



**REGULAR MEETING OF THE BOARD OF DIRECTORS
APRIL 20, 2022
MINUTES**

1. CALL TO ORDER

President Koster called the meeting to order at 8:39 a.m. Board Members present were Daniel Bays, Jim Jasper, Kyle Perez, and Zach Maring.

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 1/26/22, 3/8/22 and 3/16/22, Monthly Accounting Reports and Field Operations Report for March 2022 were provided in advance for the Board's review. The Board approved the Consent Calendar as follows:

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

Note: Director Lara arrived at 8:49 a.m.

5. ACTION ITEMS

A. Board to Approve Treasurer's Quarterly Investment Report for the 4th Quarter Ending 2.28.2022

Anthea provided and reviewed the Treasurer's Quarterly Investment Report for the 4th Quarter Ending 2.28.2022. After review and discussion, the Board approved the Treasurer's Quarterly Investment Report for the 4th Quarter Ending 2.28.2022 as follows:

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

B. Board to Adopt Resolutions Recognizing Ivan E. Bays, Earl Perez and Tom Dompe on the Occasion of their Retirement(s) from the Board

Anthea provided draft copies of 3 resolutions for Gene, Earl and Tom. She encouraged the Board to share any accolades they could think of to add to the resolutions for the three gentlemen. After review and discussion, the Board approved the Resolutions Recognizing Ivan E. Bays, Earl Perez and Tom Dompe on the occasion of their retirements as follows:

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

C. Board to Adopt Notice of Exemption for the DPWD Irrigation System Improvement Project II – A Loan Program Funded by the Clean Water SRF Program

Anthea provided a copy of a Notice of Exemption Form and explained that several months ago, when Staff was authorized to apply to the State's Ag Drain Loan Program and did so, the application was moved to the Clean Water State Revolving Fund Program (SRF). The District's Application then went through a scoring process, but scored one point below the requirement. As the year progressed, the District was notified that funds had become available for the District, but there remained a requirement to comply with CEQA. After review and discussion, the Board adopted the Notice of Exemption for the DPWD Irrigation System Improvement Project II as follows:

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

D. Board to Review and Consider Authorizing a Resolution Approving Participation in the B.F. Sisk Dam Raise and Reservoir Expansion project Activity Agreement

Anthea provided the San Luis & Delta-Mendota Water Authority B.F. Sisk Dam Raise and Reservoir Expansion Project Activity Agreement. She reviewed the agreement with the Board and explained that the Water Authority and its member agencies had been pursuing a project that would couple with the seismic retrofit corrections being done at the San Luis Reservoir. Although the dam will be raised 12 ft, it will not increase storage capacity, rather only retrofits San Luis Reservoir and B.F. Sisk Dam to bring up to current seismic standards along with addressing other issues with the aging facility. A companion CEQA and NEPA effort has been completed to piggyback on the work that is going to be done, which will raise the reservoir additionally to provide actual storage capacity. The construction projects will be done concurrently. The idea of the additional raise is to create 130,000 af of additional storage in San Luis, which would be split. Reclamation would have control of half and the investor group half would have the benefits as well as obligations and cost. The Activity Agreement would allow the District to continue participation in the project and be responsible for costs along with other participating agencies. Expenditures will be assessed based on contract quantities. A program manager (consultant) will be hired to forward this project and to negotiate an agreement between SLDMWA and Reclamation. After review and consideration, the Board authorized the Resolution Approving Participation in the B.F. Sisk Dam Raise and Reservoir Expansion project Activity Agreement as follows:

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

6. MANAGER'S REPORT

Anthea provided a memo pertaining to the Notice of Intent to prepare and EIS for Analyzing Potential Modifications to the Long-Term Operations of the CVP and SWP – Scoping Comments, an update on Water Policy Issues and an MOU on Voluntary Agreements to update and implement the Bay-Delta Water Quality Control Plan and other related actions. Anthea reported that the Bureau had reinitiated consultation on the Biological Opinions which will take a few years to complete. The Interim Operations Plan will be used through October 2022 and possibly again in 2023. She shared that the MOU she provided is a proposal to the State Water Resources Control Board as an alternative for them to consider instead of the flow restrictions proposed for Phase II of the Water Quality Control Plan. Although there is no action on this item, she encouraged the Board to review the material and inform themselves as participation might be requested in the near future from the District. Currently, the courts have agreed to operations under the Interim Operations Plan.

7. WATER OPERATIONS & SUPPLY

A. CVP/SWP Operations

Anthea provided a Monthly Reservoir Report for April as well as BOR's revision of allocations to contractors. A SLDMWA April Operations Update was also provided and Anthea reported that Folsom Dam was the only California reservoir that was anywhere near where it should be. In the last month, Reclamation has revised their initial allocations to M&I Contractors from 25% to a minimum health and safety. There were releases out of Millerton to service Exchange Contractors as well. A schedule had been agreed upon between Reclamation and the Sacramento River Settlement contractors to limit their deliveries to 20%, thus all North of Delta transfers have been stopped as there was no water to transfer. Reclamation extended the North of O'Neill Long-Term Exchange

Agreements to 2035. She also provided the SLDMWA April Operations Update which included exceedance graphs at 90% and 50% which showed San Luis draw down already starting.

- B. Monthly Supply/Use/Completed Transactions Summary Report as of 3/31/22
Paul provided the Supply/Use/Completed Transactions Summary Report as of 3/31/2022 and reported that in-District use for the month of March (the first month of the District's water year) was at 1,824 acre feet. Total estimated for rescheduling into 2023-24 was 13,661 AF.
 - C. 2021-22 Additional Supplies Update
Anthea provided and reviewed an Additional Supplies Scenario report showing two scenarios. She reported on the blocks of water available and the potential rates for each one. She added that at some point this year, if the agreements are extended past April and get to the 10,000 AF gross on the final transfer, almost all of the timely requests for the 2022-23 Pre Purchase Program will be met.
 - D. 2022-23 Supply Pre-Purchase Program Update
This item was covered in Item 7.C.
 - E. 2022-23 Additional Supplies Update
Anthea shared that the 2022-23 Additional Supplies would be coming from a block of water from the Yuba Accord. Current estimates show the District's share at 4,700 AF, but it could be less. Water would begin moving in July and solicitations have been made to customers interested in purchasing Additional Supplies.
 - F. Landholding / Licensing Updates
Paul provided and reviewed the Active Permits and Licenses Report and shared that there were permits issued for some temporary drafting for the County solar project and some sheep grazing in the Santa Nella. He also reported on water samples and repairs. Also mentioned was an installation of a turnout for a Non-Project Warren Act pump-in.
 - G. 2022 Pumpback Program – Update
Paul provided a task list for the 2022 Pumpback Program and reported that the SLDMWA was in the process of planning another pump-back program similar to 2015 and could likely have it completed and operational by July 1, 2022.
8. RESOURCE MANAGEMENT ACTIVITIES
- A. Westside Integrated Regional Water Management (IRWM) Activities
Anthea shared that Staff was awaiting the final release of the next round of IRWM funding and working on making sure the projects are updated in the OPTI database. Anthea was expecting a proposal solicitation package soon for the IRWM Funding and she planned on soliciting the Del Puerto Canyon Reservoir Project as a recipient. Anthea also reported that Governor Newsom's office issued an executive order as did the Federal Government pertaining to any Federal funding that agencies utilize from grants or loans having to comply with sanctions on Russia. She had yet to review them in detail.
 - B. SJVDA/Westside San Joaquin River Watershed Coalition Report(s)
Adam provided and reviewed the Watershed Coalition Paperwork Compliance Schedule and the CVRWQCB Irrigated Lands Stakeholder Meeting Agenda and reported that there were no current updates from the Watershed Coalition. He shared that there were no Farm Evaluation Surveys due this year, but Nitrogen Management Plans were due on April 15th. He also reported that in lieu of an annual meeting, a video and a postcard would replace that requirement.
 - C. Sustainable Groundwater Management Activities
Adam provided the correspondence from DWR as well as several Agendas from various meetings and a SGMA Implementation Task List and reported that two meetings had been held with DWR to discuss proposed changes to the GSPs. SLDMWA Staff is continuing to further efforts to complete a subsidence characterization study that was paid for with grant funding. Adam also provided a chart showing the projects that received funding under Round 1 of the SGM Grant Program. He also emphasized the need to have robust data as it relates to groundwater extraction and surface deliveries. He emphasized the need to build an internal data management system and figure out how to go about collecting data, and what kind of data to have in it. He outlined a process whereby the Board/GSA would have discussions regarding enacting policies, after which

Staff would then go back and put draft policies together to bring to the next Board Meeting(s) for further discussion, and possible approval. He reviewed and discussed the SGMA Implementation Schedule for 2022 with the Board. Anthea also reviewed Governor Newsom's Drought Executive order N-7-22 due to record drought conditions, which included new well permitting requirements for local agencies.

9. FINANCIAL MATTERS

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

Minnie provided and reviewed the GASB 75 Actuarial Report for FYE 2/28/2022.

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

Minnie provided and reviewed the GASB 68 Accounting Report for the Measurement Period 7/1/20 to 6/30/21.

C. CVP Financial Matters

Anthea provided the 2022 Financial Affairs Committee March Meeting Notes and reported that a letter from the Bureau was received last month putting all the Contractors on notice that during the ratesetting process, a seven year average of deliveries was used to determine how operations and maintenance costs would be expected to occur and that this would likely greatly understate the rates. This will only impact the District with respect to the Yuba water being moved as Additional CVP Supply, which is subject to the Bureau's cost of service rate.

10. SUPPLY DEVELOPMENT PROGRAMS

A. Orestimba Creek Recharge & Recovery Project – Update

Adam provided an Agenda for the March 24th OCP Meeting as well as a memorandum with a status update on the Project and reported that the items currently being worked on were finishing up the final review of the 401 and 404 permits, lake and streambed operation permits, DWR access permits for getting on and performing the project and constructing a permanent turnout facility on Orestimba Creek in their right of way. Re-submittal and filing of CEQA findings were performed and Staff at CCID was also working at getting the toe drains cleaned up and functional so the water can flow freely. Anthea reported that she was currently working on closing escrow on the property being purchased for the OCRRP and also shared that the extraction well will be run to see if any water can be obtained. If able to, it might produce a few hundred feet for the next few months, which could be distributed with the project partners.

B. Del Puerto Canyon Reservoir Project – Update

Anthea provided correspondence related to the DPCR Project and shared that she and Chris White were working with a financial consultant on putting together a "business plan" on how the reservoir financing, agreements and operations could conceptually work between both agencies, and potentially any third party agencies that might want to participate. Anthea also reported that currently, agreements have been executed within the scope of budget for this year which included PG&E and WAPA working to design the re-alignment of the power lines that need to be relocated. The Project also received a Short-Term Eagle Incidental Take Permit from the Department of Fish and Wildlife so contractors can begin geotechnical exploration over the next year to perfect information to consider in the next planning phase of the Project. The final scope of work was still being put together to bring on Terra Geopentech as the design engineers. She will execute the contract with its full scope of work in its full amount, but will only approve task orders to pursue work within the scope that fit within the current year's budget. Anthea also included a letter from Senator Caballero requesting a \$15,000,000 appropriation in the FY 2022-23 Budget for the purpose of providing state matching funds for the construction of the Del Puerto Canyon Reservoir.

C. Los Vaqueros Reservoir Expansion Project - Update

Anthea provided the LVREP Monthly Report and reported that the JPA met this month and are preparing to hire a program manager to get the Project to completion. Another financial work group meeting will be held in a few days to discuss cost allocation. Anthea mentioned that the District would have to enter into a service agreement within the next fiscal year to indicate that the District is committed to construction of the project.

D. BF Sisk Dam Raise Project – Update

Anthea provided an article that shared the B.F. Sisk dam safety project received funding through President Biden's Bipartisan Infrastructure Law, but no contract has been finalized with Reclamation on how to access the funds, or determinations of what is reimbursable and what is not.

E. Pacheco Reservoir Expansion – Update

There was nothing to report on this item.

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

Anthea reported that Staff continued to meet bi-weekly with the cities of Turlock and Ceres to work on long-term and short-term concepts.

11. ADMINISTRATIVE ACTIVITIES

There was nothing to report on this item.

12. SLDMWA Report

A. SLDMWA Minutes, Reports and Issues Updates

Anthea provided the SLDMWA Open Minutes and reports for the Board to review.

13. CLOSED SESSION

A. Conference with Legal Counsel – Existing Litigation

Upon return from Closed Session, Anthea reported that the Board authorized the proposed extension of a water transfer agreement with Lyons Land Management and Mapes Ranch.

B. Conference with Legal Counsel – Existing Litigation

Upon return from Closed Session, Anthea reported the Board authorized the proposed second amendment to a Conveyance Agreement with West Stanislaus Irrigation District with the commencement date to begin on the expiration date of the original agreement.

C. Conference with Special Legal Counsel – Existing Litigation

There was nothing to report on this item.

14. ARTICLES/CORRESPONDENCE/PUBLIC OUTREACH

Articles pertaining to rulings on water projects, BOR News Releases on Delta Outflow Requirements and federal funding, as well as a thank you letter from the Tuolumne River Conservancy thanking the District for donations that allowed them to proceed with Bobcat Flat Restoration.

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 12:10 p.m.

Respectfully submitted,



Anthea G. Hansen
Secretary