



**REGULAR MEETING OF THE BOARD OF DIRECTORS
OCTOBER 19, 2022
MINUTES**

1. CALL TO ORDER

President Koster called the meeting to order at 8:31 a.m. Board Members present were Daniel Bays, Kyle Perez, Jim Jasper, and Zach Maring.

2. OPPORTUNITY FOR PUBLIC COMMENT

President Koster asked if any member of the public who might be on the phone line wanted to make a comment. Being none, the meeting continued.

3. ADDITIONS/REVISIONS TO THE AGENDA

Anthea added Action Item F. Special Project Agreement for Administration Costs of the Sustainable Groundwater Management and requested a deletion of Item 12. B. as it was an error to have it included since it was discussed at the September 2022 Board of Directors Meeting. President Koster asked for a motion to approve the Additions and Revisions to the agenda. The Board approved the Additions and Revisions to the Agenda as follows:

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

4. CONSENT CALENDAR

The Minutes from the Board Meeting of 9/14/2022, Monthly Accounting Reports, and Field Operations Report for September 2022 were provided in advance for the Board's review. The Board approved the Consent Calendar as follows:

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

Note: Board Member Lucich arrived at 8:38 a.m.

5. MANAGER'S REPORT

Anthea provided and discussed information pertaining to a proposed voluntary agreement on Bay-Delta flows and the Fish and Wildlife Service proposing protections for the California Longfin Smelt. Also included were copies of a proposed legislation which would prohibit the Corps of Engineers from issuing a permit for the Delta Conveyance Project (titled Stop Delta Tunnels Act) and another which would provide long-term water supply and regulatory reliability to drought-stricken California (titled Water for California Act).

6. ACTION ITEMS

A. Board to Receive Presentation on the Audited Financial Statements for the Year Ended February 28, 2022

Anthea introduced Nathan Doty, the associate with JWT & Associates, LLP who performed the District's audit and joined the Board of Directors meeting via Zoom. After introductions, Nathan gave the Board a presentation on the Audit. After review and discussion, the Board approved the Audited Financial Statements for the Fiscal Year Ended February 28, 2022 as follows:

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

B. Board to Ratify Manager's Approval of Contract with Woodard-Curran for Professional Services to Prepare a Feasibility Study Report for Submission to the USBR as Part of the Small Surface Water and Groundwater Storage Projects Grant Program

Anthea provided and reviewed a Professional Services Agreement from Woodard & Curran to prepare a Feasibility Study Report for submission to the USBR as part of the Small Surface Water and Groundwater Storage Projects Grant Program. She shared that this was a new opportunity which would provide Federal Funds to match State Funds the Project has already been awarded. She indicated that she signed the Contract with Woodard & Curran, and that costs would be shared with Central California Irrigation District. The Board approved the Contract with Woodard-Curran for Professional Services to Prepare a Feasibility Study Report for Submission to the USBR as Part of the Small Surface Water and Groundwater Storage Projects Grant Program as follows:

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

C. Acting as the Board of Directors for the District's membership in DM-II GSA, Board to Review and Approve Resolution Regarding the Orestimba Creek Recharge and Recovery Project

Adam provided and reviewed the Resolution regarding the Orestimba Creek Recharge and Recovery Project, which would be used to support an agreement between the District GSA's regarding proper accounting of groundwater credits for SGMA purposes. After review and discussion, the Board approved the Resolution regarding the Orestimba Creek Recharge and Recovery Project as follows:

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

D. Board to Review and Consider Support Letter for USBR Application for Funding form the Bipartisan Infrastructure Law (Bill) for Reserved Works Projects

Anthea shared that under the Bipartisan Infrastructure Law, there would be tranches of funding that Congress has appropriated for Reserved Works Projects over the next five years. In order for a Reserved Works Project to be eligible for funding, every ratepayer has to sign a letter stating they agree to the repayment. A list of the projects that would be included in the current application period was to be provided the week prior, to give a general idea of the rate impact of those projects, but Reclamation had yet to send the list. After review and discussion, Anthea recommended that the District take this opportunity to support the Reclamation's funding application. Vice President of the Board Bays moved a conditional approval for support from Del Puerto Water District if Staff determined if the rate impacts to be reasonable, the motion passed as follows:

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

E. Board to Receive Orestimba Creek Recharge and Recovery Project Update and Approve Budget Amendment to Provost & Pritchard Contract

Adam gave a presentation and update on the Orestimba Creek Recharge and Recovery Expansion Project. After the presentation, Adam reported that Provost & Pritchard had requested a third Budget Amendment. He reviewed a breakdown of expenses as well as a Provost & Pritchard's Budget Summary. After review and discussion, the Board approved the Budget Amendment to the Provost & Pritchard Contract as follows:

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

F. Board to Consider Special Project Agreement for Administration Costs of the Sustainable Groundwater Management Grant

Anthea provided and reviewed the SLDMWA Delta-Mendota Subbasin Sustainable Groundwater Management Act (SGMA) Implementation Grant Special Project Agreement. She reported that the District's share of the sub-basin-wide Grant would fund a portion of the City of Ceres Expansion Project. She also reminded the Board that DPWD was the Grant Administrator. This agreement would govern cost sharing for administration of the Grant. After review and discussion, the Board approved the Special Project Agreement for Administration Costs of the Sustainable Groundwater Management Grant as follows:

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

7. WATER OPERATIONS & SUPPLY

A. CVP/SWP Operations

Anthea provided the SLDMWA October Operations Update and reported that only one pump was currently running at Jones with minimal exports. Most major storage facilities were below average. Shasta ended the water year at 440 TAF more than originally forecasted due aggressive implementation of the Interim Operations Plan. Also provided and discussed were the 2023 San Luis Storage Projection Graphs showing 90% and 50% Exceedance Hydrology.

B. Monthly Supply/Use/Completed Transactions Summary Report as of 9/30/22

Paul provided the Supply/Use/Completed Transactions Summary and reported in-District use for the month of September at 2,596 AF. Total current use for the year was 30,894 AF. Total estimated for rescheduling into 2022-23 was 13,185 AF.

C. 2022-23 Additional Supplies Update

Anthea provided the 2022-23 Additional Supplies Pool Report and reported that a handful of customers had run over their supply, which added an additional 26 af of demand to the pool. Anthea also shared that the additional quantity of water was coming in through the NVRWP from the City of Ceres would be considered Additional Supplies, as the BOR Refuge Water Supply Program indicated they were not interested at this time in purchasing this costlier supply. Staff will include this water in the November Additional Supplies update report.

D. Landholding / Licensing Updates

Paul provided the Active Permits and Licenses Report and shared that there were five permits granted an extension in September and one license to install two Non-Project Warren Act Pump-In discharges. Anthea also provided a copy of a letter sent by the SLDMWA to a landowner within the district pertaining to a right-of-way encroachment from milepost 21.95-R to 22.26-R. She shared that Staff had a meeting with the SLDMWA and the landowner and that the issue was resolved.

E. Crop Report Data – Final

Paul provided and reviewed the 2022 Crop Report with the Board.

8. RESOURCE MANAGEMENT ACTIVITIES

A. Westside Integrated Regional Water Management (IRWM) Activities

Anthea reported that recent activity in the IRWM focused on promotion of the application submitted to DWR as part of the Proposition 1 Round 2 IRWM Implementation Grant Program.

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

Adam reported that a meeting took place on October 4th and shared that the District's subbasin had not yet been designated as a Priority 1 for the Nitrate Control Program, and was still considered Priority 2. Compliance with the NCP will involve reaching out to groundwater users and letting them know that if they are using ground water for potable services, their water can be tested and if it's found to exceed the drinking water standard for nitrates, potable drinking water can be provided. He also reported that there was push from Summers' Engineering for the Westside Watershed Coalition to join the group that has been developed on the East Side, which was met with push back by the Board. Summer's Engineering indicated they did not have staffing for this program and

Adam indicated that outside sources would have to be hired to run the Nitrate Program with the hopes of managing it and SGMWA as one unit.

C. Sustainable Groundwater Management Activities

Adam shared that comments on the re-submitted GSP have been coming in focusing on the approach to establishing minimum thresholds for groundwater ecosystems. He also reported that the five year update was due in early 2025 and that the subbasin group was working to set up a timeline for completion of the report.

1. Review of Final Well-Registration Packet Format

A template of a packet that was to be mailed to the District's water users was provided and discussed with the Board.

2. Policy Discussion Regarding Management Action Enforcement - Continued

Adam provided and reviewed a draft Water Use Policy with the Board. The Draft Policy included the topics of Delivery System Infrastructure and Prioritization of Water Use. After discussion, the Board requested this item be brought back in November as an action item.

3. SGM Implementation Grant-Round 1 Monthly Grant Administrator Update

Anthea reported that she had received the SGM Implementation Grant-Round 1 Agreement and was to have a meeting on November 3rd with DWR to kick off the Grant Administration Process. Now that the Grant is signed, projects can move forward.

9. FINANCIAL MATTERS

A. Balance Sheet Analysis Review for the Third Quarter Ending 8.31.22

Minnie provided the Board with a Balance Sheet Analysis of all Assets and Liabilities of the District. Anthea reviewed and discussed the snapshot of their assets and liabilities as of 8/31/2022.

B. Special Funds Report

Anthea provided a Special Fund Balance Report and reviewed the various categories as of 10/18/22.

C. CVP Financial Matters

Anthea provided the CVPWA Financial Affairs Committee September Meeting Agenda and notes. She shared that the next meeting was to be held on October 21st.

10. SUPPLY DEVELOPMENT PROGRAMS

A. Orestimba Creek Recharge & Recovery Project – Update

This item was discussed during Item 6. E.

B. Del Puerto Canyon Reservoir Project – Update

Anthea provided the Woodard & Curran joint July and August Progress Report and the TERRA/GeoPentech July through September Progress Report. A quarterly technical review board meeting would be taking place in the next week to review all the preliminary information from the Geotech work. The Bureau had recently indicated that a draft revised purpose-and-need was in process for the Environmental Impact Statement. This came about after receiving Cooperating Agency Comments on the Admin Draft EIS. Following would be the re-writing the Administrative Draft. She also reported progress on the Financial Assistance Package and the MOA with Reclamation as well, which would allow the project partners to begin accessing the \$15 million in funding from the second WIIN Act award.

C. Los Vaqueros Reservoir Expansion Project - Update

Anthea included a News Release for an award of \$82 million the LVREP received from Bipartisan Infrastructure Law, a Project Objectives Packet and a list of meetings she attended in Washington. She also shared what she learned on that trip pertaining to WIFIA loans.

D. BF Sisk Dam Raise Project – Update

Anthea shared that a meeting was scheduled had been the following week with Reclamation to discuss the principles in operating an expanded reservoir capacity at Sisk Dam, but will be postponed for a later time.

- E. Ceres-DPWD-Turlock Discussions on Advancing Recycled Water into NVRWP Facilities-Update
Anthea reported that she was in continuing discussions with the city of Ceres. She was working on gathering information to put together a proposal for Ceres Management to consider for an affordable path for getting their waste water permanently delivered to the Turlock Treatment Plant.

11. ADMINISTRATIVE ACTIVITIES

- A. Update to District Rules & Regulations for Water Service 2nd Draft-Discussion
Anthea provided and reviewed a draft Rules and Regulations for Water Service with the Board. After discussion, she indicated a new draft would be brought back for review with suggested changes at the November Board of Directors Meeting.

12. SLDMWA Report

- A. SLDMWA Minutes, Reports and Issues Updates
Anthea provided the open minutes for the SLDMWA BOD September meeting, O&M Reports, and an update on their Science Program for the Board to review.
- B. Update on San Luis Transmission Project
There was nothing to report on this item.

13. CLOSED SESSION

- A. Conference with Legal Counsel – Existing Litigation
There was nothing to report on this item.
- B. Conference with Legal Counsel – Existing Litigation
There was nothing to report on this item.
- C. Conference with Special Legal Counsel – Existing Litigation
There was nothing to report on this item.

14. ARTICLES/CORRESPONDENCE/PUBLIC OUTREACH

Anthea provided an agenda and gave an overview of the California H₂O Women's Conference she attended in late September. She also provided a copy of the SLDMWA 30th Anniversary Celebration held on October 12th as well as an agenda to the San Joaquin Valley Water Tour with Senator Ana Caballero and a Family Farm Alliance Update Report.

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 12:25 a.m.

Respectfully submitted,



Anthea G. Hansen
Secretary