



**REGULAR MEETING OF THE BOARD OF DIRECTORS
MAY 18, 2022
MINUTES**

1. CALL TO ORDER

President Koster called the meeting to order at 8:39 a.m. Board Members present were Daniel Bays, Jarod Lara and Kyle Perez. General Manager Anthea joined via telephone call and Deputy General Manager, Adam Scheuber assisted in directing the meeting on her behalf.

2. OPPORTUNITY FOR PUBLIC COMMENT

President Koster asked if any member of the public wanted to make a comment. Being none, the meeting continued.

3. ADDITIONS/REVISIONS TO THE AGENDA

There were no additions or revisions to the Agenda.

4. CONSENT CALENDAR

The Minutes from the Board Meeting of 4/20/2022 and Special Meeting Minutes of 5/4/2022, Monthly Accounting Reports and Field Operations Report for April 2022 were provided in advance for the Board's review. The Board approved the Consent Calendar as follows:

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

5. ACTION ITEMS

A. Board to Approve 2022 Executive Compensation Report

Anthea provided and reviewed the 2022 Executive Compensation Report. After review and consideration, the Board approved the 2022 Executive Compensation Report as follows:

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

B. Board to Adopt Resolution Authorizing and Application to the United States Bureau of Reclamation Watersmart Grant: Small Scale Efficiency Projects for FY 2022

Adam provided and reviewed the Resolution Authorizing and Application to the United States Bureau of Reclamation Watersmart Grant: Small Scale Efficiency Projects for FY 2022 and after discussion and consideration, the Resolution Authorizing and Application to the United States Bureau of Reclamation Watersmart Grant: Small Scale Efficiency Projects for FY 2022 was adopted as follows:

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

C. Board to Review and Consider Authorizing the Pre-Payment of the District's Annual CalPERS Unfunded Actual Liability (UAL)

Minnie provided a CalPERS letter noticing a 3.5% savings in interest for agencies choosing to prepay the annual unfunded actuarial liability (UAL) and gave a Staff Report recommending prepayment as indicated. After review

and discussion, the Board authorized Staff to prepay the District's annual CalPERS Unfunded Actual Liability (UAL) and save 3.5% in interest as follows:

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

D. Board to Review and Consider Draft Groundwater Well Policy

Adam provided and reviewed a Draft Groundwater Well Policy with the Board. He shared that the general concept would include a requirement for well registrations, which will include the location of the well, depths of the screens, size of the bore hole, size of the motor and current metering status. Also discussed were access, cost, annual reporting, maintenance and exclusions. After review, discussion and suggestion of changing the frequency of reporting from annual to twice annually, the Board approved the Draft Groundwater Well Policy as follows:

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

Note: Director Maring arrived at 8:43 a.m.

6. MANAGER'S REPORT

Anthea provided an Update on Water Policy/Resource Activities from the SLDMWA as well as a letter for the District to the CRWQCB-Central Valley Region pertaining to the District's participation in permit negotiations for the NVRRWP with the cities of Turlock, Modesto and Ceres. She reported that the District became aware last minute that the cities of Modesto and Turlock had been working on the renewal of the Discharge Permit and shared that the CRWQCB had received information from individuals not related to the project, whose apparent goal was to have Regional Board Staff impose additional conditions on the permit requirements for the cities to discharge recycled water onto the Delta-Mendota canal. She reviewed the letter provided and shared that the Cities and the District's consultants were working to ensure that discharge permit conditions continue to support the deliveries of treated water into the canal. She shared that the Bureau of Reclamation was once again soliciting interest from the CVP Contractors on participation in the Delta Conveyance Project. She had yet to hear proposals from the Bureau on this item, and will report at the June BOD Meeting if anything is approved.

7. WATER OPERATIONS & SUPPLY

A. CVP/SWP Operations

Adam provided a CVP Water Supply Briefing as well as the May Operations Update from the SLDMWA and shared that a small amount of rain had fallen in April which caused some refill in Folsom, which would help meeting flow requirements, but not as much in Shasta, which was 50% of average for the year. Jones Pumping Plant managed to keep at 900 cfs for most of April and the Delta outflow requirements were at 4,500 cfs which was about 3,000 cfs less than the D-1641 requirement. After reviewing the May Operations Update, Adam asked Anthea if she had anything else to add, to which she reported that the April storms in the Folsom and Yuba watersheds were very good for the system, but could likely lead to a decision to stop expending resources on the pump-back program due to increased summer pumping, as well as a reduction in the quantity of forecasted Yuba supply. The Yuba Accord is a dry year purchase program, so because of the improved conditions on the watershed, the transfer quantity might be greatly reduced. She also noted that Staff will be watching Trinity operations for 2023, as it is forecasted to end the year at only 300,000 af out of its potential 2.5 MAF of storage. She predicted that Folsom would carry the District through the summer supporting pumping of at least one unit at Jones.

B. Monthly Supply/Use/Completed Transactions Summary Report as of 4/30/22

Paul provided the Supply/Use/Completed Transactions Summary Report as of 4/30/2022 and reported that in-District use for the month of April was at 3,064 acre feet for a total of 4,888 acre feet for the year. Total estimated for rescheduling into 2023-24 was 11,621 AF. Paul also reported that the CVO was optimistic about and maintaining their operations at one unit throughout the summer.

C. 2021-22 Additional Supplies Update

Adam provided an Additional Supplies report and Anthea reported that there were still 25,968 acre feet to move of the Mapes transfer. She shared that the agreements were good until the NEPA Document expires in July. The Bureau was working on a subsequent NEPA document to extend the transaction until the end of the year. Adam also reported that the Bureau had relaxed some of the standards for nitrates and selenium to allow users who had previously not been accepted to participate in the DMC pump-in program. Anthea added that Staff believes the Mapes transfer will be finalized in full and reported that all other transactions are complete. If so, the pool will have produced supplies of 25,968 acre feet at a rate of \$519.57/AF. Once the pool is closed, Staff will come back to the Board for guidance on potential rebates.

D. 2022-23 Supply Pre-Purchase Program Update

Adam provided a Second Amendment to Groundwater Conveyance Agreement and shared the Agreement had come into effect on May 7, 2022, the date WSID shut off wheeling for the District under the 2021 Conveyance Agreement. He reported that Staff will continue to reach out to WSID a monthly for updates on their ability to wheel water for DPWD. The Amended Conveyance Agreement term was scheduled to expire in October 31, 2022. Staff hoped to complete the Mapes transfer before WSID's maintenance period in the winter.

E. 2022-23 Additional Supplies Update

Adam provided a SLDMWA 2022 Yuba Water Allocation/Pricing and reported that the District experienced a loss in supplies with the re-classification of the North Yuba Index for the water year changed from "critical" to "dry". The District effectively lost 2,900 acre feet of Yuba supplies scheduled to be transferred. An email from Frances Mizuno showing an Explanation for Reduction in Yuba Surface Water Transfer Volume was provided and Adam explained the email to the Board. Anthea added that if conditions continue to hold on the San Joaquin River and neighboring Districts have fulfilled their needs this summer, she hoped there would be later opportunities for transfers. She indicated she would continue to reach out to those Districts on a monthly basis. She added that of the late requests for the 2022-23 Pre-Purchase Program, the District was still about 3,000 acre feet short of requests and Staff continues to attempt to fill that gap.

F. Landholding / Licensing Updates

Anthea provided a letter from the District to the Stanislaus County Planning & Community Development department pertaining to a Stanco Farms Permit Application for a cannabis growing facility. She shared that a reply from Stanislaus County indicated that Stanco had announced they would be looking for a different location for their proposed project.

G. 2022 Pumpback Program – Update

Paul provided a letter agreement for the 2022 Delta-Mendota Canal Emergency Pump Back Project and reported that a call with CVO last Friday informed Staff of the likelihood continuation of one unit at Jones Pumping Plant throughout the summer. Staff and the neighboring Districts held another call the following Tuesday indicated a potential of two and possibly three units by mid-summer. The SLDMWA had already proceeded with placing some temporary pumping stations and Staff was planning to meet with BCID, PID and WSID to discuss whether the Authority should continue with the Project or cease the current activities.

8. RESOURCE MANAGEMENT ACTIVITIES

A. Westside Integrated Regional Water Management (IRWM) Activities

Adam provided the SLDMWA Activity Agreements – Staff Report for April 2022 and reported that work continued for the Prop 1 Round 1 grant project and were waiting for the release of final Guidelines and Proposal Solicitation Package for Prop 1, Round 2 funding, which the Westside San Joaquin Region is eligible for up to \$955,000 for projects in SJRFA. Anthea also shared that she would be meeting with the local IRWM to see if they would be willing to make Del Puerto Canyon Reservoir Project the Region's preferred project for this particular grant instead of promoting multiple projects, as it would assist the Project with local cost share funding.

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

Adam provided a Budget to Actual Comparison Report for the SJVDA and a Paperwork Status Update from the WSJRWC showing a list of DPWD water users that have not provided the required paperwork. Adam shared that he recently attended the first in-person meeting in two years and reviewed the Budget to Actual Comparison from the SJVDA. Also reviewed was a 2021 Irrigation & Nitrogen Management Plan Summary Report Compliance Summary. Adam reported that Nitrate Program Management Zones will have to be reported as a group and will

have to participate in a Nitrate Control Program, which will provide safe drinking water supplies, reduce nitrate impacts to water supplies and restore groundwater quality. He overviewed of the possibility of joining the Valley Water Collaborative Board and shared that further inquiry was being done by Summers Engineering before requesting a decision from the SJVDA Board and deciding on whether or not to join. An update will be given when more information is available.

C. Sustainable Groundwater Management Activities

Adam provided April 26th and May 11th SGMA meeting Agendas and reported that the date for submitting revisions to the GSP was quickly approaching. June 20, 2022 is the deadline. The frequency of meetings between the District, DWR and other GSA members have been more frequent and discussions about aligning definitions of SMCs, MTs and MOs have been the main topic. Groundwater implementation funding was also discussed. Also provided was a letter to DWR from the District pertaining to the SM Grant Program SGMA Implementation – Round 1 Grant Award Acceptance Letter.

9. FINANCIAL MATTERS

A. GASB 75 Report for the FYE February 28, 2022

Minnie provided and reviewed the CERBT Account Update Summary.

B. 2/28/22 GSB 68 Accounting Report for the Measurement Period July 1, 2020 to June 30, 2021

Anthea provided a S&P Global Ratings and shared that after some proactive management discussions with S&P Staff, the Del Puerto Water District's revised rating was upgraded from negative to stable. She added that the District's next goal was to go from a BBB+ rating status to an AA rating status.

C. CVP Financial Matters

Anthea provided the CVPWA April Meeting Agenda and reported that Reclamation had been working to accomplish their ability to collect extraordinary O&M over a long term period of time. They had recently received approval on their basis of negotiations to figure out how to contract for these extended repayment periods for large infrastructure projects.

10. SUPPLY DEVELOPMENT PROGRAMS

A. Orestimba Creek Recharge & Recovery Project – Update

Adam provided a Provost & Pritchard's Status Update on the OCRRP and reported that the project continues to approach 90% design. Staff and consultants will be submitting the DWR Encroachment Permit Application and associated fees soon, as well as working on a host of other permit requirements. He also reported that the purchase of the land for the Project was still underway.

B. Del Puerto Canyon Reservoir Project – Update

Adam provided the Woodard & Curran Progress Report and shared that TERRA-GeoPentech was performing design investigations and that a meeting had been held with DSOD to begin the design process that will be the foundation for advancing the DPCR Project. Also discussed was the Utility Relocation, Environmental, New Road Alignment, Public Outreach and Political Outreach and Project Financing updates. Anthea shared that she and Chris White were working on a business plan that would outline how the agencies would operate through the remainder of the development period and later into reservoir operations. She hoped a workshop would take place in the near future to provide further updates for the Board.

C. Los Vaqueros Reservoir Expansion Project - Update

Anthea provided the May Monthly Report and reported that LVREP was very active and reviewed Permitting and Design. She reminded the Board that the District was participating in the SLDMWA Activity Agreement for the next year. Meetings had been taking place through that group and questions arose pertaining to how much storage and conveyance capacity would be available, and how it would be split. Ultimately a Service Agreement committing participants to being a part of the finalization of the improvements at Los Vaqueros Reservoir would need to be negotiated and executed.

D. BF Sisk Dam Raise Project – Update

Anthea provided a list of the ten (10) member agencies that signed up to participate in the BF Sisk Dam Raise Project, which showed the Del Puerto Water District and it's share of the \$1,000,000 budget, which totaled \$78,735.69.

E. Pacheco Reservoir Expansion – Update

There was nothing to report on this item.

F. Ceres-DPWD-Turlock Discussions on Advancing Recycled Water into NVRRWP Facilities

Anthea provided a letter to the City of Ceres requesting emergency assistance to increase the delivery of treated wastewater to agriculture and environmental uses through the NVRRWP. A Memorandum of Agreement showing the preliminary terms and conditions and the District's willingness to cover all costs for this agreement was also included and discussed. After a meeting in the next week, she will come back with rates and whether this water would be included in the NVRRWP or as supplemental supplies, and its cost.

11. ADMINISTRATIVE ACTIVITIES

Anthea reported that the California High Speed Rail approved their project and she provided copies of maps showing the proposed statewide system. The maps show that it will pass through District lands in Merced County.

12. SLDMWA Report

A. SLDMWA Minutes, Reports and Issues Updates

The SLDMWA Minutes, O&M Report, State and Federal Affairs Update, San Luis Project Overview, DCI Pump Addition Activities, Canal Subsidence Correction Program Appropriations were provided and Anthea reported that one of the reports showed where the Water Authority's efforts are on the San Luis Transmission Project, which continues to move forward. A few more agreements need to be put in place before the SLDMWA Board approve the Project.

13. CLOSED SESSION

A. Conference with Legal Counsel – Existing Litigation

No reportable action was taken on this item.

B. Conference with Legal Counsel – Existing Litigation

No reportable action was taken on this item.

C. Conference with Special Legal Counsel – Existing Litigation

No reportable action was taken on this item.

D. Conference with Real Property Negotiator, Anthea G. Hansen, Regarding First Amendment to the 2019 Letter Agreement for the Exchange of Water Between Del Puerto Water District and Lower Tule River Irrigation District

Upon return to open session Adam reported that the Board voted to approve the First Amendment to the 2019 Letter Agreement for the Exchange of 3,500 Acre-Feet of Water Between Del Puerto Water District and Lower Tule River Irrigation District pending two editorial revisions.

14. ARTICLES/CORRESPONDENCE/PUBLIC OUTREACH

A news release from the Bureau of Reclamation on the selected 22 projects that will receive \$17.3 million to improve water efficiency, an article on New Federal Rules for Environmental Review of Projects Reversing Trump-Era Rules, CalPERS selecting new asset allocation for investment portfolio, and Family Farm Alliance's Executive Director's Report for May were provided for the Board to review.

15. ITEMS TO DISCUSS PURSUANT TO GOVERNMENT CODE 54954.2

There was nothing to report on this item.

16. ADJOURNMENT

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

Respectfully submitted,



Anthea G. Hansen
Secretary