

14.

**REGULAR MEETING OF THE BOARD OF DIRECTORS
DECEMBER 20, 2023
MINUTES**

1. CALL TO ORDER

Vice-President Bays called the meeting to order at 8:35 a.m. Board Members present were Pete Lucich, Jim Jasper, Zach Maring and Kyle Perez.

2. OPPORTUNITY FOR PUBLIC COMMENT

There was no public comment as there were no members of the public present.

3. ADDITIONS/REVISIONS TO THE AGENDA

Anthea noted that consent Calendar items would be taken after the Manager's Report, as Board Member Lara was still in route to the meeting and would arrive shortly. No other additions or revisions to the Agenda were made.

4. CONSENT CALENDAR

The Minutes from the Regular Board Meeting/Landowner-Customer Meeting of November 15, 2023 and the Monthly Accounting and Field Operations Reports for November 2023 were provided in advance for the Board's review. The Board approved the Consent Calendar Items as follows:

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

5. ACTION ITEMS

A. Board to Review and Consider Resolution Authorizing Amendment to Contract between the Board of Administration California Public Employee's Retirement System and the Board of Directors of the Del Puerto Water District

Anthea provided and reviewed the Resolution Authorizing Amendment to Contract between the Board of Administration California Public Employee's Retirement System and the Board of Directors of the Del Puerto Water District. If approved, the Amendment would add the optional benefit of Partial Service Retirement to the Districts contract with CalPERS. After review and discussion, the Board approved the Resolution Authorizing Amendment to Contract between the Board of Administration California Public Employee's Retirement System and the Board of Directors of the Del Puerto Water District as follows:

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

B. Board, on behalf of the DM-II GSA, to Review and Consider Authorizing Execution of a Memorandum of Agreement for coordination of Implementation of a Single Groundwater Sustainability Plan (GSP) for the Delta-Mendota Subbasin, and related Special Projects Agreement

Anthea and Adam provided and reviewed the Resolution Adopting the Memorandum of Agreement Among the Delta-Mendota Subbasin Groundwater Sustainability Agencies and Authorizing Signature Thereon and the Memorandum of Agreement Among the Delta-Mendota Subbasin Groundwater Sustainability Agencies, as well as, the Resolution Adopting The Special Project Agreement for Development of a Single Groundwater Sustainability Plan for the Delta-Mendota Subbasin and Authorizing Signature thereon and the Memorandum of Agreement for Coordination of Implementation of a Single Groundwater Sustainability Plan (GSP) for the Delta-Mendota Subbasin Special Projects Agreement. These agreements will replace the existing Memorandum of Understanding between the Subbasin's twenty-three GSAs and support the coordination of

the GSAs during GSP development and implementation. After review and discussion, the Board approved the Resolutions and Execution of the Agreements as follows:

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

C. Board to Review and Consider Participation in the SLDMWA Exchange Contractors 2024-2025 Transfers Activity Agreement

Anthea provided and reviewed a SLDMWA Memo outlining the background of the program, the contract for the Acquisition of Water by the Bureau of Reclamation and SLDMWA from the San Joaquin River Exchange Contractors Water Authority, a Draft SLDMWA Exchange Contractors 2024-2025 Transfers Activity Agreement, and an Estimate of DPWD Cost for 2024-2025 SJRECWA Activity Agreement. Anthea shared that previous versions of these contracts with the Exchange Contractors had been for 5-year periods. With the current 5-year agreement set to expire this year, new contract negotiations began in 2023. Given the possibility of significant changes to CVP operations resulting from revised biological opinions and the proposed Phase II of the Bay-Delta Water Quality Control Plan, the SJRECWA currently prefers a 2-year Agreement. Participation in the Activity Agreement would afford the District an opportunity to purchase up to approximately 3,000 and 6,000 AF, based on the CVP allocation, of very reliable water supply available in non-Shasta critical years. Staff recommended the District enter into the Agreement. After review and discussion, the Board approved participation in the SLDMWA Exchange Contractors 2024-2025 Transfers Activity Agreement as follows:

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

D. Board to Review and Approve Form of Water Service Contract between Del Puerto Water District and Certain Participants in the 2023-2025 San Luis Canal Company Fallow for Sale Program

Anthea provided a proposed form of Contract Between Del Puerto Water District and (Name of Program Participant) for Water Service Under a Supplemental Water Purchase Program and reminded the Board that the District had committed, on behalf of certain customers, to purchase water for three-years from the San Luis Canal Company Fallow-For-Sale Program. The District did not secure formal contracts with Customers for the purchase at the time the purchase was initiated, but staff is proposing to have contracts recorded for the remaining two years in order to secure the customers' commitment to purchase this supply. After review and discussion, the Board approved a Form of Water Service Contract between Del Puerto Water District and Certain Participants in the 2023-25 San Luis Canal Company Fallow for Sale Program as follows:

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

E. Board to Review and Consider 2023 Storage-Exchange Opportunity for those Certain Participants in the San Luis Canal Company Fallow-for-Sale Program

Anthea provided and reviewed a Staff Report/Action Item Request for a Storage/Exchange Program for Customers Participating in the 2023-2025 Fallow for Sale Program. Staff recommended giving customers the option of protecting the 2023-24 SLCC supplies through the District's Exchange Program with AEWS to be returned in a future year at a small added cost, and subject to the terms and conditions of the District's contract with AEWS. After review and discussion, the Board approved the 2023 Storage-Exchange Opportunity for those Certain Participants in the SLCC Fallow-For-Sale Program as follows:

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

6. MANAGER'S REPORT

Anthea provided the December SLDMWA Update on Water Policy/Resources Activity Memo and reported that the current Interim Operations Plan is expiring on December 23, 2023 and that all of the litigating parties are awaiting a ruling from the Court on a newly proposed plan for 2024. The Bureau and DWR agreed to recommend changes to the Interim Operations Plan which would cause CVP Operations to be more in alignment with the way the State operates under their Incidental Take Permit, rather than operating the CVP under the existing 2019 Biological Opinions. Governor of California Newsom, DWR, and State Water Contractors have all been holding press conferences pertaining to the final EIR on the Delta-Conveyance Project and Anthea predicted several lawsuits to follow. It is anticipated that the USBR might participate in the Delta-Conveyance Project, limited only to pursuing a water rights change petition that they would need to divert CVP water through the tunnels. Anthea also reported on Voluntary Agreements and the potential Government shutdown. The Federal Government is under a continued resolution (CR) until January 19th, and if not resolved, there is a potential for USBR funding to run out by February and any activity being worked on and Grant funding for ongoing projects will come to a pause. Anthea also provided a Draft Staff Report in Support of the Sacramento/Delta Update to the Bay-Delta Water Quality Control Plan.

Note: Board Member Lara arrived at 8:50 a.m.

7. WATER OPERATIONS & SUPPLY

A. CVP/SWP Operations

Anthea provided and reviewed the 2023-24 San Luis Storage Projection Report showing 50% and 90% exceedances indicating San Luis Reservoir refill scenarios based on varying hydrology.

B. Monthly Supply/Use/Completed Transactions Summary Report as of 11.30.23

Paul provided the Supply/Use/Completed Transactions Summary Report as of 11/30/23 and reported in-District use for the Month of November at 1,518 AF, OCCRP deliveries of 23 AF, and transfers out of 4,060 AF. Total use for the 2023-24 water year was 81,325 AF, leaving the total estimated for rescheduling into 2024-25 at 83,495 AF.

C. 2023-24 Additional Supplies Update

Anthea shared that there were no updates on this item.

D. Landholding/Licensing Updates

Paul provided an Active Permits and Licenses Report.

E. 2023-24 NVRWP 2nd Installment Credit Program - Update

Adam provided a copy of a letter to be distributed to all customers explaining that due to late season purchase by the USBR of 2023-24 NVRWP Supplies for the Refuge Water Supply Program, the District can offer customers the option of returning a portion of their 2023-24 NVRWP supply for a credit. This Program would allow customers to reduce the water in their account by returning up to one-half of their 2023-24 Water Year NVRWP supply for a credit which could be used to offset the 1st installment of the 2024-25 NVRWP Assessment. Staff requested that all customers submit a response by December 20, 2023.

8. RESOURCE MANAGEMENT ACTIVITIES

A. Westside Integrated Regional Water Management (IRWM) Activities

Anthea provided the SLDMWA Activity Agreements – Staff Report for November 2023 and reported that a volunteer subcommittee of IRWM Activity Agreement Members was working with Self-Help Enterprises to update a Water Needs Assessment for Local Disadvantaged Communities, with the goal of creating a Community Engagement Plan to address drinking water concerns for DACs in the Region. Anthea shared that she had volunteered to be on the Subcommittee, which would meet once a month.

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

Adam provided the Agenda to the December 5th SJVDA Board Meeting, a Management Zone Coordination Agreement between Valley Water Collaborative and SJVDA, and a Save the Date for the ILRP Stakeholder Meeting being held on January 31, 2024. He reported that the SJVDA will have a meeting in January 2024 to discuss the project FY 25 budget, which he believes will be similar to the year prior. He shared that the SJVDA Board took action in the meeting to finalize an agreement with the Valley Water Collaborative (VWC) to have the VWC assist with the Nitrogen Control Program for the Westside Subbasin. Adam also discussed activity

pertaining to the Management Zones, Salt and Nitrate Control Program, and Prop 84 Real Time Monitoring Program Grant.

C. Sustainable Groundwater Management Activities (SGMA)

Adam provided and reviewed a copy of the Delta-Mendota Subbasin Response to Inadequate Determination power point presentation which was presented at the on December 11th for the Subbasin Coordination Committee meeting. He reported on discussions pertaining to Open ET estimates of water use compared to the Subbasin water use model and GSA reported water use and the resulting groundwater pumping underestimation in some portions of the Basin. Adam discussed SWRCB Staff comments regarding demand management, which seemed to indicate that it would be a required Management Action for an approved GSP. He explained several ideas for demand management alternatives presented by EKI for the GSAs to consider. A three-month look ahead was provided for the Board's review.

D. SGM Implementation Grant – Round 1 Monthly Grant Administrator Updates

Anthea provided and reviewed a SGMA Implementation Grant Round 1 Report Invoice 4 that was recently submitted and reported that about \$700,000 of the \$7,600,000 had been submitted to date. The first two reimbursements from DWR had been processed. The District received \$272,000 of this grant for Component 5 (North Valley Regional Recycled Water Program) to implement improvements at the Ceres location. This grant expires in 2026.

E. Well Registration Package – Response Update

Adam provided and discussed a Well Registrations Not Yet Received Report showing four accounts still having outstanding paperwork.

F. Groundwater Well Remote Telemetry Program (2023-24 WaterSMART Grant)

Adam reported that he met with the Bureau of Reclamation to speak about the NEPA portion of the grant and is finalizing the locations of the wells to be included in the program. The information generated by the program will be available for the customers to access similar to the Phase 1 Remote Telemetry Program the District previously developed.

9. FINANCIAL MATTERS

A. FY 2024-25 Budget Activities

Anthea shared that there was no accounting report for the month as Joyce was working on catching up on outstanding items in preparation for drafting of the budget.

B. CVP Financial Matters

Anthea provided and reviewed the CVPWA December Meeting Agenda from December 8, 2023. She shared that the Bureau of Reclamation intended to apply for Extraordinary Maintenance Funding for several projects. The CVP Contractors have asked Reclamation to provide an estimate of how that would impact CVP Water Rates.

10. SUPPLY DEVELOPMENT PROGRAMS

A. Orestimba Creek Recharge and Recovery Project – Update

Adam reported that construction continued and that pressure testing for the 36" line went well, and Rados plans to pressure test the 42" line next. Installation of the diversion box for the Orestimba Creek pipeline, 51.65L pipeline, and recharge ponds pipeline is also underway.

B. Del Puerto Canyon Reservoir Project – Update

Anthea reported that she and Chris White recently met with two Deputy Directors from the Regional office pertaining to Reclamation's ability to acquire more funding for the Project in exchange for non-reimbursable drought benefits. Work continues on advancing the Project, specifically on the roadway alignment, NEPA documentation, and geotechnical analysis.

C. Los Vaqueros Reservoir Expansion Project

Anthea provided a Monthly Program Manager Update. She reported that the JPA and CCWD members are at a critical point in getting the Design and Construction Agreement and the Backstop Agreement executed. She reported that work on the Project would slow down until the Agreements were finalized. She also reviewed and discussed an Estimated Cost at Completion Report. Anthea shared that the Member Agencies have expressed

to Contra Costa and the JPA that if the Agreement cannot be accomplished quickly, and without additional cost-share requirements, members may have to withdraw from participation.

D. BF Sisk Dam Raise Project – Update

Anthea shared that a technical session was held the day prior, and a term sheet was shared outlining an agreement on how the investor-owned share of San Luis Reservoir would be operated. She shared that public negotiations would take place in January.

E. Ceres – DPWD – Turlock Discussions on Advancing Recycled Water into NVRRWP Facilities – Update

Anthea reported that the City of Ceres was updating their Wastewater Master Plan, which will include an option for building their own treatment plant. Two large housing developments that will be developed in the near future will require updated wastewater treatment facilities to be sufficiently supported. The District expressed its interest in expanding the NVRRWP to possibly connect a recycled water pipeline to the potential new treatment plant should Ceres decide to go with that option.

F. Coordination with Local Agencies on Regional SGMA Projects - Update

Anthea met with the City of Patterson to discuss regional projects in response to SGMA. The City continued to express interest in developing a groundwater recharge project, as well as exploring a future expansion of their wastewater system to the NVRRWP.

11. ADMINISTRATIVE ACTIVITIES

A. 2023 Crop Reports – Update

Adam provided and reviewed the Crop Report Summary and the Historical Crop Report with the Board and reported that there was an increase in row crops compared to the previous drought years.

B. Zacharias & Baldwin Master Plan Annexation to City of Patterson – Update

Anthea provided and reviewed a Notice of Election on the Zacharias & Baldwin Master Plan Annexation to the City of Patterson.

C. Pacific Gateway Project – Update

Anthea provided and reviewed a letter sent to the San Joaquin County Community Development Department commenting on the Notice of Preparation and Scoping for the DEIR for the Pacific Gateway Project, a Project Description of the Pacific Gateway Project, and a map of the proposed project. She reported that the project consists of 1,612 acres in southwest San Joaquin County, with 954 of those acres being within Del Puerto Water District boundaries. The District's concern was to ensure that its customers are not unfairly burdened in terms of spreading District costs across decreasing acreage and also water supply and groundwater use issues relating to compliance with SGMA.

D. Local Hazard Mitigation Plan 5-Year Update

Adam reported that there was no response from the survey given at the Landowner Meeting in November about hazards in the past five years. He plans to update the plan using the previous hazards that were included in the plan with updated figures and costs associated with those hazards.

12. SLDMWA REPORT

Anthea provided the SLDMWA Board of Directors Meeting held on November 9th, SLDMWA Special Meeting of the Board and Joint Special Workshop of the Board of Directors, Water Resources Committee, and Finance & Administration Committee Minutes from November 20th, O&M Report for November, and an Update on the Science Program for the Board to review.

13. ARTICLES / CORRESPONDENCE / PUBLIC OUTREACH

Anthea provided special recognition awards from ACWA JPIA for having a loss ratio of 20% or less in the Compensation Program, Liability Program and Property Program, a Bureau of Reclamation Meeting Request Form from her meeting at ACWA pertaining to the DPCR, an article from Cal Matters pertaining to California Water Politics, and an article on the San Luis Reservoir and the B.F. Sisk Dam. Anthea also reminded the Board that they need to be compliant with the annual Ethics Training and Sexual Harassment Training.

14. CLOSED SESSION

Upon return from Closed Session, Anthea shared that there was no reportable action taken.

15. REPORTS PURSUANT TO GOVERNMENT CODE 54954.2

16. ADJOURMENT

Being no further business, the meeting was adjourned at 11:55 a.m.

Respectfully submitted,

Anthea G. Hansen
Secretary

14.



P.O. Box 1596 Patterson, CA 95363

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TO: Anthea Hansen, General Manager
FROM: Paul Stearns, Deputy General Manager – Water Operations
DATE: January 18, 2024
SUBJECT: Field Operations Report for Presentation to the Board
For the Month of December 2023

Metering Program:

- Meters read December 31, 2023.
- Continued flowmeter calibration program and maintenance of District meters.

Right-of-Way (ROW) Encroachments and Permitting:

- Continued coordination with developers, Water Authority, and City of Patterson regarding industrial developments along the Sperry Road and Rogers Road corridors.
- Permit re-issued issued to District for the drafting of construction water at DMC milepost 45.78R/Davis Road for Stanislaus County Solar Project.

Groundwater Pump-In Program Activities:

- Coordinated well shut offs for Warren Act environmental compliance and SGMA well depth monitoring.
- No Pump-in Program for 2023-24 due to receiving an allocation greater than 40%.
- Long-term Warren Act Pump-in Program contract discussions with USBR and CVP Contractors.

Other Activities/Coordination with Water Authority, Outside Agencies and/or DPWD customers:

- Leak monitoring/repairs at DMC turnouts 22.78L, 28.89L, 29.19L, 31.60L, 43.22L, 43.73L, 45.38L, 46.83L, 52.02R, and 52.40L.
- Biological Assessment at DMC turnout 56.85L for pipeline replacement.
- Review of Proposals for NVRWP Far-Field Dilution and Constituents of Emerging Concern Studies with Cities of Modesto and Turlock.
- Replacement of pipeline spanning California Aqueduct servicing DPWD lands in Gustine area.
- Turnout Assessments: Condition of meters, electrical panels, locking devices, leaks, safety/accessibility issues.