



**VIDEO CONFERENCE MEETING OF THE BOARD OF DIRECTORS
APRIL 21, 2021
MINUTES**

1. CALL TO ORDER

President Gene Bays, who was present, called the meeting to order at 8:34 a.m. in accordance with Governor Newsom's Executive Order N-29-20, allowing the meeting to be held via video conference. Board Members connected via Zoom video conference were Bill Koster, Kyle Perez, Pete Lucich, Zach Maring and Jarod Lara.

2. OPPORTUNITY FOR PUBLIC COMMENT

There was no public comment.

3. ADDITIONS/REVISIONS TO THE AGENDA

Anthea added Action Item 6.E. to Consider and Approve Westside San Joaquin IRWM Region Prop 1 Round 1, IRWM Implementation Grant Special Project Agreement. This item had just been received the day prior.

4. CONSENT CALENDAR

The Minutes from the Board Meeting of 3/17/21, Special Board Meeting of 4/13/21, Monthly Accounting Reports as of 3/31/21, and Field Operations Report for March 2021 were provided in advance for the Board's review. The Board approved the Consent Calendar per roll call vote as follows:

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

Note: Board Member Jim Jasper joined the meeting at 8:42 a.m., after the roll call vote.

5. CLOSED SESSION

A. Conference with Legal Counsel – Anticipated Litigation

Upon return from Closed Session, Real Property Negotiator, Anthea Hansen reported that the Board met with legal counsel as noticed on the Agenda and that the Board acted on 2 items. The Board approved a Water Conveyance Agreement with West Stanislaus ID and a Water Transfer Agreement with Mape's Ranch. They also approved terms and gave direction to Staff on a multi-party CVP to CVP transfer with Contra Costa WD for this year. Nothing further was reported on this item.

B. Conference with Legal Counsel – Existing Litigation

Upon return from Closed Session, Real Property Negotiator, Anthea Hansen reported that the Board met with legal counsel to receive an update on existing litigation. Upon return from Closes Session, no action was taken on existing litigation and nothing further was reported on this item.

6. ACTION ITEMS

A. Board to Review and Consider Merchant Services Agreements for Acceptance of Credit Cards as Forms of Payment

Director of Finance and Administration Minnie Moreno gave a presentation on options for Credit Card Payment acceptance by the District. The Staff Report showed programs offered by Quickbooks, Elavon and 360Payments, and their various terms. After the options were evaluated and reviewed, the Board authorized by roll call vote a month-to-month agreement with 360Payments and to authorize the transaction charges be invoiced directly to the Customer in the month following the transaction.

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

Absent None

B. Board to Approve and Consultant Services Agreement and Task Order 21-01 for NEPA Document Preparation to Support a 1-Year Warren Act Contract for the use of Excess Capacity in Federal Facilities

Anthea provided a Consultant Services Agreement with Provost & Pritchard that she had approved under the Board's previous guidance, for consulting services should there be water transactions that become available this year. The task order was for preparation of a draft NEPA document to submit to the USBR, with a fee not to exceed \$10,000. After review and discussion, the Board approved by roll call vote the Consultant Services Agreement and Task Order 21-01 for NEPA Document Preparation to Support a 1-Year Warren Act Contract for the use of Excess Capacity in Federal Facilities as follows:

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

C. Board to Review and Approve a Resolution Approving a Letter Agreement and 1-Year Warren Act Contract with the United States Bureau of Reclamation for the Use of Excess Capacity in Federal Facilities

Anthea provided and reviewed a Letter Agreement and 1-Year Warren Act Contract with the United States Bureau of Reclamation for the Use of Excess Capacity in Federal Facilities and explained it was a template for a current Warren Act Contract, which is standard. This item supports the Mape's Ranch transfer. After review and discussion, the Board approved by roll call vote the Resolution Approving a Letter Agreement and 1-Year Warren Act Contract with the United States Bureau of Reclamation for the Use of Excess Capacity in Federal Facilities as follows:

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

D. Board to Receive Progress Update on the Orestimba Creek Recharge & Recovery Expansion Project and to Consider Approving Issuing a Notice to Exercise its Option to Purchase real Property Under an Existing Lease and Option to Purchase Agreement between the District and Stanislaus Properties

Anthea introduced Rick Iger of Provost & Pritchard to give a power point presentation on the Orestimba Creek Recharge & Recovery Project. After Rick's presentation, Anthea thanked Rick and Jarett Martin who was also in the Zoom meeting for their work. Board Member Maring asked if there was change in the quality of the water when extracted vs the input water before extraction. Jarett Martin took the question and reported there was a slight degradation from the water input, but it was still good enough quality to irrigate, and that he believed the project had the potential to help the region from an overall water quality standpoint. Rick asked Jarett if it was fair to say that the testing of the creek water that had been done had demonstrated similar salinity to the Delta-Mendota Canal. Jarett confirmed that statement. Board Member Koster asked if it was high in boron; Adam indicated that based on the testing, nothing really stood out to have concern about. Rick concluded by sharing that he believed the District showed leadership by putting this project together as it had huge potential to not only benefit the region, but also the growers within CCID and Del Puerto Water District. Anthea was temporarily disconnected from the meeting but then re-connected to re-view the existing Lease Agreement and Option to Purchase Real Property Interest with the Board. After review and discussion, the Board approved by roll call vote the Lease Agreement and Option to Purchase Real Property Interest as follows:

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

E. Board to Consider and Approve Westside San Joaquin IRWM Region Prop 1 Round 1, IRWM Implementation Grant Special Project Agreement

Anthea provided and reviewed a copy of the Westside San Joaquin IRWM Region Prop 1 Round 1, IRWM Implementation Grant Special Project Agreement. This agreement is between the agencies that are recipients of

the grant and the SLDMWA, who is helping with grant administration. This Agreement indicates that the cost of the grant administration services under the special project agreement is \$26,000, of which \$18,000 is applicable to the grant funds that will be received by the Sam Joaquin River Funding Area, of which the Orestimba Creek Project the NVRWP are included. This agreement indicates that costs will be shared equally between the agencies within each funding area. Anthea requested approval from the Board to execute this Agreement, which will assist in the reporting process and the finalization of the grant award to both the NVRWP and the Orestimba Creek Recharge and Recovery Expansion Project under the IRWM Program. After review and discussion, the Board approved by roll call vote the Westside San Joaquin IRWM Region Prop 1 Round 1, IRWM Implementation Grant Special Project Agreement by as follows:

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

7. MANAGER'S REPORT

Anthea provided the SLDMWA Water Policy and Resources Activities Update as well as a letter of support for the State Water Resiliency Act of 2021 and reported that the focus had been on the water supply situation. Discussions had been ongoing between the agencies on the Voluntary Agreement Process and the District been monitoring any reports coming out of the discussions as well as any activity on the side of the State Water Resources Control Board. She also reported that there had been legislation focused on infrastructure and that she had been providing comments and feedback when applicable and shared that she had signed on supporting Senator Hurtado's State Water Resiliency Act of 2021 along with many other agencies. She shared that contractors were working as a group statewide within the water community to assure they can effectively promote projects that had been lacking in progress or support. She also reported she would be participating in a meeting the next day with Woodard & Curran Staff to listen in on the water commission meeting being held about accepting secondary applications for the Prop 1 Water Storage Investment Program, which was fully awarded and appropriated to a number of water storage projects in California, but since then, some have stopped progress on their work or stalled on their progress. At the meeting she hoped to learn what steps to take in advancing the Del Puerto Canyon Reservoir Storage Project for funding under that program. She also shared that there is a public workshop at the SWRCB on the Temperature Management Plan where the Bureau of Reclamation was presenting their proposal for operating this year under water order WR 90-05, which is the Water Right Order from the State Board that requires an approved Temperature Management Plan. She also placed in the packet the notice of the meeting and highlighted the area that describes the order in the proposed operations that are being testified on. She added that this was very important to the District, its water, allocation, and Federal and State operations.

8. WATER OPERATIONS & SUPPLY

A. CVP/SWP Operations

Anthea provided a California Water Boards SWRCB Notice of Public Workshop 2021 Sacramento River Temperature Management, a CA Department of Fish and Wildlife Update on the Nutria Eradication Program, the April SLDMWA Operations Update, and a BOR News Release on the adjustment of the Sacramento River operations to benefit salmon amid drought conditions for the Board to review. She shared that these miscellaneous items were included because they do affect water operations and remain concerns. She also reported that the water operations at State and Federal pumping plants are at minimal level and Jones Pumping plant on the CVP side was pumping at 1,600 af/day and an updated forecast showed this amount of pumping continuing until August, which will be problematic when demands increase as the irrigation season progresses and the temperatures rise. There have not been talks about rationing as of yet, but District Staff is preparing by ensuring there are accurate water orders and flow rates at each turnout and each check and pool. Anthea also shared that although no formal notice had been given, based on recent reports, she did not believe the District would receive 5% allocation during the current irrigation season.

B. Monthly Supply/Use/Completed Transactions Summary Report as of 3/31/21

Adam reported in-District use for the month of March at 1,932 AF with no transfers out for the month, for a total of 1,932 AF of use in March.

C. 2020-21 Carryover Update

Anthea reported that the USBR had approved the District's carryover request of 15,941 AF, and 15,500 AF of that request was allocated to customer's accounts. The remainder was held for the 1% loss that the Bureau will impose.

D. 2021-22 Additional Supplies Update

Anthea reported that timely requests for 14,547 AF and late requests of over 1,000 AF of Additional Supplies had been received. Obligations to other agencies from previous year transactions and settlement agreements required an additional 2,500 AF. She added that it appeared unlikely that the District would be able to provide the amount requested by customers at the rate that was originally estimated at the time of sign-ups in March when a 5% allocation was available. She estimated the average price of additional supplies might now be between \$540 to \$575/AF, but would fluctuate as transactions are added to the pool. She will be in communication with those participating in the Additional Supplies Pool and will give options to either remove their request, or revise it according to the price change. She asked if there were any questions. Board Member Koster asked if there would be rationing in the middle of the summer and she indicated it would depend on demands and quantities of water being introduced into the canal, so it was difficult to tell at this point. She added that the time of the last rationing back in 2014, there was more water supplies available where that is not the case this year.

E. Landholding / Licensing Updates

There was nothing to report on this item.

F. 2020 Crop Report

A copy of the final 2020 DPWD Crop Report was provided for the Board to review.

9. RESOURCE MANAGEMENT ACTIVITIES

A. Westside Integrated Regional Water Management (IRWM) Activities

Anthea provided the SLDMWA March Staff Report on Activity Agreements for the Board's review.

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

Adam reported on the list of tasks the Drainage Authority had been working on and reported that the SJVDA will be sending out a postcard notice for an online annual meeting as it is a requirement from the State Board for at least one representative of each member to attend. Continued outreach for constituents and reminders for the Nitrogen Management Plans and Farm Evaluation Surveys, which were due on March 1st, was ongoing. An updated list showing those not meeting that requirement was also provided for the Board. Adam also included the Water Quality Monitoring Results for the last few months which showed improvement from the early winter tests.

C. Sustainable Groundwater Management Activities

Adam shared that the Annual Report had been finalized and submitted. Change this year in groundwater storage will be monitored on a yearly basis, showed a positive effect as amounts had been increasing in the northern-central region. This report would also determine whether or not the GSP was working. Graphs of wells in the DM-II region were also provided and reviewed. Groundwater contours from both the fall and spring for the upper and lower aquifer had been provided and reviewed with the Board. Board Member Koster asked if payments to the SGMA program would be ongoing or would it be a one-time payout, to which Adam responded that it would be more of a yearly fee, similar to the Irrigated Lands Program. He did indicate if more programs are implemented in the future, more fees will likely be collected. Anthea added that in relation to some of the numbers being monitored, she asked the board to keep the issue of subsidence due to groundwater pumping in mind on critical infrastructure facilities such as the Delta-Mendota Canal and the California Aqueduct as it would affect both the Del Puerto Water District and Oak Flat Water District.

D. Remote Telemetry Project – Update

Adam provided and presented a Power Point presentation to the Board relating to the Remote Flow Monitoring Program, Phase 1, which detailed equipment installation and how the SCADA District Interface would function. After the presentation, he asked if there were any questions. Being none, the meeting continued.

10. FINANCIAL MATTERS

A. CVP Financial Matters

Anthea reported that Staff continued to engage regularly with Reclamation on financial matters and also in the CVP Financial Affairs Committee. She included the CVPWA Executive Committee Meeting Agenda and the CVPWA Financial Affairs Committee Agenda for the meetings held on March 19, 2021, as well as the Executive Committee Meeting Agenda and the CVPWA Financial Affairs Committee Agenda for the meetings held on April 16, 2021 for the Board to review. She indicated a couple of large issues were being monitored closely, in particular the Contract Conversion Overpayment and the ongoing discussion about the CVPIA Fund and collections under that fund. She also reported that the CVPWA recently celebrated the retirement of Larry Bauman and hiring of Keving Kasberg, the new Executive Director. She added that the CVPWA had updated their bylaws and working on filling vacant director seats. Appointments of officers were also discussed, to which Anthea announced that she had been recently appointed Vice-President of the CVPWA Board.

11. SUPPLY DEVELOPMENT PROGRAMS

A. Orestimba Creek Recharge & Recovery Project – Update

Anthea provided a Provost & Pritchard Memo Status update for the Board's review. This item was discussed on item 6.D.

B. Del Puerto Canyon Reservoir Project – Update

Anthea shared that Staff continued to engage in exploration activities with respect to getting a perfected road alignment, and getting good interface with WAPA, PG&E and Crimson on the utilities relocation options. The Woodard and Curran team had been working on the RFP documents to solicit interest for engineering design of the project facilities.

C. Los Vaqueros Reservoir Expansion Project - Update

Anthea provided the monthly report for the Los Vaqueros Reservoir Expansion Project and reported that the District continued to support Contra Costa on their efforts to move forward with the expansion of Los Vaqueros Reservoir and the construction of the Transfer-Bethany pipeline.

D. BF Sisk Dam Raise Project – Update

Anthea reported that the B.F. Sisk Dam raise and Reservoir Expansion Project received their Finding of Feasibility at the end of 2020 and the SLDMWA team is now working on getting further into the study and engineering and analysis that will go into a supplemental environmental document. There was recommendation that Hwy 152 needed retrofits to ensure its safety and functionality due to seismic activity. There was still question whether the SLDMWA would proceed with being a funding partner in this project, which will depend on the selected alternatives for the increased storage, who would have control of that storage and how it would be operated.

E. Ceres-DPWD-Turlock Discussions on Advancing Recycled Water into VNRRWP Facilities

Anthea shared that she had initiated a meeting with the cities of Ceres and Turlock to report that Ceres advance the delivery of some of their wastewater to the Turlock Treatment Plant to assist the District with the water supply situation. Talks with the City of Ceres will center around infrastructure and benefits of sending their wastewater directly to the City of Turlock instead of evaporation ponds, which will increase their recycled water quantities.

12. ADMINISTRATIVE ACTIVITIES

A. 2021 Server Replacement and Network Upgrade Project Update

Anthea reported that the District will be moving forward with this budgeted item and replace the District's network server and related upgrades to the computer system.

B. 2021 Landscape Project Update

Anthea reported that a small landscaping project to finish the office expansion project would be completed soon.

13. SLDMWA Report

A. SLDMWA Minutes, Reports and Issues Updates

Anthea provided the SLDMWA Minutes, O&M Report and an update on the Science Program for the Board's review.

14. ARTICLES/CORRESPONDENCE/PUBLIC OUTREACH

An article from The Sun pertaining to the California Rationing Water and a Family Farm Alliance Memo from Dan Keppen pertaining to the Biden Administration Developments.

15. CLOSED SESSION

There was no closed session.

16. ITEMS TO DISCUSS PURSUANT TO GOVERNMENT CODE 54954.2

There was nothing to report on this item.

17. ADJOURNMENT

Being no further business, the meeting was adjourned at 11:31 a.m.

Respectfully submitted,



Anthea G. Hansen
Secretary