval.

Boxer said her bill "preserves, prevents and protects. It preserves our most impor-

tant lands. It prevents pollution. And it protects our most endangered wildlife. Now, it is our turn to protect this legacy of wilderness for our future generations."

KRCDD and KRWA continue to feel no Kings River portion should be included in the bill and that massive levels of federal review and approval actions would be required if any project were to again be considered. The KRCDD and KRWA believe:

- Solutions to the problems and challenges faced within the Kings River service area should be created and implemented with local planning and control. Issues need to be resolved cooperatively and regionally rather than by federal mandate.

- Debate over Senator Boxer's Wild and Scenic Rivers proposal should be directed to that issue as well as the ability of KRCDD and KRWA to address the region's identified resources problems. The debate should not focus on any specific projects.

- Adding more of the Kings River and all of Dinkey Creek to the Wild and Scenic Rivers Act would remove important potential water and power options from any future consideration, thus severely limiting the ability of KRCDD and KRWA to address the resource management problems that they have identified.

During last year's debate, Rep. Cal Dooley (D-Visalia) told Boxer, "Proposed Wild and Scenic Rivers Act designations for Dinkey Creek and the Kings River above Pine Flat Reservoir are certain to be highly controversial and divisive. "Yet, if approved, they would provide little or no real additional protection for the resource values of those waterways." 🌊

Watermaster, *continued*

Along with normal river operations and management, Haugen has also provided KRWA staff leadership on related fish and game issues as well as activities related to floodwater utilization, water quality and legislation.

Haugen was raised in Livermore and graduated from Livermore High School before earning a bachelor of science degree in agricultural engineering at Cal Poly, San Luis Obispo. He is a California licensed professional civil engineer.

After working for two years as an irrigation specialist for Dellavalle Laboratory Inc. of Fresno, Haugen joined KRCDD in 1990. He served first as an irrigation specialist and later as assistant engineer and chief of KRCDD's Water Management Division.

At KRCDD, Haugen was involved in a variety of groundwater management and surface water delivery studies and activities. He developed and implemented on-farm water conservation and evaluation programs, and provided engineering support for KRCDD's hydroelectric and flood control responsibilities.

The KRWA is an association composed of 28 member agencies with rights to divert Kings River water. The Watermaster administers those rights and entitlements and the KRWA represents the interests of its members. The Kings River supplies water to a one million acre service area for agricultural irrigation and the KRWA assists in overseeing the river's fishery and environmental resources. 🌊

New Development's In KRCD' Groundwater Activities

Improvement of the region's groundwater resources has always been an important Kings River Conservation District responsibility. Now the District is undertaking its fourth groundwater planning effort and annexing land into one of the District's current groundwater management plans.

KRCD is to prepare a Groundwater Management Plan for the Empire Westside Irrigation District along the Kings River's South Fork in Kings County near Lemoore and Stratford. KRCD and

Empire Westside officials will develop project timeline and public notices this fall.

KRCD has three other groundwater management areas, mostly covering portions of the District that are not within any other public water or irrigation district. Recently, Stratford Irrigation District has requested to be annexed into KRCD's Area C Groundwater Management Plan. Area C presently covers 53,000 acres and is located entirely within Kings County. 

Ag Discharge, *continued*

- Obtaining an individual waste discharge permit, which would require filing of a report of waste discharge and obtain a WDR with similar individual monitoring and reporting requirements as those above. Permit holders would also be expected to pay a fee based on the type and complexity of the discharge, ranging from \$1,800-\$38,000 per farm annually.

"We're not at a point to do much more than educate the constituency in the options that they have and let the Regional Board know we're addressing issues in way doing what we think best," said Orth.

Along with KRCD and the Kings River Water Association, the Southern San Joaquin Water Quality Coalition includes the Friant Water Users Authority, and agencies on the Kaweah and Tule rivers and in Kern County.

Efforts continue to be made by Coalition members to attempt to gain regional Board consideration of an order that would regulate discharges specifically within the Tulare Lake Basin watershed as a unique hydrological region that is separate from the Delta.

The Coalition is organized so that each river system - including the Kings River - is a sub-watershed independently organized and coordinated, including water quality monitoring and management practices.

KRCD and the Southern San Joaquin Coalition on November 1 filed a report on the ag discharge issue as required last summer by the Regional Board. Because of the stay, that filing did not include what the Regional Board had required - names of the owners and operators of farm parcels along with assessor's parcels numbers; identification by section, range and township numbers; telephone numbers; and mailing addresses. "It is our position that with the filing of this report and the stay of the membership information that all landowners within the Coalition are in compliance with the waiver as it stands today," said Orth.

About the only certainty is that significant regulatory change has occurred. For 20 years, agricultural discharges of water were exempted by a waiver from needing permits under the state's Porter-Cologne Act and the federal Clean Water Act but that exemption ended last January 1.

In December 2002, the Central Valley Regional Water Quality Control Board

approved a 3-year conditional waiver program but almost immediately began backing away from that action.

The board's staff last spring issued more than 220 pages of proposed highly restrictive rules and regulations that went far beyond the Regional Board's original action but reflected a hard-line Regional Board staff preference for a "one-size-fits-all" method of strictly regulating ag discharges on a farm-by-farm basis. On July 10, the Regional Board canceled its December program action and the next day issued a new conditional waiver plan, including the since-stayed grower identification mandate.

Environmental advocates criticized the stay granted by the state board and charged agriculture is not doing enough to address the issues.

Some seven million acres of Central Valley crop land and tens of thousands of farmers and farm operators are within the region subject to the discharge waiver, including the more than 1.2 million acres embraced by the KRCD's boundaries in parts of Fresno, Kings and Tulare counties.

If you have any questions on the waiver, please contact KRCD's Chief of Water Resources, Mike Mendes at (559) 237-5567, ext. 126. 

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Prepared by the Public Information Staff of KRCD

Cristel L. Tufenkjian, Public Affairs Officer
J. Randall McFarland, Public Relations Consultant

Please send subscription requests to:
Kings River Conservation District
4886 E. Jensen Ave.
Fresno, California 93725

Telephone: (559) 237-5567
Website: www.krccd.org

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Kings River Conservation District
4886 E. Jensen Avenue
Fresno, CA 93725

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