



**REGULAR MEETING OF THE BOARD OF DIRECTORS
AUGUST 16, 2023
MINUTES**

1. CALL TO ORDER

President Koster called the meeting to order at 8:34 a.m. Board Members present were Daniel Bays, Zach Maring, Jarod Lara, Kyle Perez, Pete Lucich and Jim Jasper.

2. OPPORTUNITY FOR PUBLIC COMMENT

President Koster asked if there was any public comment and asked if anyone on the phone had any public comment. No one was on the phone line and there was no public comment.

3. ADDITIONS/REVISIONS TO THE AGENDA

There were no additions or revisions to the Agenda.

4. CONSENT CALENDAR

The Minutes from the Regular Board Meeting held on 7/19/23, Special Board Meeting held on 7/21/23, Monthly Accounting Reports, and Field Operations Report for July 2023 were provided in advance for the Board's review. The Board approved the Consent Calendar Items as follows:

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

5. ACTION ITEMS

A. Board to Review and Consider Request for LVRE D.C. Attendance

Anthea reported on an upcoming trip to D.C. by the LVRE JPA leadership and noted that attending the meetings provided an opportunity to discuss DPCR with elected officials and staff also. The Board approved Anthea's request to join the LVRE JPA Teams D.C. trip as follows:

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

B. Board to Establish Personnel Committee

Anthea discussed establishing a Personnel Committee of the Board of Directors to provide direction on future planning for District staffing needs. President Koster and members Kyle Perez and Jim Jasper were nominated to serve on the committee. Approval of Personnel Committee was as follows:

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

C. Board to Review and Consider Education Funding Request from Water Blueprint CA

Anthea provided and discussed the Water Blueprint California and their efforts to develop a strategic plan to address water availability shortfalls due to the California regulation and water policy as well as their current efforts and advocacy. A contribution request for \$5,000.00 in support of the Blueprint efforts was also discussed. After review and consideration, the Board approved an Education Funding Request from Water Blueprint CA as follows:

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

D. Board to Review and Consider Resolution Approving Further Procedures for 2023 Elections

Anthea provided a Draft Resolution Approving Further Procedures for 2023 District Election. After review and discussion, the Board approved a Resolution Further Procedures for 2023 District Elections as follows:

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

6. MANAGER'S REPORT

Anthea reported that work continued at the Agency level on the re-consultation on the biological opinions supporting the long-term operations of the CVP and the SWP. She also noted that the US EPA had accepted for investigation a civil rights complaint files by a group of non-governmental agencies alleging a Title VI Civil Rights Complaint against the California State Water Resources Board. Lastly, she reviewed an Executive Order signed by Governor Newsom on August 4th which aimed to streamline certain environmental and permitting requirements for projects that would prepare the State's streams and waterways for the next wet season. Anthea indicated she had reached out to Kristen Olsen-Cate at Cal Strategies to get more information on the applicability of the order to accomplishing local creek bed cleaning and debris removal.

7. WATER OPERATIONS & SUPPLY

A. CVP/SWP Operations

Anthea reported that CVP Operations continued as normal. She believed San Luis Reservoir would refill early this winter, limiting the timeframe and amount of carryover. (It was noted that there will also be a transfer out to Arvin Edison Water Storage District for July, but the District is waiting on them to provide the exact amount they were able to deliver.)

B. Monthly Supply/Use/Completed Transactions Summary Report as of 07.31.23

Paul provided the Supply/Use/Completed Transactions Summary Report as of 7/31/23 and reported in-District use for the Month of July at 14,380 AF. Total use for the 2023-24 water year was 40,410 AF, leaving the total estimated for rescheduling into 2024-25 at 96,853 AF.

C. 2023-24 Additional Supplies Update

Anthea provided the 2023-24 Annual Additional Supplies Pool report and shared that based on 100% allocation, there were 5,061 AF available at the rate of \$255.93 per acre foot.

D. Landholding/Licensing Updates

Paul provided and reviewed the Active Permits and Licenses report showing seven active permits and no current active licenses.

8. RESOURCE MANAGEMENT ACTIVITIES

A. Westside Integrated Regional Water management (IRWM) Activities

Anthea provided the SLMDWA Staff Report for Activity Agreements for July and reported that the representatives for the San Joaquin River Funding Area IRWM Plan Managers had approved the addition of nearly \$68,000 for the Westley wellhead treatment project. Projects funded by the Prop 1, Round 1 IRWM Implementation Grant continued to move forward in the Westside San Joaquin IRWM Region.

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

Adam reported the major issues discussed at the most recent SJVDA meeting were exceedances related to pesticide detection in some of the watersheds and noted that and increased outreach efforts will be required to assure the Regional Board that efforts are being made to address the exceedances and to avoid more substantial requirements. Fines based on the amount of water being discharged in exceedance would be an example of potential changes. A flyer was provided with information pertaining to the Nitrate Control Program as well.

C. Annual Report Filing – Response Update

Adam provided a list of customers who had yet to submit their annual Nitrate Management Plan reports, and indicated he would reach out to those customers and offer assistance in meeting the reporting requirement.

D. Sustainable Groundwater Management Activities

Adam reported on July 26th with the State Board, noting that the State Board seemed to be focusing on different issues than DWR with respect to GSP requirements. State Boards focused on three key details, even one well going dry could be considered unreasonable, just existing groundwater availability conditions are bad doesn't mean you don't have to monitor, and the one GSP shouldn't be GSP with six management areas that cover the previous GSP groups. Adam discussed the cost allocation breakdowns for the GSP revisions and for plan implementation and noted that there were discussions at the coordinated committee on how to split costs other than an equal 1/7th. The Northern Group voted to approve anything up to 1/6th split.

E. SGM Implementation Grant – Round 1 Monthly Grant Administrator Update

Anthea reported that she was still working with the consultants and the Water Authority to get the first reimbursement distributed for Invoice 1. Two more invoices will be submitted after that.

F. Well Registration Package – Response Update

Adam provided a Well Registrations Not Yet Received Report and shared that outreach continued with those growers.

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

Adam provided a Staff Report on the Groundwater Well Telemetry Grant Award and reported that the Project received \$99,750 under a 50% match WaterSMART Grant. He noted that per Board guidance, Staff was developing a priority list of wells which target the areas that were most susceptible to subsidence along critical infrastructure for inclusion in this program.

9. FINANCIAL MATTERS

A. FY 2023 Audit Update

Anthea reported that the Audit was not completed. She has been communicating with the Auditor and will be taking charge of the Audit preparation.

B. ACWA JPIA Workcomp & Property Program Renewals – Report

Anthea provided the ACWA JPIA 2023-24 Worker's Compensation Program Renewal showing a rate decrease of 5%, and the Property Program renewal showing an increase of 20%.

C. SLDMWA Rate Adjustment Retroactive to March 1, 2023 – Report

Anthea provided and reviewed a SLMDWA Memo pertaining to the Approval of a Third Adjustment to Water Year 2023 OM&R Water Rates.

D. Notification of Refund from SLDMWA Funds 8 & 12 for FY '11 – FY '15 – Report

Anthea provided and reviewed a SLDMWA Memo pertaining to the Distribution of SFCWA Lower Yolo Ranch Project Funds (refund payment). Del Puerto's share of that refund is 6.79%, or \$120,227.19. Anthea suggested those funds be placed in the Rate Stabilization Reserve Fund once received, to subsidize the Water Availability charge in the future, when needed.

E. CVP Financial Matters

Anthea provided a CalPERS article reporting a preliminary 5.8% Investment Return for 2022-23 Fiscal Year. She reported that in the 2021-22 fiscal year there was a loss of 7.2%. Anthea also provided the notes for the August Financial Affairs Committee Meeting held on August 4, 2023, as well as the CVPWA Issues Matrix. She reported on an update from Reclamation pertaining to future costs and potential rate impacts associated with XM projects. She shared that despite cost increases for XM projects, rates would not change much due to the number of years over which the costs will be spread.

10. SUPPLY DEVELOPMENT PROGRAMS

A. Orestimba Creek Recharge & Recovery Project – Update

Adam provided the Agenda to the Orestimba Creek Project Meeting held on August 10th and gave an update on the construction of the Project. He also provided information on the Storm Water Grant Program Invoice #1. Anthea also shared pictures and video of her visit to the construction site where she operated heavy machinery.

B. Del Puerto Canyon Reservoir Project – Update

Anthea reported that Phase II geotechnical explorations were going to begin on August 21st. All permits are in place and the Geotech work is planned to be completed by October of this year. The administrative draft of the EIS is now being written by Woodard & Curran and the hope is to have a draft by December for Reclamation to review and approve. Once approved, USBR begin the public notice process to get a completed NEPA document. Anthea continues to work on funding opportunities and feels that the trip to D.C. will be a great opportunity to do outreach on DPCR.

C. Los Vaqueros Reservoir Expansion Project – Update

Anthea provided and discussed several power point presentations pertaining to an Interim Financing update, LVRE Program Management Update, and a Plan for Finance Update. She reported that the meetings consisted of discussions pertaining to financing for the Project. She also provided a timeline showing the DPCR schedule that needs to be adhered to for the Board to get to a decision point of whether to continue with this Project by next spring. Cost information for the Transfer-Bethany Pipeline will be available at the September Board of Directors meeting. In addition to the potential transfer water the District would be able to move through the pipeline, she is working to confirm that this partnership will allow Reclamation to provide a additional CVP allocated to the District.

D. BF Sisk Dam Raise Project – Update

Anthea reported that Reclamation recently confirmed that they would allow the SLDMWA to count costs incurred back to 2019 as part of the local cost share for the Federal Funding for BF Sisk.

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

There was nothing to report on this item.

11. ADMINISTRATIVE ACTIVITIES

A. November 2023 District Election Update

Anthea updated the Board on the election calendar upcoming tasks. She shared that the next step to take for the District Election was to update all current landowners and their mailing information, create a voter ballot and a voter information guide.

B. LAFCO Application No. 2023-01 Zacharias – Baldwin Master Plan Reorganization to the City of Patterson – Report

Anthea provided and discussed a comment letter the District sent to Stanislaus LAFCO pertaining to application No. 203-01 Zacharias-Baldwin Master Plan Reorganization to the City of Patterson.

C. Notice of Insufficiency of Claim Cari McCormick

Anthea reported on a class action lawsuit filed by Cari McCormick, where she protests how her employer and CalPERS have calculated her permanent disability by CalPERS. The District has responded accordingly.

12. SLDMWA Report

A. SLDMWA Minutes, Reports and Issues Updates

Anthea provided the SLDMWA Minutes and O&M Report for the Board to review at their leisure.

13. ARTICLES/CORRESPONDENCE/PUBLIC OUTREACH

Anthea provided a Family Farm Alliance August Update Report, a flyer on Nonstructural Flood Risk Mitigation Workshops, a Dos Rios Ranch Preserve Tour flyer which Staff attended on July 25th, a local article on *Water Wasted, What is California doing to help increase groundwater storage?*, an article *The Perverse Arithmetic of Water Sales*, and a flyer on the City of Patterson Farm to Fork fundraiser for the Youth Scholarship Fund.

14. CLOSED SESSION

The Board met in Closed Session on items listed on the Agenda, and no reportable action was taken.

15. REPORTS PURSUANT TO GOVERNMENT CODE 54954.2

There were no Reports Pursuant to Government Code 54954.2.

16. ADJOURNMENT

Being no further business, the meeting was adjourned at 11:08 a.m.

Respectfully submitted,

Anthea G. Hansen
Secretary