



**VIDEO CONFERENCE MEETING OF THE BOARD OF DIRECTORS  
MARCH 17, 2021  
MINUTES**

**1. CALL TO ORDER**

President Gene Bays, who was present, called the meeting to order at 8:34 a.m. in accordance with Governor Newsom's Executive Order N-29-20, allowing the meeting to be held via video conference. Board Members connected via Zoom video conference were Bill Koster, Kyle Perez, Zach Maring, Pete Lucich and Jarod Lara.

**2. OPPORTUNITY FOR PUBLIC COMMENT**

President Bays welcomed Dane Wadley, a Field Coordinator with the California Special District Association who shared that several Districts within the association had created local "chapter" of Special Districts. They were having their first meeting on March 18<sup>th</sup> at 3:30 p.m. with speakers from the County, LAFCO and local legislative offices. He was providing the link with information. There was no further public comment.

**3. ADDITIONS/REVISIONS TO THE AGENDA**

Anthea shared that Closed Session with Special Legal Counsel – Existing Litigation would be taken after the Consent Calendar Item, and the Conference with Legal Counsel – Existing Litigation would be taken at the end of the Agenda.

**4. CONSENT CALENDAR**

The Minutes from the Board Meeting of 2/17/21, Monthly Accounting Reports as of 2/28/21, and Field Operations Report for February were provided in advance for the Board's review. The Board approved the Consent Calendar per roll call vote as follows:

Ayes:	Bays, Koster, Perez, Maring, Lara, and Lucich
Nays:	None
Abstentions:	None
Absent	Jasper

**5. CLOSED SESSION**

**A. Conference with Special Legal Counsel – Existing Litigation**

Upon returning from Closed Session, Anthea indicated that there was no reportable action taken and nothing further was reported.

**B. Conference with Legal Counsel – Existing Litigation**

**6. ACTION ITEMS**

**A. Board to Review and Consider Scope of Services for Prop 1 IRWM Implementation Grant**

Anthea asked if there were any comments from the public pertaining to Item. 6 of the Agenda. Being none, Anthea indicated that item 6.A and 6.B would be taken together and provided the Scope of Services for the Prop 1 IRWM Implementation Grant and noted that the District had been awarded two grants. One is by DWR and one is by the State Water Resources Control Board. Within those grants, there are requirements for quarterly, Annual, and Completion Reports. The Scope of Services Prop 1 IRWM Implementation Grant was provided for review and discussion. This grant will provide 809,000 for the OCCRP. The fee for grant Administration is \$29,000. Anthea shared that the \$5.597 million dollar grant award received under the Prop 1 Stormwater Grant Program with CCID was to be put toward the implementation of the Orestimba Creek Recharge and Recovery Project, if the Board takes action to move forward. The Grant Administration Proposal for this grant is \$69,000 and the Scope of Work by Woodard & Curran was provided in the packet as well. Director Koster asked how far the Orestimba Creek Recharge & Recovery Project would go with the awarded grant and Anthea indicated it would most likely get a full buildout of the project and potentially through project

completion if the Board decided to move forward with it. After review and discussion, the Board Approved Action Items 6.A. and 6.B. by roll call as follows:

Ayes: Bays, Koster, Perez, Maring, Lara, and Lucich  
Nays: None  
Abstentions: None  
Absent: Jasper

B. Board to Review and Consider Cope of Services for Prop 1 Stormwater Grant Program Grant

Anthea provided the Scope of Services for Prop 1 Stormwater Grant and reviewed the proposed tasks that included Project Management, Coordinate Preparation of Supplemental Documentation, Conference Calls, Preparation of Reporting Templates, Preparation of Quarterly Progress Reports and Reimbursement Requests, Preparation of Final Project Report and Reimbursement Requests, and Coordination with SWRCB which totaled \$69,000. This item was approved and voted on with Item 6.A.

C. Board to Receive Treasurer's Quarterly Investment Report for the 4<sup>th</sup> Quarter Ending 02.28.21

Anthea provided and reviewed the Treasurer's Quarterly Investment Report for the 4<sup>th</sup> Quarter ending 2.28.21 as well as the Total of Investment Accounts Report, which was approved by roll call vote as follows:

Ayes: Bays, Koster, Perez, Maring, Lara, and Lucich  
Nays: None  
Abstentions: None  
Absent: Jasper

D. Board to Review and Approve a Resolution Approving and Amendment to the Agreement for the Funding of Volta Wasteway Groundwater Wells O&M Costs and Exchange Refuge Level 2 Water and Provision for Refuge Level 4 Water Between the United States and the San Luis and Del Puerto Water Districts

Anthea provided and reviewed the Amendment to the Agreement for the Funding of Volta Wasteway Groundwater Wells O&M Costs and Exchange Refuge Level 2 Water and Provision for Refuge Level 4 Water Between the United States and the San Luis and Del Puerto Water Districts with the Board. This amendment would extend the Agreement for an additional 5 years, which allows the DPWD and SLWD to cover the O&M costs that the Water Authority incurs to operate and maintain the Volta Wells, in exchange for water supply. The wells would be pumped and the groundwater pumped into the referenced water supply system would be exchanged back per the agreement at a 2 for 1 basis or 3 for 1 basis, at the discretion of the Grassland Water District and based on a current operational circumstances. After review and discussion, the Board approved the Amendment to the Agreement for the Funding of Volta Wasteway Groundwater Wells O&M Costs and Exchange Refuge Level 2 Water and Provision for Refuge Level 4 Water Between the United States and the San Luis and Del Puerto Water Districts by roll call as follows:

Ayes: Bays, Koster, Perez, Maring, Lara, and Lucich  
Nays: None  
Abstentions: None  
Absent: Jasper

7. MANAGER'S REPORT

Anthea reported that on the Legislative side, several bills were being introduced by the new representatives in both the House and the Senate. A list of those bills as well as the Water Authority's brief description of them was provided and Anthea indicated the District was in support of them. She shared that she had been expressing concern and stated caution about how the legislation would be drafted with respect to reimbursability, partly due to previously having Reclamation interpret legislation as reimbursable and all of the ARRA funding had to be repaid. She also shared that the Water Quality Control Plan that needs to be updated per the law by the State Water Resources Control Board had not seen any movement but there had been much discussion on the Voluntary Agreements, which are being discussed with water agencies as well water users and environmental agencies, which she hoped would come to an agreement and deliver to the State Board something to consider as an alternative to the unimpaired flows approach. She added that this was a group effort as everyone involved believes that putting something together that isn't an

unimpaired flow approach has a better chance of helping the environment and the needs of the water users in the state. A discussion with State Secretary Crowfoot pertaining to the Voluntary Agreements was provided for the Board's review. The Department of Water Resources continued to work on its CEQA document for its Delta Conveyance Facility and notices had been issued to the State Water Contractors that DWR wished to re-initiate negotiations which would result in an agreement in principle for a third amendment to the State Water Project Contract that would be to describe the cost allocation methodology that would be used if and when a Delta conveyance project is formally approved after the environmental work. Although it does not implicate the Del Puerto Water District, it does implicate Oak Flat Water District, which has common landowners with DPWD.

## 8. WATER OPERATIONS & SUPPLY

### A. CVP/SWP Operations

Anthea provided the Authority's February O&M Report and shared that that the Jones Pumping Plant had been cycling one day on and one day off and fluctuating between 800 and 1,600 AF on the "on" days. There were water quality requirements that are being met by releases from reservoirs and reduced pumping.

### B. Monthly Supply/Use/Completed Transactions Summary Report as of 2.28.21

Adam reported in-District use for the month of February at 1,088 AF and 100 AF transferred out, for a total of 1,188 AF of use in February and a total current use for the year of 65,003 AF. A total of 15,941 AF is estimated for rescheduling into 2021-22. He also reported that the District had water in storage at Arvin Edison and Lower Tule River in addition to the amount held in San Luis Reservoir.

### C. 2020-21 Carryover Update

Anthea reported that a revised request for the District's carryover supplies was made on March 10<sup>th</sup>, based on February final numbers for a total of 15,941 AF of supply. The request included the 10% limit of the District's contract supply, which was fully available, as well as small quantities of developed supply that were held in the District's name in San Luis Reservoir. She believed that the request would be fulfilled and no water would be lost to spill due to the reservoir filling, and therefore had placed all of the requested carryover water in customer's accounts. She shared that when she spoke to Michael Jackson, Area Office Manager of the Bureau of Reclamation, he did not indicate there were any issues with the request but she would not feel comfortable until a letter confirming the request was accepted was received. She further added that a letter was sent on March 11<sup>th</sup> requesting Reclamation waive the requirement that rescheduled project water must be the first project water scheduled and delivered by the contractor and thus the ability to "reschedule" rescheduled water. She hoped it would then be possible to be able to carry over some of the District's rescheduled water into the 2022 water year. She spoke to Michael since that letter was sent and he indicated he would not be honoring that request with reasoning that she did not agree with. She did communicate to him that the request would be sent along to the Regional Director for reconsideration. Board Member Koster thanked Anthea for reading the fine print on the rescheduling guidelines.

### D. 2021-22 Additional Supplies Update

Anthea reported that she will be sending sign-ups to customers for the Annual Additional Supply program. She provided a sample table to the Board to show how the Department of Water Resources determines carriage losses and explained that they make estimates based on modeling at the beginning of the year, which are then finalized later at the end of the year. She shared that she had done a very preliminary look at the potential supplies available for this year's program. The OID/SSJID fish flow transfer that was done in the past from Oakdale and South San Joaquin Irrigation Districts is something that the Water Authority was currently working on but not a definite transfer. A transfer from the East Side was also being discussed. The Lower Tule River return documents had been fully executed and she hoped Arvin-Edison would return DPWD's stored water, as well. Yuba County had sent a notice that the Yuba County Water Agency Transaction could possibly develop between 60 and 120 TAF of water this year. Depending on what can be put together, she estimated that the District could come up with a range of 7,000 to 13,000 AF at a price range of the low \$200s to the low \$400s. She had planned to send the Additional Supplies Program sign-ups at \$425/AF requested, with language clarifying that not all requests will be able to be met. Anthea asked if there was any questions. Being none, she continued.

### E. Landholding / Licensing Updates

Anthea reported that the Bureau reconciled some very old licenses that were still outstanding pertaining to the Groundwater Pump-In Program. She provided a recent list of District Divisions and Landowners for the Board

and she reviewed the recent landholder changes in each District Division by Board Member. She asked if there were any comments by the public on any of the items just discussed. Being none, she continued.

## 9. RESOURCE MANAGEMENT ACTIVITIES

### A. Westside Integrated Regional Water Management (IRWM) Activities

Anthea provided the SLDMWA Staff Report for February and reported that most of the activities in the Resource Management categories were focusing on grants and reporting under the different regulations. The IRWM group had been working on forwarding the funding the region has for the Disadvantaged Community Involvement Program to the Newman Environmental Wetlands System Project and also getting the Prop 1 Round 1 IRWM Implementation Agreement that will bring the \$800,000 to the Orestimba Creek Recharge Project as well as the \$30,000 to \$40,000 final NVRWP funding. Anthea shared that on the District's behalf, the Water Authority Staff had participated in informational webinars that discuss the integration of the IRWM activities and sustainable groundwater management activities. The goal was to not duplicate efforts.

### B. SJVDA/Westside San Joaquin River Watershed Coalition Report(s)

Adam reported that there was no meeting for the WSJRWC this month but an email was sent on March 1<sup>st</sup> to customers that their 2020 Farm Evaluations were due on March 1, 2021 and assistance was available if help was needed to complete them. He added that the Farm Evaluations were changing from a yearly report to every 5 years.

### C. Sustainable Groundwater Management Activities

Adam reported that the annual reports were being finalized as well as preparing for this year's implementation. A report was being generated with all the information gathered the year prior that sums up all 6 GSPs and the work that went on for the last year. He also reported that DWR's 2020 California's Groundwater Update will have public comments accepted until April 26<sup>th</sup> and a webinar will be held on March 30<sup>th</sup> that will provide an overview of the publication. He provided the Delta-Mendota SGMA Subbasin Announcements Newsletter that gave an overview of the activities over the last year and what will be targeted for the next coming year. Adam asked if there were any questions and Board Member Koster asked Adam what his thoughts were in the well permit review process, to which Adam responded that for most small typical wells, the process was the same as it has always been however, when production reaches a certain level, it may require further analysis. In those situations, a report might be needed to show what impact that well would have on neighboring wells and the aquifer as a whole and the County was still in the process of developing what that would look like and has taken interest in participating with the Agencies in their region to decide what it will look like. They are looking to have a process where their well approval will go to the GSA's/Districts that those wells function in. Anthea added that she had been in discussions with Stanislaus and Merced Counties and reported that they are re-visiting their ordinances and well permitting process. They will not be identical which will be confusing for landowners who own in different counties. She also shared that she and Adam had recently participated in a webinar regarding SGMA and the groundwater sustainability plan process and encouraged anyone to visit the Department of Water Resources website, which provides resources on understanding SGMA.

### D. Remote Telemetry Project – Update

Adam reported that a template format was created for users to log in and see the flow meters associated with their accounts and that he would be sending that out for feedback in the next week. He made a request at the end of February to recoup the grant funding; A final closeout report was being drafted to complete that portion of the project.

## 10. FINANCIAL MATTERS

### A. Repayment Contract Construction Obligation Overpayment Issue – Update

Anthea reported that the Contract Conversion that resulted in the Repayment Contract was validated by the Courts and she provided a copy of that ruling along with a letter from Young Wooldridge to the Bureau of Reclamation confirming the validation. She also reported that the issue pertaining to overpayment of the Construction Obligation was two parts. The first being the gross amount of the obligation as of the end of fiscal year 2019 required to be paid by Reclamation per the repayment contract had resulted in a large credit that will have to be used by the District in lieu of not paying monthly charges to Reclamation for at least several years; The second has to do with the water rate that the District paid to Reclamation during fiscal year 2020, which included a component in the rate for construction. That component in the rate will be refunded to the District

during the normal annual accounting cycle. Notice was received recently that Reclamation will be advancing a portion of the refund in March.

- B. Report on Final Accounting for the NVRWP Title XVI WIIN Act Grants FY 17 & FY 18  
Anthea provided and reviewed a Summary of FY '17 & FY '18 NVRWP Title XVI Awards as of 3/2/21. She asked if there were any questions on this and item 10.A. Being none, the meeting continued.
- C. CVP Financial Matters  
Anthea provided and reviewed the CVPWA Financial Affairs Committee Issues Matrix and shared that she and Minnie would keep the Board informed as the year progressed. She also provided the Bureau of Reclamation's foreword from the CVP ratebook for contract year 2021 and explained that the foreword provided concise summaries of some issues regularly discussed.

#### 11. SUPPLY DEVELOPMENT PROGRAMS

- A. Orestimba Creek Recharge & Recovery Project – Update  
Anthea reported that weekly meetings continued on this Project. The 30% design had been completed and work with Reclamation and the agencies to get agreements in place to do cultural and biological investigations for the joint CEQA/NEPA document was ongoing. A map of the project and its location was also provided and reviewed with the Board.
- B. Del Puerto Canyon Reservoir Project – Update  
Anthea shared that she executed a next task order based on the budget approval. A Progress Report was provided and reviewed. Anthea also shared that she had been working on WIIN Act Funding Agreement for the DPCR. The \$1.5 million in WIIN Act Funding that was received in 2019 was left with Reclamation for them to charge their work and eliminate the need to pay them as they progressed. The second \$1.5 million dollar award was made in 2020, and since Reclamation still had not finalized the Funding Agreement, a decision was made to combine the two into one Funding Agreement. Out of the \$3 million, \$1.6 million will be used to offset the expenditures made by the participating districts thus far in the planning of the reservoir project.
- C. Los Vaqueros Reservoir Expansion Project - Update  
A Los Vaqueros Reservoir Expansion Project Monthly Report was provided and reviewed with the Board. Anthea also provided a handout that was used for the most recent Zoom meeting for the Los Vaqueros Reservoir Expansion Project Local Agency Partners in Washington, D.C. She participated in the meetings as a potential local agency partner. She added that she learned quite a bit through the meetings and her attendance provided the opportunity to interact with the legislative staffers, and in a couple of instances, the congressperson leading the meeting.
- D. BF Sisk Dam Raise Project - Update  
Anthea shared that the project received a Finding of Feasibility before the 12.31.20 deadline, and that the Water Authority was working on the CEQA and the Bureau was working on the NEPA.

#### 12. ADMINISTRATIVE ACTIVITIES

- A. CWSRF FY 20/21 Application Status Report  
Anthea reported that Staff had been working for a few years to acquire an award to re-up District's ADLP or SRF. She and Adam had submitted the application twice and she showed a list of projects that had been awarded. Those awarded had a score of 13 or higher, to which District scored a 12. She indicated Staff will continue to work on way to improve the District's score.

#### 13. SLDMWA Report

- A. SLDMWA Minutes, Reports and Issues Updates  
Anthea provided a memo from Federico Barajas pertaining to the Division 1 Vacancies and Nomination of Successors for Director, Alternate Directors, The SLDMWA Minutes for the 2/4/21 BOD Meeting for the Board to review. She reported that the Water Authority was having a workshop the next day for Board Members to discuss their bylaws. Limited discussions on the Voluntary Agreement would be taking place as well.

#### 14. ARTICLES/CORRESPONDENCE/PUBLIC OUTREACH

- Anthea provided a Family Farm Alliance publication pertaining to President Biden's Administration Developments, a Pacific Coast Federation of Fishermen's Associations letter to President Biden requesting for the rescission of the

Trump Administration Memoranda on Status of CVPIA Implementation Funding, Illegal Water Contracts and Cost Allocations, an Oakdale Irrigation District article on the OID, SSJID proposed water release on Stanislaus River to support juvenile salmon and water needs, and a Mercury News editorial.

15. CLOSED SESSION

Upon return from closed session, Anthea reported that the Board met with special legal counsel on two items of existing litigation as referenced on page 1 of the Agenda. There were no reportable actions taken as it was an update. President Bays asked if there were any questions or comments. There were no questions or comments.

16. ITEMS TO DISCUSS PURSUANT TO GOVERNMENT CODE 54954.2

There was nothing to report on this item.

17. ADJOURNMENT

Being no further business, the meeting was adjourned at 10:55 a.m.

Respectfully submitted,



Anthea G. Hansen  
Secretary