

COMMITTEE FACT SHEET

XI A.

NAME: DEL PUERTO WATER DISTRICT  
ESTABLISHED: December 20, 1994 by consolidation

COMPENSATION: None

**Members of this board are required to file Conflict of Interest Disclosure Statements with the District (Multiple County Filer)**

LEGAL AUTHORITY: California Water Code, Division 13, Section 34000 et seq.

MEMBERSHIP: 7 Directors

QUALIFICATION: **Elected** (landowner election), must hold title to land within the Division being Elected at-Large

AND RESIDENCY REQUIREMENTS: Vacancies filled by remaining directors within 60 days if quorum exits; by the Board of Supervisors between 60 and 90 days; and by election after 90 days. Appointee shall hold office until next district election. (Government Code, Section 1780)

TERM: 4 Year Term, with terms to end in odd years

DUTIES: Contractual administration and distribution of irrigation water supplies from the Federal Central Valley Project

MEETINGS: Third Wednesday of each month at 8:30 a.m.  
17840 Ward Ave., Patterson CA 95363

CONTACT: Anthea Hansen, General Manager  
P.O. Box 1596  
Patterson, CA 95363-1596  
Phone: 892-4470  
Fax: 892-4469  
Email: [ahansen@delpuertowd.org](mailto:ahansen@delpuertowd.org)  
Website: [www.delpuertowd.org](http://www.delpuertowd.org)

FILE #: DW17  
BYLAWS: 1/25/1995, amended 5/17/2005  
VERIFICATION REQUESTED: 1/25/2021  
VERIFICATION DATE: 1/25/2021, Anthea Hansen

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# ROSTER OF PUBLIC AGENCY MEMBERS

## Del Puerto Water District

Members of this Board are required to file conflict of interest Disclosure Statements

MEMBERSHIP SELECTION: Elected

### MEMBERSHIP

	<u>NAME</u>	<u>REPRESENTING</u>	<u>TERM EXPIRES</u>
1	Bill Koster	Division 1	12/5/2025
2	Ivan E Bays	Division 2	12/1/2023
3	Peter Lucich	Division 3	12/5/2025
4	Zach Maring	Division 4	12/1/2023
5	Kyle Perez	Division 5	12/1/2023
6	Jarod Lara	Division 6	12/5/2025
7	James Jasper	Division 7	12/1/2023

**MEETINGS:** Third Wednesday of each month at 8:30 a.m. 17840 Ward Ave., Patterson CA 95363

**CONTACT:** Anthea Hansen  
New Del Puerto Water District

**MAILING ADDRESS:** P O Box 1596  
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**REVISED:** 10/26/2021

**FILE:** DW17

For Additional Information Regarding This Agency Please See the Fact Sheet.

For Corrections Please Notify Board of Supervisors, 567-4926

Updated: 11/5/2021

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XI. B



P.O. Box 1596 Patterson, CA 95363-1596

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Patrick Cavanah, Senior Management Consultant  
Stanislaus County Chief Executive Office  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

November 8, 2021

Subject: Solar Energy Center Land Use Conversion Guideline Proposal

Dear Mr. Cavanah:

Thank you for the opportunity to meet with your team and the County's Solar Project partners from Nexterra Energy.

As a California Water District and federal water service contractor, the jurisdictional responsibilities and expertise of the District are in the area of surface water management and distribution for agricultural purposes. The District also has jurisdictional responsibilities and expertise in the area of groundwater management, and has adopted an AB3030 "Groundwater Management Plan for the Northern Delta-Mendota Canal Subbasin". It has also elected to form a local multi-agency Groundwater Sustainability Agency, the DM-II GSA, which serves as the exclusive GSA for the portion of the groundwater basin underlying its boundaries. The District further assists its agricultural landowners and water users in complying with the requirements of the California Regional Water Quality Control Board's Irrigated Lands Regulatory Program (ILRP) for the Central Valley Region through its participation in the Westside San Joaquin River Watershed Coalition.

As the agency currently responsible for providing these services, the District offers the following with respect to the solar project (Project) planned for County-owned irrigable acreage within the District (Property):

1. Despite the Project's di-minimis need for water, there will be a requirement for the County (Landowner) to abide by any future conditions placed upon well owners within the DM-II GSA and the multi-agency Groundwater Sustainability Plan being developed for this region. As such, the County will continue to be assessed the annual fee charged to other Landowners within the District's boundaries. This fee is set annually by the GSA and currently ranges from \$7-8/per acre.

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2. Concurrent with its development, the Property will be removed from the Westside San Joaquin River Watershed Coalition, as it will no longer be considered "irrigated agriculture". The District will require the County (Landowner) to provide it with a copy of its Waste Discharge Permit or Conditional Waiver upon issuance, and keep the District current with any future revisions thereof. If the Project proponents obtain a County permit for a septic system, and if the proposed project presents a potential impact to shared surface creeks and underground bodies of water, we request that the County require that the Project proponents coordinate all wastewater discharge activities and reporting with the Coalition. Fees for membership in the Westside San Joaquin Watershed Coalition will no longer be assessed.
3. Because the irrigable acreage associated with the Property will need to be returned to agricultural use upon the expiration of the use permit, the County (Landowner) must maintain eligibility for water service. The District will reclassify the irrigable acreage on the Property as "temporarily removed from service" for a term of 35 years, or until such time as the acreage returns to agricultural use, whichever is sooner. As such, and in order to ensure the water supply is available to the Property upon return to agricultural use, the proposed terms of water service from the District are as follows:
  - a. The District will make construction water available for each phase of the development, which we understand will require "up to" 260 acre feet (AF) for phase I, "up to" 60 AF for Phase II, and "up to" 182 AF for Phase III. The cost to be charged to the County for the Phase I supply will be \$575/AF (the current price of supplemental supplies available to the District). Pricing for supplies delivered during Phases II and III of construction will be dependent on then-current supply conditions.
  - b. Subsequent to construction, the District will make available "up to" 20 acre feet per year (AFY) to the project from sources available to it which can be utilized for non-agricultural uses. In all allocation year types in which the District receives a greater than 10% CVP allocation (as noticed by the USBR on or before May 20 of each year), any supply delivered to the project will be charged at a rate of \$100/AF, escalated at 2% per year. In year types in which the District receives a Central Valley Project (CVP) allocation of 10% or less (as noticed by the U.S. Bureau of Reclamation on or before May 20 of each year), the County will be offered the opportunity to request supplies from the District's then-current Annual Additional Supplies Program, as well as comply with the terms and conditions as set forth for the Program for that year.
  - c. In allocation year types in which the District receives between a 0% and 75% CVP allocation (as noticed by the USBR on or before May 20 of each year), the District will waive all then-current assessments levied on the Property. In allocation year types in which the District receives between a 76% and 100% CVP allocation (as noticed by the USBR on or before May 20 of each year), the District will waive all or a portion of the then-current assessments if it determines there exists an opportunity for the beneficial use of all or a portion of those supplies which would have otherwise been available to the irrigable acreage associated with the Project (447 acres) on other

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lands within the District. This notice will be provided to the County by May 25<sup>th</sup> of each year. If payment is due from the County, such payment shall be made on or before June 30 of each year.

- d. In no event will the County (Landowner) be allowed to use, market or otherwise direct the use of District water supplies historically available for irrigation to the Property until the Project concludes and the Property is returned to agricultural use.

We recognize and appreciate the opportunity afforded to the County for this interim conditioned use of its Property within the District's boundaries. The terms outlined above were developed in consideration of Section 9 of the District's long-standing Municipal and Industrial Conversion Policy, as well as with the intent to adequately protect the District's landowners and water users who rely on fair and equitable consideration from the District. To that end, any agreement resulting from these terms will only be valid and enforceable for so long as the County continues to own the Property and the Property is used for the Project.

Please notify me as soon as possible if you have any questions about the proposed terms for the County's maintenance of its ability to return the Property to agricultural service per the terms of the Solar facility Use Permit.

Sincerely,



Anthea G. Hansen  
General Manager

CC: John Brodie – SGMA Coordinator – San Luis & Delta-Mendota Water Authority  
Joe McGahan – Westside San Joaquin River Watershed Coalition

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