GRASSLAND BYPASS PROJECT
MITIGATION SUB-COMMITTEE
November 12, 2020
1:00 PM via ZOOM

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AGENDA

1. Roll Call – Introductions
2. Revisions – Additions to the Agenda
3. Approval of November 12, 2020 Meeting Notes
4. Approval of the Proposed Projects for submittal to the Oversight Committee – Ric Ortega
5. Review of Agreement with San Luis & Delta-Mendota Water Authority - Gabe Delgado
6. Oversight Committee Approval Process – Jeff Pappendick
7. Next Meeting
DRAFT
GRASSLAND BYPASS PROJECT
MITIGATION SUB-COMMITTEE
November 12, 2020

The Mitigation Sub-committee met via ZOOM teleconference at approximately 1:00 p.m.

Present were:

- Kim Forrest – U.S Fish & Wildlife Service
- Sean Allen - California Department of Fish and Wildlife
- Ric Ortega – Grassland Water District
- Joe McGahan – Drainage Coordinator – Grassland Basin Drainers

In Kim Forrest called the meeting to order at 1:05 pm. There were no revisions to the agenda.

Ric Ortega gave a summary of the actions from the September 29, 2020 meeting that were recorded in the minutes. There was a general discussion of the proposed projects and after that discussion the minutes were approved.

There was discussion of the proposed projects and how it should be presented for Oversight Committee approval. It was decided that Ric Ortega would incorporate the input he had received and prepare a proposal that could be circulated to the Oversight Committee for approval.

Joe McGahan indicated he would talk to the Water Authority as to how to transfer the funds to Grassland Water District, who in turn would pay for the specific items of work. Ric said he would need to get input from his staff and board as to what would be required. The committee expresses interest in there being a onetime transfer to Grassland Water District from the Authority.

Ric said he would be able to notice the next meeting and put the documents on their website. Joe McGahan will work with Ric to complete this task.

The next meeting was scheduled for a ZOOM teleconference on December 3, 2020 at 1:00 PM. McGahan said he would organize the meeting.

Kim Forrest adjourned the Sub-committee at approximately 1:35 pm.

Sincerely,

Joe McGahan
Grassland Bypass Project- Supplemental Mitigation Project Fund  
Supplemental Mitigation Subcommittee Proposal to the Oversight Committee  

December 3, 2020

As a component of the 2009-2019 Third San Luis Drain Use Agreement (Appendix L – Mitigation for the Continued Use of Mud Slough) for the Grassland Bypass Project, a “Supplemental Mitigation Project Fund” (SMPF) was established in 2015 and held by the San Luis and Delta Mendota Water Authority. Beginning in 2015 the Grassland Area Farmers were required to pay a fee per pound of selenium discharge into Mud Slough from the San Luis Drain. The fee per pound of selenium varied by water year type and year and accumulated $435,245 through the end of the Use Agreement in 2019.

As directed under the Use Agreement a Supplemental Mitigation Sub-Committee (SMSC) was established and includes one representative from the California Department of Fish and Wildlife (CDFW), one representative from the US Fish and Wildlife (USFWS), and one representative from the Grassland Resource Conservation District (GRCD) as the “non-profit with a background in restoration efforts in the Grassland Region”. The role of the SMSC is to develop projects that enhance fish, wildlife, or ecological values in the Grasslands region, including refuge water supply augmentation.

Kim Forrest, San Luis National Wildlife Refuge Complex Manager, was selected as the Grassland regional representative from the USFWS and was selected as the Chairwoman of the SMSC, who is authorized to call meetings and is responsible for informing the Oversight Committee of all SMSC meetings and actions. Sean Allen, Manager of the Los Banos Wildlife Area Complex, was selected as the Grassland regional representative from CDFW. Ric Ortega, General Manager of the GRCD, was selected as the Grassland regional “non-profit representative”. Two of the three members of the Subcommittee are required for a quorum to include a project on the list of projects to be shared with to the Oversight Committee. The Oversight Committee (OC) includes representatives from the US Bureau of Reclamation, Regional Water Quality Control Board, US Environmental Protection Agency, USFWS, and the CDFW.

The SMSC convened four public meetings on September 3, October 29, November 12, and December 3, 2020 and discussed and prioritized the types of projects to include in the proposal to the Oversight Committee. The SMSC agreed that proposed projects should mitigate for the loss of 3,343 acre-feet (1,200 AF to CDFW, 480 AF to USFWS, and 1,663 AF to Newman Land Co.) of mitigation water that the Grassland Basin Drainers provided to the wetland habitat annually through 2019. The SMSC agreed that refuge water supply projects on USFWS and CDFW lands will be prioritized for funding. The SMSC also agreed that depending on the availability of funding, the SMSC would consider water-supply generating improvements on the Newman Land Company after all proposed improvements were implemented on USFWS and CDFW lands, given that the Grassland Area Farmers will continue to provide 1,663 acre-feet of water to the Newman Land Company until they have completed the required construction project reconnecting Mud Slough with the Newman Land Company.

The SMSC proposes to utilize the SMPF, currently $435,245, to fund the 1) investigation, 2) rehabilitation, 3) repair or 4) replacement of existing groundwater wells, surface water diversions, and low lift pumps or pump stations, with a priority of improvements on USFWS and CDFW lands within the
Grassland Ecological Area. These projects will help augment refuge water supplies, make water conveyance more reliable, and improve wetland habitat in the Grasslands region.

1) SMPF groundwater well investigations can include but are not limited to the removal of the well heads, inspections, scrubbing, acid washing, videoing, and zone testing of wells.
2) SMPF rehabilitation of existing wells includes but is not limited to the cleaning of perforations, zoning or sealing of perforations of unfavorable water quality, perforating or sealing of zones or strata, or re-casing of wells.
3) The SMSC also proposes to utilize SMPF for repairs or enhancements of any mechanical or structural components (including foundations) of existing wells, surface water diversions, or low lift pumps that will generate additional water supply, including any required metering.
4) The SMSC also proposes that the SMPF be utilized for mechanical replacements such as well heads, pumps and motors and/or the re-drilling and re-casing of existing groundwater wells or low lift pump stations, where feasible and cost effective.

Under the terms of Appendix L of the 2009-2019 Use Agreement, the SMSC asks the OC to authorize and direct the SLDMWA to release the funds held in the Supplemental Mitigation Project Fund for the above-described projects. The Grassland Water District (GWD) has agreed to administer all contracts and agreements regarding the SMPF with the SLDMWA and selected contractors. The GWD will establish a specific account for the SLDMWA to transfer the SMPF, and agrees to only utilize the SMPF and any incurred interest as directed by the SMSC for the projects described above. The GWD will work with contractors, the USFWS, and CDFW to complete any required permitting, access agreements, and environmental review. The SMSC agrees to hold regular public meetings to reassess and reevaluate proposed projects once investigations and cost estimates provide more information, and will keep the OC informed about SMPF expenditures and advancement of projects.

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Kim Forrest, Chairwoman/ USFWS SMSC Representative
Refuge Manager
San Luis Nation Wildlife Refuge Complex
U.S Fish and Wildlife Service

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Sean Allen – CDFW SMSC Representative
Senior Fish & Wildlife Habitat Supervisor
Los Banos Wildlife Area
California Department of Fish & Wildlife

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Ric Ortega – Non-profit SMSC Representative
General Manager
Grassland Resource Conservation District

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