

Minutes

KINGS RIVER CONSERVATION DISTRICT  
Board of Directors Meeting

Date: October 08, 2019 – Tuesday  
Time: 1:35 p.m.  
Location: 4886 E. Jensen Avenue, Fresno

President Stanfield called the meeting to order at 1:35 p.m.

DIRECTORS PRESENT

Gregory Beberian, Vice President  
Ceil W. Howe Jr.  
Mark C. McKean  
David Cehrs, Ph.D.  
Chris Kapheim  
Mike Yoshimoto

DIRECTORS ABSENT

Paul Stanfield, President

OTHERS PRESENT

KRCD Staff

Paul Peschel  
Corey McLaughlin  
David Merritt  
Brian Trevarrow  
Cristel Tufenkjian  
Charlotte Gallock  
Debra Dunn

Consultants & Others

Steve Haugen, Kings River Water Association  
Matt Meadows, Kings River Water Association  
Joe Hughes, Attorney (Via Phone)

ROUTINE OPENING BUSINESS

1. Additions to or Deletions from the Agenda
2. Public Presentations or Comments
  - a. None
3. Approval of Minutes of the September 12, 2019 Regular Board Meeting
  - a. It was moved by Director Cehrs, seconded by Director Howe, and unanimously carried, that the minutes of the September 12, 2019 Regular Board Meeting be approved as presented.

*(AYES: Vice-President Beberian, Directors Howe, Cehrs, Kapheim, McKean, and Yoshimoto -  
NOES: None - ABSENT: President Stanfield)*

## REPORTS

### 4. Water Conditions (KRWA Staff)

- a. Steve Haugen, KRWA Watermaster, reported that Pine Flat dam contained 534,000 AF of water, and there was 171,000 AF of water in upstream storage. Total vacant space was 548,000 AF. There had been no measurable precipitation in the watershed. Releases from Pine Flat were at approximately 2,600 c.f.s., with Friant-Kern flow of 300 c.f.s. bringing the total flow in the river to 2,900 c.f.s. By the end of October 2019, Pine Flat is likely to be somewhere around the 450,000 AF range in storage.

### 5. Directors' Reports

- a. Director Cehrs reported on the ACWA Board Meeting in September. He commented that a tour of Irvine Ranch's water facilities was quite amazing. The tour made it very clear that Agriculture cannot compete with the Municipalities in terms of funding facilities. He reported that their current indoor/outdoor water use per capita is about 50 gals of water per person, per day, which means that their water use never returned to pre-drought restriction were lifted. In the December ACWA meeting in San Diego, a technical program has been added with a focus on cyber security. Wade Crowfoot will be speaking at the ACWA Regions 6 & 7 meeting on October 11. JPIA has noted that there will be a 50% increase in costs for the reinsurance that JPIA must obtain, because there is little interest in insuring California currently. Comments are being provided by the North Kings GSA to the McMulling GSA's GSP, to address an inconsistency. Extrapolating a water budget from the McMullin GSA's GSP report data shows a large per-acre water use gap between the stated and actual water available.
- b. Director Beberian reported that the Strategic Planning Ad Hoc Committee has met, and has made excellent progress.

### 6. Staff Reports

The Board received reports on the prior month's activities from members of the District management staff:

- a. Paul Peschel, General Manager/Secretary
  - i. The State Water Resources Control Board fees increased by 13.7%. There are ongoing discussions with Bob Gore of the Gualco Group, and there have been efforts to meet with regulators to control compliance costs and to come up with some performance metrics. Mr. Gore is meeting with Laurel Firestone of the State Water Resources Control Board and others in the coming weeks.
  - ii. The Governor signed a series of 22 bills dealing with wildfire prevention, which fall into five categories: 1) Prevention and response; 2) mitigation of climate change and clean energy policies; 3) fair allocation of catastrophic wildfire damages; 4) creating a more effective California Public Utilities Commission, and 5) holding PG&E accountable.
  - iii. SB1 was vetoed by Governor Newsom, and AB658 has advanced to the Governor's desk for signature. The last date for the Governor to sign bills is October 13<sup>th</sup>.
  - iv. Several conversations have been held with ACWA regarding their committee process and how ACWA takes positions on legislation/regulation, and a better understanding has been obtained. It is clear that not all of ACWA's procedures are being followed consistently. Related to this concern, the Agricultural Committee intends to meet more frequently, in an effort to help ensure agricultural interests are heard and met. The State Legislative Committee is one venue of communication for the Agricultural Committee.

- v. Director Cehrs has been elected the new Chair for ACWA Region 6.
  - vi. We continue to coordinate with ACWA and ACWA JPIA on a Litigation Pool presentation to GSAs. A presentation is currently most likely to occur in January 2020. In discussions with Tiffany Giammona we received clarification that the Litigation Pool is intended only for Validation cases. These are case which cover challenges to the ability of GSAs to make decision set forth in GSPs and associated issues that could have statewide ramifications affecting the ability of GSAs to make decisions affecting the autonomy of GSAs.
  - vii. Mr. Peschel met with Nancy Vogel of the Water Quality Portfolio initiative. It was clear she had read the comment letter sent ahead of time, and the conversation seemed productive, with Mr. Peschel emphasizing the need to fund the Aerial Snow Observatory program.
  - viii. Mr. Peschel has been contacted and asked to be part of a 2019 Flood-MAR Forum discussion panel; he will be attending.
- b. Cristel Tufenkjian, Director of External Affairs
- i. Ms. Tufenkjian reported that, in addition to GSA outreach, a significant project being developed is an on-farm water recharge education campaign, providing information and resources to farmers/landowners. Some tools will be online (Storymap), and some will be in-person discussions. The timeline is intended to build to the symposium targeted for the end of 2020.
  - ii. Ms. Tufenkjian and Mr. Peschel attended the renaming of Success Dam for Richard Schafer.
- c. Charlotte Gallock, Director of Water Resources
- i. KRWQC: Member invoices were sent the last week in September, and they are due on October 31. 9% are in so far (630 accounts paid). The Regional Water Quality Control Board sent out letters to Coalition members notifying them of their responsibility to comply with new drinking water well sampling requirements. Coalition members with drinking water wells on enrolled parcels must begin sampling by January of 2020, and landowners are responsible for the sampling. Samples can be left at the lab of a landowner's choice but must be a Regional Water Quality Control Board approved lab; sample results will be uploaded to the State's Geotracker system.
  - ii. CV-SALTS: the State Water Resources Control Board hearing has been rescheduled for October 16, 2019.
  - iii. The Nitrate Management Zone Pilot Project covers the Alta/Kings River East GSA areas which includes a small portion of the Kaweah Water Quality Coalition. Data gaps in nitrate levels have been identified. The idea of this project is to create templates that can be used across the Central Valley. The expected compliance schedule is for the Regional Water Quality Control Board to send the letters noticing required compliance to the CV-SALTS basin plan amendments including Management Zones, in January of 2020; however, it remains to be seen if that timetable will hold. Other dischargers, not just agricultural dischargers, are included in this program and will be receiving compliance letters.
  - iv. Fill Stations: The Hanford project is expected to be completed in about four weeks. For the Dinuba project, the church location still has to send back an executed agreement.
  - v. SGMA: GSP hearings and outreach events have begun to occur throughout the Valley.
- d. David Merritt, Deputy General Manager/COO
- i. Pine Flat: Generated 44,501.4 NET MWs. Units 1 and 2 are in service, with Unit 3 under a planned outage for annual servicing. The electrical protection relay project design continues, and the contract for fabrication and installation has been awarded. The planned outage time-frame is November 1, 2019 thru March 1, 2020.

- ii. Flood Project: two new employees have been hired, and a work-plan for the winter is under development. There have been some issues with the illegal dumping and piling of debris against the levees. Rectifying this will be part of the winter maintenance plan.
- iii. Terranova: Construction is still on hold until the mid-to-late November timeframe when the pump and motor are expected to be on-sight. Two discharge pipes are built and ready to be brought in and installed at the same time. The contractor on the head-gate has been notified to proceed with warrantee repairs.
- iv. Storage Refresh Study: The document is in Final Draft, with the next steps being planned, including presenting to the Boards of KRCD and KRWA, and laying out potential project implementation. The project that seems to have the most potential value is raising Pine Flat, due to fewer environmental concerns. It remains to be seen whether and how much buy-in there will be from KRWA member units.
- v. Unit 4: A contractual discussion is set with the Department of Water Resources for October 28. Planning has begun with engineering and contracting consultants.
- vi. Energy Opportunities: Currently reviewing opportunities through membership in the California Community Choice Association.
- vii. Grant Audits: Feedback has been received. A recommendation was made to improve vendor selection for engineers and consultants. It is a small change and easy to make, and has already been implemented for subsequent stages of the projects that were audited.
- e. Brian Trevarrow, Deputy General Manager/CFO
  - i. The process has begun for re-signing the Pine Flat boiler and machinery insurance for next year. This will involve a 50% increase in costs over the prior year due to the current state of the California insurance market.

## ACTION ITEMS

### 7. Financial Report

#### a. Budget Expenditures (Brian Trevarrow)

The Auditor presented expenditure to budget comparison reports for the period ending September 30, 2019. In addition, the monthly investment report for September 2019 was presented.

It was moved by Director Yoshimoto, seconded by Director Cehrs, and unanimously carried to receive the expenditure to budget comparison and investment reports.

*(AYES: Vice-President Beberian, Directors Howe, Cehrs, Kapheim, McKean, and Yoshimoto - NOES: None - ABSENT: President Stanfield)*

#### b. Review of Monthly Disbursements (Mark McKean)

It was moved by Director McKean, seconded by Director Howe, and unanimously carried, that bills in the amount of \$655,481.24, as presented in the schedule of Disbursements and Current Accounts Payable, were approved and ordered paid.

*(AYES: Vice-President Beberian, Directors Howe, Cehrs, Kapheim, McKean, and Yoshimoto - NOES: None - ABSENT: President Stanfield)*

8. CLOSED SESSION (2:30 p.m.)
  - a. Government Code Section 54956.9(d)(2) To confer with its Legal Counsel regarding exposure to one matter of potential litigation. (2:30 p.m. call-in from attorney)
  - b. Government Code Section 54956.9(d)(4) To confer with its Legal Counsel regarding the initiation of two matters of litigation.
  - c. Government Code Section 54956.9 (d)(2) To confer with its Legal Counsel regarding the claim filed by Katherena Rodriguez.
9. Reconvene to Open Session/Report Any Action Taken in Closed Session (2:46 p.m.)
  - a. Item 8a: No action was taken.
  - b. Item 8b: No action was taken.
  - c. Item 8c: It was moved by Director Kapheim, seconded by Director Cehrs, and unanimously carried to deny the claim of Katherena Rodriguez and refer/submit the claim to ACWA-JPIA.

*(AYES: Vice-President Beberian, Directors Howe, Cehrs, Kapheim, McKean, and Yoshimoto -  
NOES: None - ABSENT: President Stanfield)*

ADJOURNMENT

There being no further business, Vice President Beberian adjourned the meeting at 3:18 p.m.

---

Paul G. Peschel  
Board Secretary

\_\_\_\_\_  
Board President

Approved on \_\_\_\_\_, 2019

KINGS RIVER CONSERVATION DISTRICT  
Schedule of Disbursements and Current Accounts Payable  
Presented October 8, 2019  
(For Expenditures in the Month Ending September 30, 2019)

Employee Payroll	09/04/19	94,347.38	
Director's Payroll	09/10/19	3,568.74	
Employee Payroll	09/18/19	97,141.48	
			195,057.60
Accounts Payable (KRCD)		351,841.34	351,841.34
	Sub-Total		546,898.94
Ready-Tax Electronic Funds Transfers:			
Employee Tax Deposits	09/05/19		21,977.84
Employee Tax Deposits	09/11/19		42,298.78
Director's Tax Deposits	09/13/19		1,137.25
Employee Tax Deposits	09/25/19		43,168.43
	TOTAL		<u>655,481.24</u>