

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF THE SEMITROPIC  
WATER STORAGE DISTRICT AND ITS GSA AND  
SEMITROPIC, BUTTONWILLOW, POND-POSO,  
AND WILDLIFE IMPROVEMENT DISTRICTS

Convened at 12:30 p.m. on Wednesday, August 9, 2023

The regular meeting of the Board of Directors was called to order by President Waterhouse on Wednesday, August 9<sup>th</sup>, 2023, at 12:30 p.m., at the District office located at 1101 Central Avenue, Wasco, California.

Directors Present: Dan Waterhouse, Todd Tracy, Tom Toretta, Jeff Fabbri, Phil Portwood, Jon Reiter (12:45)

Directors Absent: Tim Thomson

Other Participants: General Manager, Jason Gianquinto,  
District Engineer, Isela Medina,  
District Controller, Bobby Salinas,  
District Contract Administrator, Becky Ortiz,  
District Superintendent, John Lynch  
District Secretary, Laura Gage  
District's Legal Counsel, Steve Torigiani,  
Larry Rodriguez (GEI),  
Rick Amigh (W.M. Lyles Co)  
Gus Waterhouse  
Patty Piore  
Franz Affentranger  
Lindsay Cedarquist (Maricopa Orchards)  
Jaymes Lee (California Water Reclamation)  
Jim Thebaut – California's Watershed Healing  
Floyd Wicks (Agua Via Ltd)  
Kevin Padway (Zone 7)  
John Gaugel (Wonderful)  
Travis Millwee (Pacific Resources)  
Terry Chicca (Farmer)  
Stacie Ann Silva (Altum Aqua Logic)  
Jesus Alonso (Clean Water Action)  
Andrew Garcia (Valley Water)  
Douglas Jackson (Water & Land Solutions)  
Nicole Bonner

President Waterhouse opened the meeting and welcomed all guests. Attendance was taken and recorded.

## PUBLIC COMMENT

Mr. Jaymes Lee addressed the Board and guests with a petition to landowners interested in using recycled water for dust control on farm roads.

## ACTION ITEMS

### Approval of Agenda

Mr. Jason Gianquinto noted a typographical error on Item 5(c) with regard to the month of the Treasurer's reports to be reviewed and approved by the Board.

On motion by Director Portwood, seconded by Director Toretta, the Board approved a change to the agenda to correct the error.

### Minutes

The Minutes of the Regular Semitropic Water Storage District Board Meeting and Semitropic Water Storage District GSA Board Meeting on July 12, 2023 were presented for approval.

On motion by Director Toretta, seconded by Director Tracy, the Minutes of the Regular Semitropic Water Storage District Board Meeting and Semitropic Water Storage District GSA Board Meeting of July 12, 2023 were approved as presented.

### Treasurer's Reports

The Treasurer's reports for July 2023 were presented for review and approval. Director Toretta (Treasurer) noted that he has reviewed the Treasurer's reports and recommends their approval.

On Motion by Director Toretta seconded by Director Portwood, the Treasurer's Reports for July 2023 for Semitropic Water Storage District and Semitropic Improvement District were approved for filing.

### Financial Reports

District Controller, Bobby Salinas, reviewed the Financial Reports, including the Income Statement along with the Actual and Projected Cash Flow Report for July 2023.

### Accounts Payable

The Cash Disbursement List for August 9, 2023, was presented for review and payment.

On motion by Director Portwood, seconded by Director Toretta, the Board authorized payment of the Accounts Payable as listed on the August 9, 2023 Disbursement List for Semitropic Water Storage District and Semitropic Improvement District.

A copy of the Disbursement List presenting the payments that were approved is attached hereto as "Exhibit A."

**California's Watershed Healing – Presentation (Jim Thebaut)**

Mr. Jim Thebaut of The Chronicles Group addressed the Board with a presentation and request for a monetary donation in support of his documentary "California's Watershed Healing."

On motion by Director Reiter, seconded by Director Toretta, the Board approved a donation of \$5,000.00 to The Chronicles Group.

**Consider Lease: Semitropic Duck Club**

The General Manager, Jason Gianquinto presented to the Board a one-year extension to the Semitropic Duck Club Lease.

On motion by Director Tracy, seconded by Director Portwood, the Board approved a one-year extension to the Semitropic Duck Club Lease

**Consider Lease: Maricopa Orchards**

The General Manager, Jason Gianquinto provided an overview of a proposed extension of the Maricopa Orchard lease to 2031.

On motion by Director Portwood, seconded by Director Tracy, the Board authorized approval of extension of the Maricopa Orchards Lease.

Ayes: Directors Fabbri, Portwood, Toretta, Tracy, and Waterhouse  
Noes: None  
Abstain: Director Reiter  
Absent: Director Thomson

**Consider Amendment to GEI Task Order 06-2022 for Providing Engineering Support Services during Construction of the P1030 Canal Relocation (HSR UA 2.0)**

The District Engineer, Isela Medina, provided an overview of an Amendment to GEI Task Order 06-2022 for providing engineering support services during construction of the P1030 Canal Relocation (HSR UA 2.0).

On motion by Director Tracy, seconded by Director Portwood, the Board approved amendment to GEI Task Order 06-2022.

**Consider Amendment to GEI Task Order 04-2022 for Providing Construction Management Services for the Leonard Project**

The District Engineer, Isela Medina, provided an overview of an Amendment to GEI Task Order 04-2022 for providing construction management services for the Leonard Project.

On motion by Director Portwood, seconded by Director Toretta, the Board approved amendment to GEI Task Order 04-2022.

**SEMITROPIC WSD GSA UPDATE**

At 1:05 p.m., the Board President, Dan Waterhouse, declared a meeting of the Semitropic Water Storage District Groundwater Sustainability Agency.

**SGMA Updates and Discussion**

The General Manager, Jason Gianquinto provided general updates and presented ET Summary Reports.

The District Engineer, Isela Medina provided a presentation of Hydrographs for the District.

The GSA meeting concluded at 3:26pm.

**CONSULTANT REPORTS**

**SWRU – Construction Update by W.M. Lyles**

W.M. Lyle's Representative, Rick Amigh provided an overview of their progress report which was provided with the Board Packet.

**Consulting Engineer's Report**

Larry Rodriguez from GEI Consultants presented and summarized GEI's "Consulting Engineers Report on Projects for July 2023" for work during July 2023, which was accepted for filing.

**Balance Public Relations.**

President Waterhouse noted that Dean Florez of Balance Public Relations was not present today, but that Mr. Florez's Monthly Report for July-Aug was included with the Board Packet.

**REDTrac**

Greg Allen of REDTrac did not have a report this month.

**INFORMATIONAL AND UP-DATE ITEMS**

Manager Gianquinto noted that the Staff Report, titled "District Activity During July 2023," dated August 4, 2023, was included with the Board Packet. In addition, the following items were discussed:

The State Water Contractors are continuing to engage with DWR to respond to public comments on the EIR for the DCP, refine operations criteria and modeling, and to advance the DCP Contract Amendment. DWR is expecting to Final the EIR by the end of 2023. The Final EIR will include responses to comments and edits to the Draft EIR as necessary to respond to comments.

As previously noted, on April 20, 2023, the SWP Allocation was increased from 75 to 100%.

The District for the month of July ceased delivery of Kern River Water due to decreased outflow from Isabella dam. The decreased releases from Isabella are due to the USBR want to fill the reservoir to test the dam improvements. Accordingly, with the reduced Kern River Water deliveries, the District increased delivery of State Water Project Table A water to the Kern Water Bank, and the District. With regard to the Kern River, it is expected that Kern River releases will increase after August 1 as the USBR has a requirement to draw down the lake levels to prepare for the upcoming water year.

At 3:31 p.m. President Waterhouse adjourned the Regular Board meeting.

**Closed Session**

At 3:48 p.m. the meeting continued with Closed Session.

Participants included:

Directors Present: Dan Waterhouse, Todd Tracy, Tom Toretta, Jeff Fabbri, Phil Portwood, Jon Reiter

Directors Absent: Tim Thomson

Other Participants: General Manager, Jason Gianquinto,  
District Engineer, Isela Medina,

District Controller, Bobby Salinas,  
District Contract Administrator, Becky Ortiz,  
District Superintendent, John Lynch  
District Secretary, Laura Gage  
District's Legal Counsel, Steve Torigiani,  
Larry Rodriguez (GEI)

The District's legal counsel, Steve Torigiani, stated that a closed session was needed to discuss various closed session matters, including reporting on the following items of pending and anticipated litigation:

- a. Conference with legal counsel Re: Litigation (Govt. Code § 54956.9(d))*
- 1) *Various applications filed for Kings River Water by Semitropic WSD, et al.; Petition for Change of Points of Diversion, etc. (License 11521) filed by Kings River Water Assn.; and related matters and proceedings, before the State Water Resources Control Bd.*
  - 2) *Cal. Dep't of Water Res. v. All Persons Interested, "Complaint for Validation" Re: SWP Contract Extension Amendment, Sacramento Superior Court, Case No. 34-2018-00246183, Third Appellate District, Case No. C096316*
  - 3) *State of CA Dept. of Trans. v. Semitropic WSD, Kern County Superior Court, Case No. BCV-19- 100326*
  - 4) *State v. Pond Poso Improvement District of Semitropic Water Storage District, Kern County Superior Court, Case No. BCV-19-100786*
  - 5) *Sierra Club v. California Department of Water Resources (DWR), etc. Re: Consolidated CEQA Case and "Complaint for Validation" Re: Delta Program Revenue Bonds, Sacramento County Superior Court, Case No. 34-2020-80003517*
  - 6) *Rosedale-Rio Bravo Water Storage District v. Kern County Water Agency, et al., Kern County Superior Court, Case No. BCV-21-100418*
  - 7) *KWBA, et al. v. Kern LAFCo, et al., Kern County Sup. Ct., Case No. BCV-21-101310*
  - 8) *KWBA, et al. v. Buena Vista Water Storage Dist., et al., Kern County Sup. Ct., Case No. BCV-22- 101227*
  - 9) *Semitropic Water Storage Dist. v. The Dow Chemical Co., et al., Kern County Sup. Ct., Case No. BCV-21-102528*
  - 10) *Macut v. Wabash National, et al., Kern County Superior Court, Case No. BCV-22-100318*
- b. Conference with Legal Counsel Re: Anticipated Litigation: Possible exposure to litigation pursuant Gov't Code § 54956.9(d)(2) and § 54956.9(e) (Gov't Claims Act claim).*
- 1) *One Claim.*
  - 2) *One Potential Case.*

- c. Conference with Legal Counsel Re: Anticipated Litigation: Possible initiation of litigation pursuant to Govt. Code § 54956.9(d)(4)*
  - 1) *Two Potential Cases.*
  
- d. Conference with Real Property Negotiator (Govt. Code § 54956.8)*
  - District's Designated*
  - Representative: General Manager*
  - Under Negotiation: Price and Terms of Payment*
  - 1) *Property: State Water Project Supplies*
    - a. Negotiation With: California Department of Water Resources, Kern County Water Agency and its Member Units, And State Water Contractors*
  - 2) *Acquisition of Water Supplies*
    - a. Negotiation with: Multiple sellers*

At 4:59 p.m. the Board reconvened to open session.

President Waterhouse stated that several items were discussed. No reportable action was taken in closed session.

**Adjournment**

The meeting was adjourned at 5:00 p.m. by President Waterhouse.

APPROVED:



Daniel Waterhouse, President



Todd Tracy, Secretary