

Regular Meeting Minutes

**Klamath Project Drought Response Agency
Special Board Meeting
March 9, 2021
9:00 am**

MEETING CALLED TO ORDER

Marc Staunton, the President, called the Special Board of Directors meeting of the Klamath Project Drought Response Agency (DRA) to order on Tuesday, March 9, 2021, at 9:09 am at 2312 South Sixth Street and via the on-line conference platform called Zoom.

ROLL CALL

Directors Present: Marc Staunton, Luther Horsley, Luke Robinson Paul Crawford, Rob Unruh, Jerry Enman, and Mike McKoen
Guests: Chelsea Shearer, Paul Simmons, Kyle Knutson, Gene Souza, Brad Kirby, Nathan Ratliff, Bill Ganong, Haley Grohs, Marc VanCamp, Pat Neu, Mike Neuman, Nick Grounds, Moss Driscoll, Mike Byne, Vicki Zeller, Marjorie Devine, and Gary Griffith.
Media Presence: none

Agenda

Marc Staunton recommended adjusting the agenda as the meeting may go long, and there are conflicting meetings later in the morning. He recommends moving agenda items 2, 3, and 4 to the end of the meeting. (Prior Meeting Minutes, Financials, and updated info of 2020 claims.) He suggested the meeting start with agenda item #6- Review/ Approve 2021 Bureau of Reclamation (BOR) Grant Application.

Motion: Motion to Amend agenda, moving agenda items 2,3, and 4 to the end of the meeting and start with item # 6.

Motion by: Mike McKoen Second: Jerry Enman

Motion Carried.

Review/ Approve 2021 BOR Grant Application.

Nathan Ratliff stated that the DRA received updated information on the grant forms from Mike Neuman with BOR. Neuman stated that the DRA was using the wrong grant template for submission. Nathan stated the corrected form has a level of required detail that is beyond staff expertise. Bill Ganong recommends that the DRA may need to hire a professional grant writer. He continued that if the DRA chooses to submit what they have written, it is likely it will be rejected. The Groundwater pumping grant is where there are details required to monitor the pumping, making DRA liable. The DRA does not have the staff to monitor. The board discussed doing two grants, one for groundwater (GW) pumping and one for land Idling. Moss Driscoll, with BOR, clarified that the board chose to separate out the grants, the one for the GW; BOR would anticipate the grant would include a number and a specific pumping process, which will include a budget. The grant will need to include a specific number for pumping and have a process of getting there. BOR recognizes this will also require a dollar figure, which the DRA lacks at this time. Mike Neuman will call the Dever office and see if there is any way around this. Moss recommends that the DRA make a proposal of what they want to "try" to pump. Then BOR can evaluate that with the best available information. If the number is a more conservative figure, it will be easier to justify.

Moss and Neuman both stated that the numbers of GW pumping and dollars must be detailed and in accordance with the law based on the process. Neuman added that he's concerned if the DRA just "puts values in" that the OIG will question how they got those numbers. He continued he is trying to protect BOR, the DRA, and programs in the future. BOR will not accept any numbers that are not from experts. Moss continues to suggest that the DRA gets the application in as soon as possible that is consistent with the law, and they can work out or on the other things later. Mike McKoen voiced his frustrations that no one has the knowledge and expertise not even USGS. Jerry Enman is concerned about just picking a number and going with that; he questions how the DRA can set up a program to pump an unknown number.

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Mark VanCamp, with MBK Engineers stated that they have the 2014 USGS report, but there has been nothing new since that time. If the DRA uses that number, then they would be in compliance as it is the most recent information available. Neuman stated that a lot has happened since 2014 with GW, but nothing has been published. Neuman will also reach out to the Denver office on this issue. VanCamp stated that they have been unsuccessful in contacting USGS for current data.

The discussion continues on requirement details. Jerry suggests splitting the programs again to one land idling program worth \$10 million, and if more money comes in, then the second program of groundwater pumping for that extra funding amount. Neuman stated that if the DRA was to do this, it would make the program a lot cleaner. Paul Simmons stated that both senators are still working on getting \$20 million through the USDA. They are investigating whether they have that authority.

Moss stated that if the programs were split, it would be an easier process. There will still be NEPA to get through, but BOR could do a supplemental EA. He added that the DRA need not get hung up on that process when it comes to structuring the programs; that is for BOR to complete.

The board continues to discuss the pros and cons of running two parallel grant applications. Rob Unruh suggests plugging in the number of "up to 75 TAF" in the GW program and follow the current guidelines, fund the program like we're going to process that amount. Mike McKoen agrees and stated if the budget gets limited, then we can do a budget modification and move those funds to land idling. Paul Crawford also agrees with having two programs, and he wants to get this going and not waste time. Luther Horsley suggests if we need to hire a grant writer, then just do it and get the applications in. The application would be one application with two parts, (1) Unirrigated Lands Program and (1) groundwater pumping program.

Motion: Motion to revise Grant Application, with \$16 million requested for Unirrigated Lands Program, 75 TAF as cap for groundwater Pumping, with \$4 million requested for groundwater.

Motion by: Jerry Enman Second: Mike McKoen

Unanimous vote: Motion Carried.

KWUA staff will look into seeing how to obtain current groundwater figures.
Nick Grounds, Luke Robinson, and Brad Kirby leave the meeting.

Motion: Motion to Authorize expenditure of up to \$10K for grant writing services at the direction of Marc Staunton.

Motion by: Luther Horsley Second: Rob Unruh

Roll Call: Ayes vote: Marc Staunton, Rob Unruh, Luther Horsley

Abstain: Paul Crawford (present via zoom no answer received when called

Negative Vote: Mike McKoen

Majority vote yes: Motion Carried.

Paul Crawford leaves the meeting, a quorum is maintained.

Consider/ Approve 2021 Domestic Well Mitigation Program.

Rob Unruh stated that if we have a GW program, the DRA needs to include a Domestic Well Mitigation program. If the DRA gets funded at \$20 million, then he recommended using the old 2018 program that funds 50% up to \$7,500. If the DRA only receives \$10 million, then use the 2020 program.

Motion: Motion authorize 2021 GWM program based upon 2018 program, with \$7500 cap, subject to funding availability, and to include in Grant application with a budget of \$150,000

Motion by: Rob Unruh Second: Mike McKoen

Unanimous vote: Motion Carried.

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Consider Modification/ Extent of 2021 Groundwater and Season Programs

Nathan Ratliff stated that this item was placed on the agenda due to conversations that may have happened over the weekend. He has nothing new to report on the topic as of today. Marc Staunton stated that the DRA might need to hold another Special Meeting to address the issues as they arise. Nathan also noted that items 2 and 3 could be tabled until the next meeting.

Review Updated Information on 2020 claims previously denied and consider approval as set forth in tables 1 & 2.

Pat Neu updated the board on the following claims. He stated that he has now received verification that the two applicants did not receive water; he is recommending the DRA pay claims at full reimbursement.

Table 1. Summary of Claims Omitted During Initial Review Application No.	Applicant Name	Acres - Season	District	Reimbursement (\$)
D0502	Donnie Heaton	60.2 - Full	KID	\$11,137.00
D0503	Josh McPherson	83.9 – Partial	KDD	\$10,399.41
D0504	Josh McPherson	17 – Full	KID	\$3,145.00

Motion: Motion to Approve Claims Omitted During Initial Review as follows:(\$ D0502 Donnie Heaton 60.2 - Full KID \$11,137.00 D0503 Josh McPherson 83.9 – Partial KDD \$10,399.41 D0504 Josh McPherson 17 – Full KID \$3,145.00

Motion by: Mike McKoen Second: Luther Horsley

Unanimous vote: Motion Carried.

Pat continued that he has now received verification that Marjorie Divine also did not receive water; he is recommending the DRA pay claims at full reimbursement. Ms. Divine asked to address the board on her claim. She submitted power bills and a Klamath County tax lot map of her property to the board. She thanked the staff for the recommendation, but she is contesting the acres paid. Her mapping shows 37.5 acres, and staff is suggesting paying only 28.2 acres. The board reviewed the mapping and the most recent satellite imagery. After a discussion with Ms. Divine, the board agreed to pay 30 acres but rejected the 37.5 to stay consistent with others' mapping methods. Ms. Divine accepted the offer.

Table 2. Summary of Claims Requiring Further Verification Application No.	Applicant Name	Acres - Season	District	MBK Recommendation
D0454	Marjorie Divine	28.2 – Full	KID / Klamath River	Reimburse at full season rate

Motion: Motion to rescind denial of 2020 Claim D0454 Marjorie Divine and authorize payment for 30 acres at full-season rate

Motion by: Mike McKoen Second: Luther Horsley

Unanimous vote: Motion Carried.

Marc Staunton opened the floor to public comment, no comments given.

Being no further business, the meeting was adjourned the meeting at 11:30 am.

Motion: To adjourn the meeting.


Motion by: Rob Unruh Second: Mike McKoen

Unanimous vote: Motion Carried.

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Minutes prepared by Chelsea Shearer

Approved: Marc Staunton  President

Approved: Rob Unruh  Secretary