

# Regular Meeting Minutes

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**Klamath Project Drought Response Agency  
Regular Board Meeting  
September 8, 2021  
10:00 am**

## **MEETING CALLED TO ORDER**

Marc Staunton, the President, called the Board of Directors meeting of the Klamath Project Drought Response Agency (KPDR) to order on Wednesday, September 8, 2021, at 10:04 am at 2312 South Sixth Street and via the online conference platform called Zoom.

## **ROLL CALL**

Directors Present: Marc Staunton, Luther Horsley, Paul Crawford, Jerry Enmnan, and Mike McKoen

Guests: Chelsea Shearer, Kyle Knutson, Gene Souza, Nathan Ratliff, Bill Ganong, Pat Neu, Mike Neuman, and Marcy Anderson

Media Presence: Jessica Fu

## **Minutes**

The minutes for April, May, June, and August were presented for review and approval.

Motion: To approve all the presented minutes.

Motion by: Luther Horsley                      Second: Mike McKoen

Roll Call Vote: Unanimous

Motion Carried

## **Financials**

Nathan Ratliff stated that there were no financial bank statements to approve as there were continuing issues accessing US Bank's website. Nathan stated that some checks might be missing in the mail; Nathan is recommending sending a letter to the recipients, stating that if they have not received them, he will place a stop payment on them.

He also indicated that much of the admin payment paid is reimbursable.

Motion: To approve the financials as presented.

Motion by: Luther Horsley                      Second: Mike McKoen

Roll Call Vote: Unanimous

Motion Carried

## **Status of the Bureau of Reclamation Grant Programs**

- Pat Neu presented the 2021 summary, which included an update on the No Irrigation Program, late claims, insufficient acreage claims, outside of program claims, and verification of non-irrigation. Applications recommended for denial were broken into categories.
- Category 5- outside of Project (2 applicants, S0535 & S0718). Staff recommends that these applications be denied.
- Category 7 – Received Late (9 applicants) 0724 (8/3/2021), S0725 (8/4/2021), S0726 (8/4/2021), S0727 (8/5/2021), S0728 (8/5/2021), S0729 (8/5/2021), S0730 (8/23/2021), S0731 (8/23/2021), and S0732 (9/2/2021).
- Category 8A Has 8 applicants S0022 – Requested 2 acres, S0198 - Requested 4 acres, S0218- Requested 4.99 acres, S0290 Requested 2.9 acres, S0418 -Requested .43 Acres, S0419 Requested .44 Acres, S0531 Requested 3.8 Acres, S0532 -Requested 3.54 Acres
- Category 8B- Mapped less than 5 acres (5 applications) S0073- Requested 5.67 acres (mapped 3.69 acres), S0077- Requested 5 acres (mapped 2.75 acres), S0205 - Requested 6.3 acres (mapped 4.40 acres), S0221- Requested 9.82 acres (mapped 4.45 acres), S0489- Requested 8 Acres (mapped 4.54 acres and 2.55 acres).

Based on ineligibility in relation to approved policy, staff recommends that all these applications be denied.

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Paul Crawford stated that he is concerned the if DRA denies less than 5 acres, it would affect the FSA program. He recommends that no action be taken on less than 5 acres.

Marc Staunton suggested that perhaps they reopen the applications for this year as it does not change the amount of water produced as if it did in previous years. The program closes on November 1, and no matter what, there will not be water to fulfill the program. Paul Crawford agrees as the DRA could include them and not delay the program. Nathan Ratliff clarified that it would not have an effect on prior years (setting a precedent). They stated that it could be extended because it is not affecting the amount of water produced. He indicated that reopening would pick up a lot of applications, and there would be admin costs associated with a reopening.

Discussion continued, and no action was taken on all the information presented. Paul Crawford recommended sending a letter to the applications in categories 5 & 8 that they are being denied based on the mapping.

Jerry stated that the topic of reviewing the policy to extend the deadline and consider an amendment is at a stalemate. He recommends that no action be taken and move along. Marc Staunton stated that item 5.b.c will be tabled to a later date.

### **Discussion of Additional Funding**

An additional \$5 million for BOR funding via the four corners reprogramming process has been designated to DRA. These funds have been made available to spend as needed. It can be added to the \$15 to make \$20 million or be used for a domestic well mitigation program. Nathan stated that the DRA may need the scope of work to be adjusted to reflect the \$5 million, but ultimately the grant can be changed. If the DRA waits until after the fiscal year to determine how it's to be spent, it will allow more time to spend it. Mike Neuman stated that you couldn't hold the funding to another year's irrigation program; it must be spent on 2021 programs.

Paul Simmons stated there is an option to identify a preferred use of the funds, with a modification by September 30, the funds could then be used through next October.

Luther stated that he hopes the board uses the money for a domestic well mitigation program. He believed the DRA is obligated to help. The wells on KDD would also be eligible for a domestic well program. Mike McKoen stated that he feels for the domestic well used, but if there is to be a program for domestic wells, then it should be considered by the state.

Paul Simmons stated that KWUA had requested the OEM board to assist with \$8million for assessment reimbursement and \$3 million for domestic wells, but that has only been received and is not declared yet. Paul Crawford stated that if the DRA did a program it could be paired with the state funds to offer more help.

Jerry Enman stated that if we do a domestic well program, then we should give thought to a groundwater pumping program. While it would be easy to add the funds to the No Irrigation Program, he would like thought given to a groundwater program with the funds. Paul Crawford stated that his constituents indicated that they don't want the \$5 million to go to groundwater that it should go to dry grounds users.

Mike Neuman states he submitted the modification yesterday to add the \$5 million to the existing 2021 program. Should he need a signature, the DRA needs to authorize someone to do that.

Motion: To authorize Board Member Marc Staunton or Jerry Enman to execute necessary amendments to the 2021 BOR Grant Agreement to allow for funding with an additional \$5 million.

Motion by: Paul Crawford                      Second: Luther Horsley

Roll Call Vote: Unanimous

Motion Carried

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Marc Staunton asks again if the DRA should include a domestic well program. Mike, Paul, C, Jerry, and Luther all agree that no decision should be made until they know the status of the state funds request. They asked Paul Simmons to flex some people to find out the status of the state funds.

Nathan stated that he would resend out the latest 2021 well policy draft that was shelved a while ago, allowing time to rediscuss the issue.

### USDA/FSA Grant

Nathan stated there is not anything to work on at this time; it is all on the USDA now. The funds will go to all eligible acres with a cap of \$2000 per acre and a 5,000-acre maximum. They change the wording of "farm operations" as well as the issue of tax LLC names.

Paul Crawford asked if the option 3 acres was allowable; Nathan stated that they would have to go to ground zero to do that. Jerry stated that last month they decided not to do that. Luther, Mike, and Jerry all agreed they were not interested in voting for that. Mike McKoen stated that he believes there will be issues with the USDA definition of an ag producer.

Marci Anderson leaves the meeting.

The board will continue to move forward at 5 acres. Paul thanks the board for the consideration; he wishes they could include 3 acres, but he understands and did not consider the producer definition.

Marc Staunton calls out again for the opening of second application date for the Non-Irrigation program. Paul is in favor as long as it does not delay the program payout. Jerry is opposed as there may be an option to get funds before November. Mike and Luther agree with Jerry. Mike stated that the only way it would have his support is with a reduced payment, and even then, he is not sure he would vote in favor of it.

Luther leaves the meeting.

### Public Comment

None

Being no further business, the meeting was adjourned the meeting at 12:02 pm.

Motion: To adjourn the meeting.

Motion by: Mike McKoen Second: Paul Crawford

Roll Call Vote: Unanimous

Motion Carried.

Minutes prepared by Chelsea Shearer

Approved: Marc Staunton  , President

Approved: Rob Unruh  , Secretary