

KINGS COUNTY WATER DISTRICT  
BOARD OF DIRECTORS REGULAR MEETING MINUTES  
THURSDAY, DECEMBER 9, 2021

As a results of the COVID-19 emergency, the public was able to participate through a conference call. Directors could choose to meet with Staff in the Board Room or participate through a conference call. President McCutcheon called the regular meeting to order at 1:00 p.m.

**DIRECTORS PRESENT:** Steven P. Dias, Barry McCutcheon, Ernest Taylor,  
Joseph Freitas (phone), Michael Murray (phone)

**DIRECTORS ABSENT:** None

**OTHERS PRESENT:** Dennis Mills, General Manager  
Ray Carlson, Attorney (phone)  
Geoff VandenHuevel, Milk Producers Council (phone)  
Johnny Gailey, Delta View WA (phone)  
Shawn Corley, Lakeside IWD (phone)  
Karen Ornsby, Kings County Grand Jury (phone)

**ESTABLISH QUORUM**

It was determined that a quorum was present at the meeting.

**CONFLICT OF INTEREST**

None.

**PUBLIC COMMENT PERIOD**

None.

**APPROVAL OF MINUTES OF THE REGULAR NOVEMBER 4, 2021 MEETING**

Director Taylor asked if there was a motion regarding the minutes circulated in this month's Board packets. Manager Mills noted that Attorney Carlson had provided some minor edits to the draft minutes circulated. Director Taylor made a motion to approve the minutes of the regular November 4, 2021 meeting including the edits provided by Attorney Carlson. Director Freitas seconded the motion and the Board unanimously approved the regular November 4, 2021 meeting. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: Joseph Freitas

**COMMUNICATIONS**

Manager Mills reported on the following:

- Submittal of a comment letter to DWR on the Draft Implementation Grant PSP;
- Message from Lois Henry on a Kings County water article;
- Local AEM Survey by DWR;

- Last Chance audit from M Green and Associates.

During the report on Communications, Director Freitas joined the meeting.

## **GENERAL MANAGER**

### **WATER SUPPLY**

Manager Mills reported that Kettleman City CSD was in the process of pursuing purchasing very expensive surface water. He provided updated information on recent rainfall from the southern San Joaquin Valley six station set. He also reported on the DWR announcement of a zero initial allocation for 2022 SWP supplies.

### **ESAJIAN BASIN EFFORTS**

Manager Mills reported on the G&J Heavy Haul License Agreement at the Esajian Basin. He communicated that DFJV agreed to the terms the District proposed. G&J will be signing document after the agreement with DFJV is signed. G&J also called this week to see if they could take 20-40 loads out of the basin, before the agreement was signed. Manager Mills agreed as long as the amount went against the contract.

Manager Mills reported on the P&P survey effort at the Esajian Basin and along Peoples Ditch. Staff worked with P&P to revise the grading of the basin and develop earthwork estimates for use with G&J. Staff then had a preliminary meeting with P&P on the design effort. It was identified that a survey of the Peoples Ditch was needed to verify hydraulics before proceeding with design. The surveyor from P&P has been in contact but no progress yet.

Manager Mills reported on an evaluation of oak tree removal near the Farmers Structures on Peoples Ditch at the Esajian Basin. Staff consulted with P&P about the removal of the large oak tree near the Farmers Structures. There appear to be three species of concern at that location, one bat and two birds. The next step in the effort would be to do a survey to see if the species are present. If they are, then some issues will have to be too figured out. If there are no species present, the tree can be removed prior to Feb 1, but not after.

### **GRISWOLD BASIN EFFORTS**

Manager Mills reported on the District's Lease Agreement revisions with Arnie Netto at the Griswold Basin site. After discussion with staff, Mr. Netto agreed to continue farming the northern fields on the property with the use of the existing well. Staff and Mr. Netto did discuss using the existing well for construction water, when necessary. Mr. Netto is developing the "farmed" acres for those fields so they can be included in the 2022 lease agreement. Manager Mills also mentioned that the District will need to begin efforts to remove the walnut orchard from the property.

### **TULARE LAKE SUBBASIN GRANT APPLICATION**

Manager Mills reported the outline for the funding opportunity had become available. He then discussed the required Resolution in the grant application with the Board to get view on whether the Board is willing to accept the terms. Next, Manager Mills discussed authorization of a Review Committee and development of project selection method. The Griswold Recharge Basin, Phase #1 project, the North Apex Recharge Expansion project, the Railsback Recharge Basin, Phase #2 project, the Cody Recharge Basin , Phase #2 project, and the Sand Creek Recharge project were all discussed with the Board. Manager Mills asked what the Board's view of project submittal, selection committee and grant participation were. Vice-president Dias made a motion to approve the concept of developing a project selection committee from the Tulare

Lake Subbasin GSA managers, and for the District to participate in the grant application with the discussed projects if they are selected. Director Taylor seconded the motion and President McCutcheon called for a vote. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Joseph Freitas, Barry McCutcheon, Michael Murray,  
Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: None

#### DELTA VIEW PHASED PROJECT DISCUSSION

Manager Mills reported on the current status of the Delta View phase project. He described the components of the project as the Idaho Basin & Canal, the Grangeville Basin, the Northern Delta View Canal & Hwy 198 Basin, the Southern Delta View Canal & TO to South Mill Creek Ditch, and the Private Basin development for layoff/recharge. The concept of the project would be to develop phases of the project as grant funding becomes available. The estimated benefits from the project are roughly 9,500 acre-feet per year in overdraft reduction from both the use of floodwater for irrigation and recharge, as well as offset groundwater pumping from converted cropped fields. Manager Mills reported that he had met with a portion of the Delta View Board on the project, where it was well received and those present were interested in pursuing the effort.

#### KAWEAH SUBBASIN SGM IMPLEMENTATION GRANT APPLICATION

Manager Mills again reviewed the outline for the funding opportunity that had become available. He also reviewed the required Resolution in the grant application with along with the concept of authorizing a Review Committee and development of project selection method. The Board discussed all of these topics, as well as whether there was interest in pursuing the Delta View Project through the grant opportunity. Director Taylor made a motion to approve the concept of developing a project selection committee from the Kaweah Subbasin GSA managers, and for the District to participate in the grant application with the Delta View project if it is selected. Vice-president Dias seconded the motion and President McCutcheon called for a vote. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Joseph Freitas, Barry McCutcheon, Michael Murray,  
Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: None

#### POTENTIAL GRANT FOR INDEPENDENT DITCH MEASUREMENT FLUME

Manager Mills briefly reported that a grant opportunity that could have matched well with efforts to address issues at the Independent Ditch measurement flume.

#### LAND IQ CROPPING INFORMATION UPDATE

Manager Mills briefly reported that the recent monthly data had been received from Land IQ.

GSA RELATED TOPICS

Manager Mills reported that other GSA managers continued to convey that DWR would issue a letter on GSP issues within the next 60 days. He also briefly reported on a GSP comment letter that Westlands GSA area had received. He then reported that he had received initial monitoring information in the Greater Kaweah GSA and was beginning to review it. He reported on a recent program developed by the Delta View Water Association called a Dutch Auction Fallowing Program.

ON-GOING EFFORTS

*Weidman Basin*

Manager Mills reported that efforts continue to try to burn the remaining dead trees at Weidman Basin.

*Apex Ranch*

Manager Mills reported that staff had been working in the Old River Channel to open up new passages between low spots to increase the recharge capacity of the section.

*Riverside Ditch*

Manager Mills reported that Lakeside IWD staff just sloped the ditch. During the effort, Cindy Martin-Kelley’s gate at the end basin was damaged by the grader. Staff is working with them to address the damage.

**EXPENDITURE LIST APPROVAL & FINANCING STATEMENT ACCEPTANCE**

On a motion by Director Taylor, with a second by Vice-President Dias, it was unanimously approved by the Board that the expenditure list and financial statement be accepted as submitted. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Joseph Freitas, Barry McCutcheon, Michael Murray,  
Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: None

**TRANSFER OF FUNDS**

Manager Mills reported that a transfer of \$100,000 was needed from the L.A.I.F. Account to the Union Bank General Account. On a motion by Director Taylor, with a second by Vice-President Dias, it was unanimously approved by the Board to transfer \$100,000 from the L.A.I.F. Account to the Union Bank General Account. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Joseph Freitas, Barry McCutcheon, Michael Murray,  
Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: None

**BOARD MEMBER DISCUSSION/ANNOUNCEMENTS OR REPORTS**

None.

**SET NEXT MEETING DATE**

The next regular Board of Directors meeting was set for January 13, 2022 at 1:00 p.m.

**CONVENE TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE  
54956.9 (A) AND 54956.9(D)(1)**

**CLOSED SESSION**

**RECONVENE TO OPEN SESSION**

Following the Closed Session, Director McCutcheon reported that there was no reportable action from the Closed Session.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 4 p.m.

Respectfully submitted,

Dennis Mills  
MIN12.09.21