

# MEETING SUMMARY | Southern Sierra IRWMP Planning Committee May 10, 2012

Fresno Metropolitan Flood Control District, Fresno, 9 am to 2 pm

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## 1. Action Items

- **MICHELLE DOOLEY** to share link to beta version of the DWR DAC mapping tool, and the Local Groundwater Assistance Grant
- **STEVE HAZE** to review the DWR DAC mapping tool and flag any Disadvantaged Communities not identified
- **SOAPY MULHOLLAND, JULIE ALLEN, BOBBY KAMANSKY, STEVE HAZE, KYLE WRIGHT and KATHY WOOD MCLAUGHLIN** – to begin the application process for the Local Groundwater Assistant grant
- **SOAPY MULHOLLAND** to check with SRT if payments are made with regard to calendar or business days, and whether this would be 10 or 15
- **BOB PULS and JOHN SHELTON and DORIAN FOUGERES** to consider revisions to the language in the Designation of a Project Manager and Stakeholder Coordinator regarding liability.
- **DORIAN FOUGÈRES** to distribute SRT application materials, check in with Dick Moss regarding proposed contractor language, and Carole Clum regarding organizational representation on the RWMG, and Kathy Wood McLaughlin regarding participation in the finance and communication plan revisions

## 2. Welcome and Introductions

Mr. Bobby Kamansky, Southern Sierra Integrated Regional Watershed Management Plan (SSIRWMP) Project Manager, welcomed and introduced participants to the meeting. Mr. Kamansky thanked Mr. Kurt Hupp, Fresno Metropolitan Flood Control District, for reserving the facility. Mr. Dorian Fougères, Center for Collaborative Policy (CCP) Facilitator, reviewed the agenda and the ground rules.

### 3. Project Updates and Member Announcements

The group reviewed the previous meeting summary from April 12, 2012. Mr. Fougères asked the group if there were any additional comments or revisions. Mr. John Shelton noted that the Action Item 2 should state “when available” instead of “ASAP”. Members had no further comments.

In regards to **Project Manager Updates**, Mr. Kamansky distributed the project updates handout. The projects discussed were as follows:

- UC Davis Nitrate Study Workshop on May 3, 2012
  - The study noted that due to leaching septic systems, there were high point location sources of nitrates along the river. Mr. Kamansky suggested the possibility of working on projects that address these issues. He also noted that there are clean self-contained septic systems available on the market. Mr. Steve Haze stated that he has searched for these types of projects, for example plume formations under gas stations. Mr. Kamansky noted that there is a link listed for members to review of the nitrate study:  
<http://groundwaternitrate.ucdavis.edu/>. Ms. Soapy Mulholland volunteered to provide information on a stream contamination study.
- DAC mapping tool
  - The group discussed the Disadvantage Communities mapping tool released by the Department of Water Resources (DWR).
  - **ACTION ITEM: MICHELLE DOOLEY** to share link to beta version of the DWR DAC mapping tool, and the Local Groundwater Assistance grant.
  - Mr. Haze noted that the map did not correlate with the DAC’s the group had previously identified. Ms. Dooley noted that the information was from the 2010 census, which might have less specific information than the group had available.
  - **ACTION ITEM: STEVE HAZE** to review the DWR DAC mapping tool and flag any Disadvantaged Communities not identified.
- Sierra Water Work Group
  - Mr. Kamansky noted that the Sierra Water Work Group summit possibly conflicted with the SSIRWMP June meeting, but he thought that the meeting was rescheduled. The members stated that the new summit date is July 17-18. It was noted that Ms. Kathy Wood McLaughlin, Ms. Tasha Newman, and Chris Turnell will attend the summit. Mr. Shelton stated that he intends to make a presentation, and Ms. Dooley noted that DWR proposes to present on the issues of climate change.
- Inyo-Mono IRWMP
  - Mr. Kamansky stated that Mr. Mark Drew would offer workshops on DAC. Mr. Kamansky stated that Mr. Drew means to distribute DAC information and participate in the SSIRWMP. Mr. Kamansky discussed future work dates, and suggested the group consider adding a September meeting date. The group noted that there are constraints on the member’s meeting travel funds. Ms. Julie

Allen noted that the DAC issue is complex, and the group can benefit from any new information.

In regards to **Member Announcements**, Ms. Dooley stated that there was an opportunity for the group to apply for the Local Groundwater Assistance Grant due by July 13, 2012. She described the parameters of the grant, noting the projects can include areas in the smaller foothill region, groundwater studies, groundwater management plans, mapping, data reporting, and fractured rock. She stated that the grant has a maximum amount of \$250,000 with no cost share. Ms. Dooley clarified that the grant is intended for smaller agencies not only large cities.

**ACTION ITEM: MICHELLE DOOLEY – ASAP** to distribute information about the Local Groundwater Assistance Grant.

Ms. Dooley noted that Mr. Haze had previously applied and his application was a good example for the group. Mr. Kamansky stated that Mr. Ken Schmitt, who is involved with local groundwater work, was hired to do a groundwater analysis, and wanted to review the old studies to see if would provide any appropriate information.

- It was suggested that the group stay focused on the IRWM, and that there had to be a clear link between the IRWM and groundwater.
- The group noted the importance of understanding the groundwater systems in the Tule River area.
- Ms. Michelle Dooley, DWR, It was noted that the period for the expenditure of the funds is two years, and that DWR had offered to support the study with technical resources, and that this could fit with the larger IRWM proposal that had been submitted. The SSIRWMP could be the applicant.
- It was suggested that Mr. Ken Schmitt's research is valuable and consider the option of subcontracting Mr. Schmitt for future studies, and that Mr. Schmitt was willing to pull selective information from the previous proposal.
- The group stated that assembling a work group for the application process was necessary because there is a lot of information to compile.

**ACTION ITEM: SOAPY MULHOLLAND, JULIE ALLEN, BOBBY KAMANSKY, STEVE HAZE, KYLE WRIGHT AND KATHY WOOD MCLAUGHLIN** – to begin the application process for the Local Groundwater Assistant grant

Mr. John Shelton announced the Trout Fest event on Saturday May 12, 2012 and distributed a flyer to the members.

## 4. Refinements to Governance Policies and Procedures

In regards to the refinements proposed at the April 12 meeting, Mr. Fougères reviewed the track changes with the members and the joint fact finding guidelines. Mr. Shelton noted that when representing an organization, there is no size requirement of a particular participating organization; members confirmed this.

**AGREEMENT:** The group agreed to adopt the revised Governance Policies and Procedures, which supplement the existing Memorandum of Understanding.

In regards to reviewing current RWMG members, Mr. Fougères reviewed the current list of representatives, and noted that Yosemite Sequoia, Sequoia National Forest, and Fresno Metropolitan Flood Control District need to update their signatures.

Mr. Bob Puls asked if there is a geographic restriction to the organizations represented in the group. Mr. Kamansky noted that in previous meetings, the geographic issue was discussed and no boundary restriction was mandated. The members noted that the boundary decision resulted in the group's goal to be inclusive.

It was noted that the MOU could be revised in the future, which is to be determined by participating members. They had some concerns about multiple alternates, and their ability to be updated on the group's progress.

In regards to the adoption of the consensus and less than 100% consensus decision-making refinement, Mr. Fougères reviewed the associated handout with the members, and brought up topics discussed from previous meetings, such as multiple representation members.

Ms. Allen suggested that alternates attend a determined amount of meetings in order to be considered part of the decision making process. The members decided that quantifying a particular number of meetings for the alternate's attendance would be too complex, but instead, consider each alternate on a case-by-case basis. Because the members felt a case-by-case would add flexibility, Mr. Fougères edited the language to fit the group's new approach to addressing alternates. The members were pleased and could live with the revisions made to the decision making process.

**AGREEMENT:** The group agreed to adopt the revised Less than 100% decision-making process, which supplement the existing Memorandum of Understanding.

## 5. Discuss and Select a Grantee, and Reflect on Process Improvements for Grantee Re-visitation Process

Mr. Fougères reviewed the Neutral Evaluation Work Group summary and the clarification of informal questions with the help of Ms. Soapy Mulholland. Mr. Fougères noted that prior to the meeting, Sierra Riverlands Trust (SRT) responses to the grantee selection evaluation was

distributed to the group. Mr. Fougères clarified issues in the handout, such as stating that Ms. Carol Combs, Ms. Pam Buford, and Mr. Larry Otter were not participating in the evaluation as a representative, but as independent individuals. In addition, Mr. Fougères noted that since the process was neutral, no personal experiences with SRT were allowed to be voiced when evaluating the grantee. Ms. Mulholland reviewed the SRT responses handout in step with the criteria review.

Ms. Combs commented that she phased the observations on a random and neutral basis, and state audits select grantees at random. Due to the random audit selection, she suggested that editing the language for criterion two to state “if available” accurately conveys the criterion’s intent. The group discussed the state auditing process, and for example noted that when the Department of Fish and Game was being audited, contractors might not be unaware.. It was noted that any potential grantee organizations be prepared for a state audit.

Ms. Mulholland and Mr. Fougères reviewed the information on criteria three through five.

**ACTION ITEM:** **DORIAN FOUGERES - ASAP** to distribute to members the SRT’s materials document.

The group began the process for selecting a grantee. Ms. Allen, Ms. Mulholland, and Mr. Kamansky left the room. Mr. Fougères allowed the members to review the written response and the SRT materials. The members had many comments on selecting a grantee:

- Members had clarifications for the Resources Legacy Fund listed within the materials, but with further review, noted that the handout clarified the source of funding.
- In regards to a decision timeline, the group wanted to know the latest date to determine a grantee. It was noted that there is one applicant, and the June meeting is the latest decision date. They stated that redoing the applicant process would not bring forth any new applicants. SRT accepted the risk as a grantee for the group, and went through the necessary application procedures.
- Note the risks and budget issues the applicant must manage.
- The importance of having an entity absorb risk with managing the planning grant was critical. It was felt that SRT has the qualifications to be the selected grantee.
- In regards to implementation phases, new commitments would be determined.
- All voting members agreed that SRT be the grantee for the planning grant.

**AGREEMENT:** The group agreed for SRT to be the grantee for the planning grant, should the grant be awarded.

## 6. Discuss Additional Grantee Clarifications

Mr. Fougères introduced the issue of contractor reimbursement, and stated that members did not have to make decision, only provide commentary. The members reviewed the supplemental documents, and followed with a variety of comments:

- Note the possibility of reimbursement in less than 45 days.
- In regards to number five in the handout, it was stated that submitting invoices at the end of a fiscal quarter might result in receiving payments before or after planned; therefore setting payment expectations is beneficial.
- Due to the lengthy timeline of passing a budget, it is beneficial to avoid the end of the fiscal year (June, July, August and September), so not to further the process length of funding reimbursement.
- Edit the document to state “...contractors to the grantee should assume...”
- Define a contractor. The group discussed that contractors are not expected to be paid at an hourly rate, but if so, it must be identified.
- Suggest as soon as the grantee gets paid the contractor gets paid. The group suggested that similar language be added to number four in the document.
- Suggest establishing a line of credit for contractor payments. This would allow for timely payments, while the grantee waits for reimbursement. The group stated that if the grantee had a line of credit, the grant has no money allocated for interest accrual. Ms. Dooley stated that if interest were to accrue, DWR would be willing to work with the grantee for funding reimbursement.
  - **ACTION ITEM: DORIAN FOUGERES – ASAP** to ask Mr. Moss his thoughts on a line of credit.
- Define the period of how soon a contractor is paid. Ms. Mulholland stated that she needed to check with SRT on whether they pay out within 15-21 business days of receiving funds.
  - **ACTION ITEM: SOAPY MULHOLLAND** – check with SRT if payments are made with regard to calendar or business days, and whether this would be 10 or 15
- Note that it is a contractor’s responsibility to prepare and submit the invoice as soon as possible, and if they miss the deadline, they have to wait until the next billing period. It is grantee’s responsibility to relay the invoices to the State.
- Suggest sequence revision of numbers one and three in the handout. The group suggested that number three be changed to one, and number one be placed last.
- Although SRT bills once a month, but multiple invoices can be submitted to SRT.

Mr. Fougères reviewed the Accounting Reporting and Transparency handout. The members reviewed the material and offered revisions:

- Continue to have monthly meetings, and have a report presented to the group for review. Ms. Mulholland stated that if the report was a simple spreadsheet, then it would be possible to present monthly. Members also suggested using QuickBooks as a presentation tool. It was noted to include accounts receivable.
- Keep the monthly presentation simple. They stated that presenting the numbers in a handout to the group, and having the project manager offer any narrative clarifications would keep the update simple.

Mr. Fougères explained the thought process and allowed the members to read through the Designation of a Project Manager and Stakeholder Coordinator. It was noted that the grantee

makes the choice of the designated project manager and stakeholder coordinator. The members stated that if there is a project manager who does not uphold his duties for the group, they want a process to protect the group's interest. They noted that grantee is representing the group's interest, but addressing this issue in the document will show the group's accountability to all organizations. The group agreed that they want shared responsibility, and if problems arise, they do not want to be forced to retain a specific project manager.

Concern was expressed that inappropriate management of funds or otherwise inappropriate actions by the project manager or stakeholder coordinator could incur financial liability on the part of MOU signatories. The intent was not to micromanage the project manager, but to have further assurance about their performance oversight. Ms. Dooley stated that IRWM MOUs typically are non-binding, as stated in the MOU for the Southern Sierra RWMG. If the group wanted more detailed language, it could consider this.

**ACTION ITEM: DORIAN FOUGERES, BOB PULS, AND JOHN SHELTON** – to consider revisions to the language in the Designation of a Project Manager and Stakeholder Coordinator regarding liability.

## 7. Discuss Draft Finance Work Group Charge and List of Potential Finance Plan Components

Mr. Fougères presented the members with the Finance Work Group Charge, and he explained the process of creating the document. Ms. Dooley noted that this was critical to ensuring the group could sustain itself after grants ended. The group had a variety of comments on the Finance Work Group Charge:

- In regards to implementation funding, Mr. Kamansky asked if the funding was available. It was noted that the group would create a list of potential implementation projects.
- Consider that every group has the right to manage their funds. It was stated that other groups have invested funds.
- The plan was necessary to ensure that projects implemented under a grant would continue to be maintained.
- Note that Provost and Prichard is chartered to aid with finance standards, but they rely on the Collaborative for information. Mr. Fougères stated that he would revise the language of the Charge noting responsibility will be with Provost and Prichard.
- Consider the administrative costs for Provost and Prichard.
- In regards to completing the planning grant, Mr. Shelton stated that the project list should be expanded.
- Mr. Kamansky, Mr. Shelton, Mr. Haze, Ms Dooley, and Chris Stewart stated their interest in the work group charge.

Mr. Fougères stated that the group should review a draft Finance Plan and at the next meeting, suggest any revisions and comments.

## 8. Discuss the Draft Communication and Outreach Plan Outline

The group was presented with the Communication and Outreach Plan draft. They reviewed each document, and noted that the objectives and principles are general. Mr. Kamansky, Mr. Haze, and Mr. Shelton volunteered to work on the Communication and Outreach Plan.

**ACTION ITEM:** DORIAN FOUGERES – *ASAP* to check in with Kathy Wood McLaughlin about her possible participation with the finance and/or communication work group.

Members noted that the June 14, 2012 meeting is in Visalia, and continued to advise members to hold dates in July for another meeting. They stated that the agenda would be kept short.

## 9. Attendees

- |                                |                                     |                                |
|--------------------------------|-------------------------------------|--------------------------------|
| 1. Julie Allen                 | 6. Gabriella Golik, CCP             | 12. Bob Puls                   |
| 2. Nancy Bruce<br>(Telephone)  | 7. Steve Haze                       | 13. Larry Otter<br>(Telephone) |
| 3. Carole Combs<br>(Telephone) | 8. Kurt Hupp                        | 14. Robert Robinson            |
| 4. Michelle Dooley, DWR        | 9. Bobby Kamansky                   | 15. John Shelton               |
| 5. Dorian Fougères, CCP        | 10. Soapy Mulholland                | 16. Kyle Wright, SNF           |
|                                | 11. Elizabeth Palmer<br>(Telephone) |                                |