

Minutes of the Regular Meeting of the Board of Directors of the Kings River Watershed Coalition Authority (Kings River Coalition) held November 18, 2014. The meeting was held at the offices of the Kings River Conservation District (KRCD) located at 4886 E. Jensen Avenue, Fresno, CA 93725.

### **CALL TO ORDER**

President Mark McKean called the meeting to order at 11:30 a.m.

### **DIRECTORS / ALTERNATES PRESENT (14 of 27 Members Present)**

CLARK'S FORK RECLAMATION DIST #2069 - Clarence Lima  
 CONSOLIDATED IRRIGATION DISTRICT- Alternate Director Phil Desatoff  
 CRESENT CANAL COMPANY - Director Mark McKean  
 EMPIRE WEST SIDE IRRIGATION DISTRICT - Director John Howe  
 FRESNO IRRIGATION DISTRICT - Alternate Gary Serrato  
 KINGS RIVER CONSERVATION DISTRICT - Director Mark McKean/Alternate David Orth  
 KINGS RIVER WATER DISTRICT- Director Jack Paxton  
 LAGUNA IRRIGATION DITRICT - Director Frank Zonneveld, Alternate Scott Sills  
 LOVELACE WATER CORPORATION - Alternate Director Mark Gilkey  
 LIBERTY CANAL CO. - Alternate Mike Nordstrom  
 REED DITCH CO. - Director Mark McKean  
 RIVERDALE IRRIGATION DISTRICT - Alternate Mike Nordstrom  
 TULARE LAKE BASIN WATER STORAGE DIST - Alternate Mark Gilkey  
 UPPER SAN JOSE WATER CO. - Director Mike Nordstrom

### **OTHERS PRESENT**

Eric Athorp, KRCD	Dennis Mills, Kings County Water District
Casey Creamer, KRCD	Donna Pepper, KRCD
Larry Cruff	Gary Sawyers, Legal Counsel
Steve Haugen, KRWA	Steve Stadler, James Irrigation District
Rick Hoelzel, KRCD	Bill Stretch, Fresno ID
David Kahn, Riverdale ID	Dennis Mills, Kings County Water District
Cristel Tufenkjian, KRCD	Jim Verboon
David Kahn, Riverdale ID	JJ Westra, TLBWS
Kevin Johansen, Provost & Pritchard	

**ADDITION TO OR DELETION FROM THE AGENDA:** None

**PUBLIC PRESENTATIONS:** None

### **REPORTS**

**Member Enrollment:** Rick Hoelzel reported that 4,279 of the 5,247 current members have paid to date. The first deadline to receive payment is this Thursday and we will be notifying members who haven't paid that they we must receive payment by December 5<sup>th</sup> in order to maintain membership in the Coalition.

The Regional Board has also sent out 18 NOV's to 1 landowners that they believe are without the necessary regulatory coverage. We were able to verify that six were already members are in our coalition and were taken off of the NOV list. We received a second list from the Regional Board and staff is reviewing parcels and owners against our existing membership list.

Casey Creamer, Coalition Coordinator, emphasized Mr. Hoelzel's previous statement that if we haven't received payment by December 5<sup>th</sup> we will have no choice but to drop them from the Coalition.

**Outreach:** Cristel Tufenkjian reported working on annual meeting for member on February 5<sup>th</sup>. There will be two sessions to allow growers to attend. The first session will be at 9:30 am and the second session will start at

1:30pm. It will be at the Holiday Inn Swan Court in Selma. The content will be an update on the program, the submitted Groundwater Assessment Report, and Nitrogen Management plans. A meeting notification will be sent to all members in December. A second coalition newsletter will be sent in early 2015 as well. If there is anytime members would like to have coalition staff meet with growers in a certain area please contact us.

MPEP Agreement: Casey Creamer reported at the last meeting the MPEP Agreement was approved by the Board to enter into an agreement with the southern part of the valley. We have worked on some minor language of the agreement. We are at the point where we have a clean version. It will be signed by Kaweah Basin Water Quality Association, Tule Basin Water Quality Coalition, Kern River Watershed Coalition Authority, and the Cawelo Water District Coalition. The Buena Vista Coalition and the Westside (Kern) Coalition are opting to not join the group agreement at this time. We have a good contingent of the south valley that should help spread the cost of the program. We will distribute a final version of the agreement to members.

TLB WDR: Mr. Creamer stated that the Regional Board is reopening our order. The Farm Evaluation timelines didn't line up with the Groundwater Assessment Reports being finalized, and wetlands to have the option for wetland managers wanted to enroll differently. We submitted comments asking for changes to the Nitrogen Management plan and a few of the other requirements. We proposed to delay the Farm Evaluation for a year and change the Nitrogen Management Plan template requirement from March 1<sup>st</sup> deadline to a 90 days after the Executive Officer approves it so that we have flexibility. This is just the implementation of the plan on farm and not anything that's turned in. We also asked for a one year delay of the Nitrogen Management Plan Summary report and in the certification requirements. Under our proposal, the first report that growers would submit to the Coalition is the 2016 crop year which would be submitted by March of 2017 in High Vulnerability Areas.

The Regional Board staff initially denied our extension request and proposed that farms greater than 60 acres submit Farm Evaluations in March of 2015 instead of high vulnerable areas. They initially agreed to waive the certification requirement for NMP's, but denied our other requests.

After setting up meetings with Regional Board members and a discussion with the Executive Officer, staff has indicated that their proposal will be revised to align with the Coalitions' recommendation and up for consideration at the December 4/5 Board meeting.

Templates: Mr. Creamer reported that we have received an approved Farm Evaluation template and we will be posting it on our website soon.

The Nitrogen Management Plan template was put out for public comments. We worked closely with the other coalitions and commodity groups to put forward joint comments by the deadline. In the request for comments, the Regional Board indicated that they would not be considering the NMP Summary Report. The remaining contentious issues will be what actually must be reported from the template and a potential phased approach to reporting Nitrogen removal per the CDFA Nitrogen Tracking and Reporting Task Force and the SWRCB Expert Panel. The Executive Officer is bringing the NMP template to the Board in December and an approved template is expected by the first of the year.

## **ACTION ITEMS**

### Minutes of the September 16, 2014 meeting

It was moved by Director Zonneveld, and seconded by Director Gilkey, and unanimously approved, the meeting Minutes from the September 16, 2014 meeting of the Kings River Watershed Coalition Authority as presented.

(VOTE: YES-CLARK'S FORK RECLAMATION DIST #2069 - Clarence Lima

CONSOLIDATED IRRIGATION DISTRICT- Alternate Director Phil Desatoff

CRESENT CANAL COMPANY - Director Mark McKean

EMPIRE WEST SIDE IRRIGATION DISTRICT - Director John Howe

FRESNO IRRIGATION DISTRICT - Alternate Gary Serrato

KINGS RIVER CONSERVATION DISTRICT - Director Mark McKean/Alternate David Orth

KINGS RIVER WATER DISTRICT- Director Jack Paxton

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LOVELACE WATER CORPORATION - Alternate Mark Gilkey

LIBERTY CANAL CO. - Alternate Mike Nordstrom  
 REED DITCH CO. - Director Mark McKean  
 RIVERDALE IRRIGATION DISTRICT - Alternate Mike Nordstrom  
 TULARE LAKE BASIN WATER STORAGE DIST - Alternate Mark Gilkey  
 UPPER SAN JOSE WATER CO. - Director Mike Nordstrom, VOTE: NO- None VOTE: ABSTAIN-None)

#### Financial Report

Brian Trevarrow presented the expenditure to budget comparison report for the period ending September 30, 2014.

It was moved by Director Zonneveld, and seconded by Director Desatoff, and unanimously approved, the expenditure to budget comparison report for the period ending September 30, 2014 as presented.  
 (VOTE: YES-CLARK'S FORK RECLAMATION DIST #2069 - Clarence Lima  
 CONSOLIDATED IRRIGATION DISTRICT- Alternate Director Phil Desatoff  
 CRESENT CANAL COMPANY - Director Mark McKean  
 EMPIRE WEST SIDE IRRIGATION DISTRICT - Director John Howe  
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 TULARE LAKE BASIN WATER STORAGE DIST - Alternate Mark Gilkey  
 UPPER SAN JOSE WATER CO. - Director Mike Nordstrom, VOTE: NO- None VOTE: ABSTAIN- None)

#### GAR, SDEAR and CGQMP Submittals

Eric Athorp presented an overview of several reports to be submitted to the Central Valley Regional Water Quality Control Board by the November 20, 2014 deadline. The reports are the Groundwater Quality Assessment Report (GAR), the Sediment Discharge & Erosion Assessment Report (SDEAR), and the Comprehensive Groundwater Quality Management Plan (CGQMP).

Mr. Athorp reported the Waste Discharge Requirements (WDR) General Order for Growers within the Tulare Lake Basin Area (Order R5-2013-0120) requires the completion of a Groundwater Quality Assessment Report (GAR), a Sediment Discharge and Erosion Assessment Report (SDEAR), and a Comprehensive Groundwater Quality Management Plan (CGQMP) within one year of the approval of the Kings River Coalition to be the third-party group.

SDEAR: The Sediment Discharge and Erosion Assessment Report will identify areas that will be required to implement Sediment and Erosion Control Plans. All growers must also conduct a self-assessment to identify whether they have the ability to discharge sediment off farm above background levels. A self-assessment would also trigger the requirement to develop a plan. The Sediment and Erosion Control Plan would require certification, but it not required to be submitted to either the coalition or the Regional Board.

In developing the SDEAR, staff closely monitored the approach taken in the East San Joaquin region. Staff utilized the construction permit data available from the State Water Resources Control Board and categorized the data into risk categories using ArcGIS software. Risk categories were set at levels of 0-5 tons/year, 5-10 tons/year, 10-15 tons/year, 15-20 tons/year, and 20 or more tons/year. Each level was assigned a text description of the risk (none, low, medium, high, and extreme) based on its tons/year rating, and color coded on a base map.

Surface water bodies that are known to be active were then placed upon the map, and outlined with a 500 meter (1,640 ft.) boundary. This boundary was determined to be the largest practical buffer for surface runoff from agricultural parcels to surface water bodies.

The analysis identified 309 affected parcels (182 Mandatory, 117 Self-Assessment).

The final analysis of the available data shows that the overall risk of sediment movement into surface waters within the Kings River Coalition is very low and those areas that are affected are limited to the irrigated lands in the foothill areas in the eastern portions of the valley floor.

CGQMP: The order gives the Coalition two options for developing groundwater quality management plans. The first option is to create a management plan for each exceedance of a water quality objective. The second option was to create a comprehensive plan that would cover all exceedances of water quality objectives. Given the vast number of exceedances in our coalition area, the creation of a comprehensive plan is the best approach. The comprehensive groundwater quality management plan outlines the efforts the coalition will take with regards to education, outreach, monitoring, and further studies needed to address exceedances in the high vulnerable areas.

GAR: Casey Creamer reported the option for the Coalition to prepare a Groundwater Quality Assessment Report determining high and low vulnerable areas was negotiated by the coalition and farm groups in the development of each of the Long-term Irrigated Lands Regulatory Program. Initially, the Regional Water Quality Control Board (Regional Board) developed high and low vulnerable areas using DPR groundwater protection areas, and exceedances of groundwater quality. Using that data, the majority of coalition area, was categorized as highly vulnerable.

The Kings River Coalition issued a Request for Proposals (RFP) in October of 2013 and selected GEI Consultants for its cost-effective bid combined with the approach outlined in the proposal. A significant amount of resources were put into the development of the GAR Analyst tool. The GAR Analyst inputs all of the available soil, depth to groundwater, farming practices, and water quality data and assigns a risk rating for every section within the coalition. The tool was developed to analyze relative risk and is not a predictive model for groundwater quality. Additional analysis was performed to look at the areas that had known water quality issues, but were not high risk according to the tool. In many of these areas, other contaminant sources such as dairy or septic were identified nearby. Since current or agricultural practices cannot be completely eliminated as a source with known available data, sections with water quality exceedances were added to the coalition's high vulnerable areas.

The submittal of a report is only the first stage of the process. The Regional Board must approve and has the final say in determining the coalition's high vulnerable areas. Non-submittal of a report would trigger a Notice of Violation and, according to the order, the Executive Officer would designate default high/low vulnerability groundwater.

Mark McKean requested a motion to accept each of the reports, and to authorize the President and or his designees to submit each report, as required, to the Regional Water Quality Control Board by the November 20, 2014 deadline.

It was moved by Director Serrato, and seconded by Director Sills, and unanimously approved, to accept each of the reports, and to authorize the President and or his designees to submit each report, as required, to the Regional Water Quality Control Board by the November 20, 2014 deadline.

(VOTE: YES-CLARK'S FORK RECLAMATION DIST #2069 - Clarence Lima

CONSOLIDATED IRRIGATION DISTRICT- Alternate Director Phil Desatoff

CRESENT CANAL COMPANY - Director Mark McKean

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TULARE LAKE BASIN WATER STORAGE DIST - Alternate Mark Gilkey

UPPER SAN JOSE WATER CO. - Director Mike Nordstrom, VOTE:NO- None VOTE: ABSTAIN- None)

**ADJOURNMENT**

There being no further business, President McKean adjourned the meeting at 12:35 P.M.

Respectfully Submitted,

David Orth  
Secretary/Treasurer

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Approved