

Minutes of the Regular Meeting of the Board of Directors of the Kings River Conservation District held August 11, 2009.

President McKean called the meeting to order at 9:00 A.M.

**DIRECTORS PRESENT**

Mark C. McKean, President  
Brent L. Graham, Vice President  
Ceil Howe Jr.  
Gildo Nonini  
Norman B. Waldner

**DIRECTORS ABSENT**

David Cehrs, PhD  
Mike Yoshimoto

**OTHERS PRESENT**

KRCD Staff & Consultants:

Margaret Clayton  
Steve Haugen, KRWA  
John Moore  
Randy McFarland  
Donna Pepper  
Randy Shilling  
Steve Stadler  
Brian Trevarrow  
Cristel Tufenkjian

Others:

Shannon Koontz-Monis, Pacific Gas & Electric Co.

**ADDITIONS TO OR DELETIONS FROM THE AGENDA**

There were no additions to or deletions from the Agenda.

**PUBLIC PRESENTATIONS**

None

**APPROVAL OF MINUTES**

It was moved by Director Howe, seconded by Director Waldner and unanimously carried that the Minutes of the July 14, 2009 Regular Board meeting and the June 21, 2009 Special Board meeting be approved, as presented.

**WATER CONDITIONS**

Steve Haugen, KRWA, summarized a report on water conditions stating storage in the Pine Flat Reservoir (Reservoir) as of 2400 hours on August 9, 2009 was 426,491 acre-feet with vacant space of 767,509 acre-feet. On that date, the calculated natural inflow to the Reservoir was 442 C.F.S.

## **DIRECTORS' REPORTS**

President McKean reported David Orth was not available to present a General Manager's Report, however his written report was included in the Agenda packet.

## **GENERAL MANAGER'S REPORT**

Written report only.

## **LEGISLATION**

Vice-President Brent Graham reported on the following state and federal legislative issues:

AB 49 (Feuer / Huffman) Water Conservation and SB 261 (Dutton / Ducheny) Water Use: SB 261 and AB 49 are very similar water conservation bills. The two bills have been sent to legislative conference, as Preprint Assembly Bill No. 2, to see if the differences can be reconciled into a single piece of legislation. Vice-President Graham further reported with time in the 2009 legislative session running out, it is uncertain if anything will be resolved this year. The Kings River Legislative Committee has sent a letter of opposition.

## **PUBLIC INFORMATION**

No report.

## **CORRESPONDENCE, MEETINGS AND CONFERENCES**

President McKean advised the Board of the following correspondence, meetings and conferences:

- Letter from the City of Kerman dated June 24, 2009 with attached Resolution No. 09-34
- Letter from Barbara Boxer, Chair of the U.S. Senate Committee on Environment and Public Works dated July 14, 2009
- Memorandum from ACWA regarding the elections to the Board of the National Water Resources Association

## **STAFF STATUS REPORTS AND PRESENTATIONS**

**Water/Environmental Resources and Flood Control:** David Cone, Deputy General Manager, Water/Environmental Resources and Flood Control presented an overview of the Federal Emergency Management Agency (FEMA) Flood Map updates which became effective on June 16, 2009. The new digitized maps show the risks of 100-year floods in California and identify new groups of owners required to buy insurance to cover their high risk of flood. Mr. Cone displayed images of the new flood boundaries for the central valley region, answered questions and then concluded his report.

**Power Resources:** Mr. John Moore, Manager of Power Generation, presented an overview of the activities of the Power Resources division. Mr. Moore also presented a status report on the operations at the Jeff L. Taylor Pine Flat Power Plant reporting generation totaled 92,488 MWh during the month of July. Mr. Moore reported the Pine Flat Reservoir began the month of July at an elevation of 875.31 feet (ft.) and storage of 605,243 acre-feet (AF), as of August 1<sup>st</sup> the reservoir elevation was 809.64 ft. Storage was 347,390 AF and turbine discharge was 381,759 AF for the month of July. There was no discharge through the turbine bypass system, no spill from the dam, and no recordable flow from Mill and Hughes Creeks.

Mr. Moore also presented an overview of operations at the Malaga Peaking Plant reporting the plant for July 2009 had 26 fired starts and 301.3 fired engine hours for Unit #1, and 22 fired starts and 275.9 fired engine hours for Unit #2. The plant generated a total of 26,450.3 MWh for the month.

### **SAN JOAQUIN VALLEY POWER AUTHORITY LETTER AGREEMENT**

President McKean presented an overview of the letter of agreement noting on June 25, 2009, the Authority Board approved Resolution No. 09-06, temporarily suspending Community Choice Aggregation (CCA) implementation activities until further affirmative action by the Authority Board and directing the preparation of a letter agreement detailing the implementation of the suspension. President McKean reported the letter agreement has been prepared and reviewed with KRCD Special Counsel.

It was moved by Vice President Graham, seconded by Director Howe and unanimously carried to authorize the General Manager to execute and deliver the Letter Agreement with the San Joaquin Valley Power Authority suspending the CCA Program implementation and the obligations contained in the PSA and Service Addendum 1 to the PSA.

### **RESOLUTION NO. 09-08**

David Cone, Deputy General Manager, Water/Environmental Resources and Flood Control reported the U. S. Department of Agriculture, Natural Resources Conservation Service (NRCS), has approved the Kings River Conservation District's (District) project proposal under the Agricultural Water Enhancement Program (AWEP) for \$14,000,000 over a 5-year period to assist farmers within the District's service area to improve irrigation efficiency with micro-irrigation systems, tail water recovery systems, etc. Mr. Cone further reported the NRCS will provide the funds to farmers on a cost-share basis. The District will be the local partner for the program providing assistance to the farmers and NRCS, project oversight, report preparation, etc.

It was moved by Vice President Graham, and seconded by Director Waldner and unanimously carried to adopt Resolution No. 09-08 authorizing the General Manager or his designee to sign and deliver the AWEP Partnership Agreement for Project Years 2009-2013 and other related documents required to carry out the program.

### **FINANCE AND ADMINISTRATION**

Randy Shilling, Deputy General Manager of Finance and Administrative Services, presented an expenditure to budget comparison report for the period ending July 31, 2009.

It was moved by Director Nonini, seconded by Director Howe and unanimously carried, bills in the amount of \$1,678,648.63 as presented in the schedule of Disbursements and Current Accounts Payable, were approved and ordered paid.

### **CLOSED SESSION**

The Board adjourned to Closed Session at 9:50 A.M. pursuant to Government Code Section 54956.8, to provide direction to the General Manager or his designee regarding real property owned by the District at Excelsior and 26-1/4 Avenues, and identified as APN 004-010-09, APN 004-030-01.

**RECONVENE TO OPEN SESSION**

President McKean reconvened to Open Session at 10:11 A.M. and reported no action was taken by the Board.


**ADJOURNMENT**

There being no further business, President McKean adjourned the meeting at 10:12 A.M.

Respectfully submitted,



David Orth  
Secretary

  
Approved

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BEFORE THE BOARD OF DIRECTORS  
OF THE KINGS RIVER CONSERVATION DISTRICT  
FRESNO, CALIFORNIA

RESOLUTION NO. 09-08

AUTHORIZING THE AGRICULTURAL WATER ENHANCEMENT PROGRAM PARTNERSHIP  
AGREEMENT WITH THE U.S. DEPARTMENT OF AGRICULTURE,  
NATURAL RESOURCES CONSERVATION SERVICE

WHEREAS, the Kings River Conservation District (District) is vitally interested in the management of water supplies available or delivered within its boundaries; and

WHEREAS, Section 2510 of the Food, Conservation, and Energy Act of 2008 established the Agricultural Water Enhancement Program (AWEP) by amending section 1240I of the Food Security Act of 1985. The Secretary of Agriculture delegated the authority for AWEP to the Chief of the Natural Resources Conservation Service (NRCS), an agency of the U.S. Department of Agriculture; and

WHEREAS, AWEP financial assistance is available for the fiscal year 2009 for NRCS to enter into contracts with potential partners who seek to enter into partnership agreements with the NRCS; and

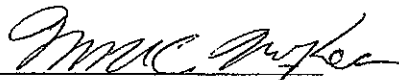
WHEREAS, The AWEP is a voluntary conservation initiative that provides financial and technical assistance to agricultural producers to implement agricultural water enhancement activities on agricultural land for the purposes of conserving surface and ground water and improving water quality; and

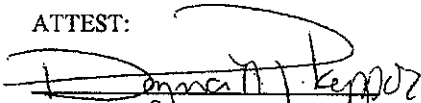
WHEREAS, The U. S. Department of Agriculture, NRCS, has approved the District's project proposal under the AWEP for \$14,000,000 over a 5-year period to assist farmers within the District's service area to improve irrigation efficiency with micro-irrigation systems, tail water recovery systems and other project as submitted.

THEREFORE, BE IT RESOLVED, that the General Manager, or his designee, is authorized and directed to execute and deliver the Agricultural Water Enhancement Program Partnership Agreement for the project years 2009-2013 and other related documents in substantially the form presented to the Board of Directors on behalf of the District.

THE FOREGOING RESOLUTION was passed and adopted at a Regular Meeting of the Board of Directors of the Kings River Conservation District on this 11<sup>th</sup> day of August, 2009, by the following vote:

- AYES: President McKean, Vice President Graham, Directors Nonini, and Waldner
- NOES: None
- ABSENT: Directors Cehrs, and Yosimoto

  
President

ATTEST:  
  
Secretary

KINGS RIVER CONSERVATION DISTRICT  
 Schedule of Disbursements and Current Accounts Payable  
 Presented August 11, 2009  
 (For Expenditures in the Month Ending July 31, 2009)

Employee Payroll	07/07/09	5,521.50	
Employee Payroll	07/08/09	77,876.18	
Employee Payroll	07/22/09	75,237.10	
			158,634.78
Accounts Payable (KRCD)		1,422,632.47	1,422,632.47
	Sub-Total		1,581,267.25
Ready-Tax Electronic Funds Transfers:			
Employee Tax Deposits	07/01/09		30,871.51
Employee Tax Deposits	07/10/09		4,167.00
Employee Tax Deposits	07/15/09		32,044.19
Employee Tax Deposits	07/29/09		30,298.68
	TOTAL		<u>1,678,648.63</u>