

MINUTES OF THE BOARD OF DIRECTORS

Date: Thursday, February 14, 2019

Time: 9:00 A.M.

Location: Rosedale-Rio Bravo Water District Office, 849 Allen Road, Bakersfield, CA 93314

DIRECTORS AND ALTERNATES PRESENT

Jeevan Muhar, Arvin-Edison WSD

Charlie Riddle and Max Bricker, Henry Miller WD

Pete Kaiser and Mark Mulkay, Kern Delta WD

Skye Grass and Bruce Kelsey, Kern-Tulare WD

Eric Averett, Rosedale-Rio Bravo WSD

Jason Gianquinto, Semitropic WSD

Ben Wilson and Dana Munn, Shafter-Wasco ID

Michael Blaine and Robert Kunde, Wheeler Ridge-Maricopa WSD

DIRECTORS AND ALTERNATES ABSENT

Dennis Johnston and David Nixon, Arvin-Edison WSD

Don Collins, Kern Delta WD

Kimberly Brown and Dick Diamond, North Kern WSD

Jeff Siemens and Jim Nickel, Olcese WD

Dan Bartel and Zach Smith, Rosedale-Rio Bravo WSD

Rick Wegis, Semitropic WSD

ASSOCIATE MEMBERS PRESENT

Greg Hammett, Westside Water Quality Coalition

ASSOCIATE MEMBERS ABSENT

Dave Hampton, Cawelo Water District

Tim Ashlock, Buena Vista Coalition

OTHERS PRESENT

Nicole Bell, KRWCA Manager

Sarah Hudson, KRWCA Secretary

Sarah Rutherford, Provost & Pritchard

Morgan Campbell, Provost & Pritchard

Ryan Dodd, Provost & Pritchard

Donald Ikemiya, Provost & Pritchard

Steve Torigiani, Young Wooldridge, LLP

George Cappello, Grimmway

Leftare Delis, Sun World

Phil Nixon, Lost Hills Water District

Roy Pierucci, Rosedale-Rio Bravo WSD

1. **CALL TO ORDER**

Chairman Eric Averett called the meeting to order at 9:01 A.M.

2. **ANNOUNCEMENT OF QUORUM**

Chairman Averett announced a quorum.

3. **INTRODUCTIONS**

None

4. **PUBLIC COMMENT**

None

5. **APPROVAL OF 1/3/2019 Board Meeting Minutes***

Director Jason Gianquinto moved to approve the regular Board Meeting Minutes of January 3, 2019. Upon a second by Michael Blaine, a vote was taken with no abstentions and was unanimously carried.

6. **TREASURERS REPORT**

a. **2019 Accounts Payable/Receivable Ratification and Approval***

Director Robert Kunde reviewed the accounts payable with the Authority Board. A motion was made by Director Jason Gianquinto to pay the open accounts, in the amount of \$93,130.54. Upon a second by Michael Blaine, a vote was taken with no abstentions and was unanimously carried.

b. **2018 Budget Adjustment for DAT***

Manager Bell reviewed the DAT phase of the budget with the Authority Board. A motion was made by Director Jason Gianquinto to move \$46,000 from the MRP phase to the DAT phase. Upon a second by Michael Blaine, a vote was taken with no abstentions and was unanimously carried.

7. **ADMINISTRATIVE/CONTRACTING**

a. **Form 700, Statement of Economic Interests, Due April 1, 2019**

Manager Bell reminded all Board Members that Form 700 is due from all by April 1, 2019.

b. **Insurance Limits for Contracts***

A motion was made by Director Michael Blaine to use insurance limits of \$1,000,000 and \$2,000,00 as identified in the RFPs approved during this meeting. The limit would be based on the type of work being done, \$1 million office work, \$2 Million field work. In addition, Professional Liability and E&O Insurance will be required where applicable. Upon a second by Charlie Riddle, a vote was taken with no abstentions and was unanimously carried.

c. **Provost & Pritchard 2019 ILRP Implementation Agreement (Month to Month)***

A motion was made by Director Michael Blaine to authorize the execution of the proposal by Provost & Pritchard for the 2019 Month to Month Implementation Agreement. Upon a second by Jason Gianquinto, a vote was taken with no abstentions and was unanimously carried.



- d. Surface Water Sampling, Groundwater Sampling and Analytical Services RFP*
A motion was made by Jason Gianquinto to send out request for proposals for surface water sampling, groundwater sampling, and analytical services. Upon a second by Ben Wilson, a vote was taken with no abstentions and was unanimously carried.
- e. ILRP Farm Programmer RFP* (KRWCA and KBWQC)
A motion was made by Jason Gianquinto to send out request for proposals for an ILRP Farm Programmer. Upon a second by Michael Blaine, a vote was taken with no abstentions and unanimously carried.

8. **KRWCA MANAGER REPORT/ILRP PROGRAM UPDATE**

Manager Bell reported on the following topics:

- a. Administrative:
 - i. KRWCA Policies and Procedures*
The Authority Board reviewed the written Policies and Procedures. Director Ben Wilson made a motion to adopt the Policies and Procedures with the provision that the membership application process portion in procedures be updated to reflect recent changes in the General Order for membership application approvals. Upon a second by Max Bricker, a vote was taken with no abstentions and was unanimously carried.
 - ii. Enrollment Update
Manager Bell reported we currently have 731 members with 521,000 acres enrolled. We had 20 members cancelled and 5 of these members have requested to be reinstated.
 - iii. 2019 Membership Refunds
 - 1. Andrews Ag., Inc., \$2000.54, land sold no longer farming
 - 2. AF and Pauline Little Exemption Trust., \$104.48, land sold no longer farming.
 - iv. Member Request for Second Waiver of Late Fees*:
 - 1. Weiser Family Farms, Inc., Alex Weiser
 - 2. Westside Farm Management/Uppal-CarstensAuthority Board reviewed the requests made by Weiser Family Farms and Westside Farm Management/Uppal-Cartens. A motion was made by Jason Gianquinto to grant the request for a second waiver of late fees on the condition that if a third violate is incurred then all late fees will be owed. Upon a second by Max Bricker, a vote was taken with no abstentions and unanimously carried.
- b. Outreach and Education:
 - i. Farm Evaluation and Nitrogen Management Plan Summary Reports due for ALL HVA Members, 3/1/19
 - ii. Nitrogen Management Plan Worksheets for ALL Members due 3/1/19, Certification is REQUIRED for ALL HVA Members
 - iii. Three Kern Coalition Joint Grower Meetings were held:
 - 1. Buttonwillow: 12/17-Buttonwillow Recreation Center
 - 2. Bakersfield: 1/8-Kern Ag Pavilion
 - 3. Wasco: 1/10-Wasco Elks Lodge

- c. CVRWQCB:
 - i. Tulare Lake Basin General Order Update: Hearing on 2/7/19, Revisions to the General Order were approved by the Regional Board.
- d. State Water Board:
 - i. Enforcement News: CV ILRP Coalitions Agree to Provide Safe Drinking Water To Those Dependent on Contaminated Wells - Handout

9. REPORT OF PROVOST & PRITCHARD CONSULTING GROUP

a. MPEP Update

Ryan Dodd reported on the following.

- i. SWAT Modeling
Initial model runs are mostly complete, still working through final details. There is a meeting tentatively scheduled for April 2 with coalition staff, UC, NRCS, and others to review modeling work to-date. More updates will be available after that meeting.
- ii. Collaboration with Northern MPEP
Extending existing coordination agreement one more year through 2019. Both groups will work to negotiate a more long-term agreement through 2019. Otherwise, not a lot of collaborative work other than upcoming sharing of initial SWAT modeling results.
- iii. Funding:
 - 1. National USDA NRCS CIG
 - a. Work ongoing to quantify \$2M in match/in-kind services.
 - b. Current three-year grant expires September 30, 2018. The group will pursue another three-year grant that would start around September 2018. We have been in active discussions with national NRCS staff. We should be well-positioned to be funded again, but it's not a certainty. A contingency is being developed if we do not receive another National CIG.
 - 2. Other studies
 - a. Several other studies ongoing, but no major updates to provide currently.
- iv. Groundwater Protection Targets (GWPTs)
 - 1. In late October 2018, the CA Court of Appeal 3rd Appellate District of Sacramento sided with the Monterey Coastkeeper, SLO Coastkeeper, CA Sportfishing Protection Alliance, and Santa Barbara Channel Keeper that the Central Coast ILRP Waiver was not consistent with the nonpoint source policy.
 - 2. GWPTs are a new critical requirement of the revised East San Joaquin General Order but apply to all Central Valley ILRP General Orders. These GWPTs provide "*quantifiable milestones*" to meet receiving water limitations. They will be our defense and quantification to show how receiving water limitations are being met.
 - 3. There have been 3 meetings amongst northern and southern coalitions to develop a strategy. The process is ongoing, but a few small pilot projects should begin in the coming months.
 - 4. The next meeting is February 20, 2019 in Davis. The main objectives include Common Interest Agreement, scope of work for pilot studies, general



organizational structure and cost-sharing. More detailed updates will be provided as things progress.

b. Surface Water Monitoring:

Sarah Rutherford reported on the following.

i. Surface Water Monitoring Plan, Revision 2 Update

1. 90-day extension to April 22, 2019 approved by the Regional Board
2. The Board was presented with a methodology for moving forward with revising the Surface Water Monitoring Plan.

c. GW Trend Monitoring (GTM) Update & Presentation:

Morgan Campbell reported on the following.

- i. GTM Phase II: Well Selection Revised Plan/Expanded Network was submitted January 23, 2019.
- ii. Additional well selection letters were sent out to members whose wells were included in part of the expanded network.
- iii. One monitoring well was transferred into a different membership for enrollment. We have obtained membership transfer acknowledgment so we will have no disruptions with our monitoring program.

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 are also provided on our website.

- a. [CV-SALTS Brochure](#)
- b. [CV-SALTS Brochure: New Water Quality Regulations Provide Options for Flexibility](#)
- c. [CV-SALTS Workshop Invitation](#)
- d. [Prioritization and Optimization Study \(P&O\) Overview](#)

11. **OLD OR NEW BUSINESS**

None

12. **ATTORNEYS REPORT**

None

13. **CLOSED SESSION**

The Authority Board went into closed session at 10:56 A.M. to discuss the items listed below. Upon conclusion of closed session at 11:15 A.M., the Board reconvened to open session to announce that no action was taken.

- a. Conference with Legal Counsel - Pending Litigation - Government Code Section 54956.9 (a)
 - 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

- b. Public Employment - Government Code Section 54957:
i. Positions: Manager and Administrative Assistant

14. KRWCA MEETING ATTENDANCE HIGHLIGHTS

- a. 1/8, SSJVVQC/MPEP
- b. 1/8, Grower Outreach Meeting, Bakersfield
- c. 1/8, PEOC Call
- d. 1/9, ILRP Stakeholder Meeting Merced
- e. 1/10, CV SALTS Conference Call
- f. 1/10, Grower Outreach Meeting, Wasco
- g. 1/15, CVGMC Meeting, Fresno
- h. 1/28, ESJ Surface Water Expert Review Meeting, Rancho Cordova
- i. 2/6, SSJVVQC/MPEP
- j. 2/7, CVRWQCB Hearing, Rancho Cordova

15. NEXT MEETING

March 7, 2019 at 1:00 P.M., Kern County Water Agency

16. ADJOURN

There being not further business to come before the Board, the meeting was adjourned at 11:15 A.M.

“*” Notates an action item (Approval/Ratification)