

**JANUARY 14, 2025**

**MEETING OF THE  
BOARD OF DIRECTORS  
GRASSLAND WATER DISTRICT**

**Los Banos, Merced County, California**

**January 14, 2025**

The regular meeting of the Board of Directors of the Grassland Water District was called to order by GWD President Pepper Snyder, January 14, 2025, at 3:00 p.m. at the Grassland Water District Office, 200 W. Willmott Avenue, Los Banos, CA.

**GWD DIRECTORS PRESENT AT ROLL CALL:** Pepper Snyder, Bob Nardi, Keith Frost, Jeff Kerry, Fritz Reid.

**DIRECTORS ABSENT AT ROLL CALL:** None

**STAFF PRESENT:** Ric Ortega, General Manager; Giona Boffa, Administrative Specialist; Rob Kocher, Water Department Supervisor; Ken Swanson, District Engineer/Watermaster; Becky Sisk, Minutes Scribe

**GUESTS/ PARTNERS/ CONSULTANTS:** Lara Sparks, CDFW; Katheryn Pitkin, USFWS; Emily Weisenberger, USFWS; Sean Allen, CDFW; Gerald Pfeiffer, Webfoot Duck Club; Yancey Forest Knowles; Kristen Perano, NRCS; Shareni L. Orantes, NRCS; Preston Brunk, CWA, via teleconference; Jeff More, Capital Solutions, via teleconference; Mark Smith, Smith Policy Group, via teleconference; Ellen Wehr General Counsel, via teleconference.

**CORRECTIONS OR ADDITIONS:** None

**PUBLIC PARTICIPATION:** Sean Allen, CDFW announced his retirement which will be February 10, 2025. He thanked GWD, the board members the staff for the hard work and diligence in advocating for the area. He enjoyed working along side GWD and what has been accomplished is tremendous. He feels there are some good candidates that can fill his position.

**ELECTION OF OFFICERS:** The Board will elect the President and Vice President and will appoint the Board Secretary for 2025.

A motion was made by Director Reid to re-elect Pepper Snyder as President of the board at Grassland Water District, seconded by Director Frost and unanimously passed.

A motion was made by Director Kerry to re-elect Bob Nardi as Vice President of the board at Grassland Water District, seconded by Director Frost and unanimously passed.

Director Snyder appointed Ric Ortega, General Manager, as Secretary of the board of Grassland Water District.

**APPROVAL OF MINUTES:** A motion was made by Director Frost, seconded by Director Reid and unanimously passed to approve December 10, 2024, minutes.

**GWD PAYMENT OF BILLS:** A motion was made by Director Nardi, seconded by Director Frost, and unanimously approved to pay January 2025 bills.

**GWD FINANCIAL REPORT:** Giona Boffa, Administrative Specialist, reviewed the Financial Report for January 14, 2025.

A motion was made by Director Nardi, seconded by Director Frost and unanimously passed to accept the financial report for January 2025.

**RESOLUTION 2025-001: RATIFYING TERMINATION OF THE LOS VAQUEROS RESERVOIR JOINT EXERCISE OF POWERS AGREEMENT AND DISSOLUTION OF THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY**

A motion was made by Director Kerry, seconded by Director Frost, and unanimously passed to approve the resolution.

**CONSTRUCTION AND OPERATIONS REPORT**

Mr. Swanson P.E., District Engineer/ Water Master reported on the following:

**CVP WATER SUPPLY REPORT:** Current storage in Shasta is 3.514 -million-acre feet (MAF) or 132%, which is above the fifteen-year average of 2.671 MAF. Precipitation to date is 36.95 inches which is 147% of the seventy-year average of 25.09 inches. Inflows into Shasta to date is 1,873 TAF which is 161% of the 1,161 TAF average.

**LOCAL CONDITIONS: Precipitation** last month was 1.01 inches, to date it is 2.37 inches which is 24% of the season average of 10.04 inches.

**GWD WATER SUPPLY:** No changes to GWD water allocation supply, currently taking 215 CFS but will drop down to 201 CFS with the state and federal refuges taking 61 CFS. Water supply used through last month was 137,675 AF with a balance of about 26,000 AF. He feels that GWD is in very good shape for water supply for this year and should receive maximum carryover for next year which is 12,500 AF and will be able to replenish the drought pool losses (400 AF). Water remaining is 12,990 AF will be sufficient to maintain the clubs through the end of February.

**CURRENT GWD OPERATIONS:** All the groundwater wells and recirculation system are off. Reclamation got the Volta well repaired and is running for testing purposes and clearing the water.

**GENERAL MANAGER' S REPORT**

Ric Ortega, General Manager, reported on the following:

**CENTRAL VALLEY PROJECT OPERATIONS/WATER SUPPLY:** Mr. Ortega reported that the Federal Jones Pumping Plant averaged 2800 CFS in September, generating about 175,000 AF moved South of the Delta. The federal share in San Luis Reservoir was a 520,000 AF, about half compared to 780,000 AF in September 2023. Friant Dam continues to release flows for the San Joaquin Restoration Program averaged 430 CFS with 9300 AF hitting the Mendota pool. The 50% exceedance forecasts for inflow into Shasta 6.2 MAF and the 50% exceedance is 4.7 MAF both well over the 3.2 MAF threshold. Even if GWD experiences a dry period like 2022 it's expected to be 4.1 MAF so GWD can count on our full IL2 water supply for 2025-26 and average IL4 acquisitions. With that said spring irrigation and brood water will be available to landowners this spring.

**MAINTENANCE REPORT:** Mr. Ortega reported that staff are responding to emergencies as they arise and are maintaining equipment and planning for another busy construction season with many grant-funded and GWD funded projects. They are also getting estimates and scheduling bid meetings with contractors. Thursday staff will be meeting with Waterman and MPI for site visits to begin measurements and designs for eight radial gates to be installed in both bays at the Camp 13 measuring weir, Camp 13-5, Geis headworks, and Agatha A-4 weirs. The remaining drought relief funds will be used to acquire these gates before the grant expires. He is working with CDFW to amend the agreement to accommodate this and to allow for

rehab outside the district boundaries that provide refuge water supply. GWD are also planning to replace one radial gate at the San Luis SL-3 weir but will be using WC funding for that one. They also plan to excavate the San Luis Canal this summer and rehab the Agatha headworks this summer with WCB funding. These will all allow for more precise and more efficient water delivery on major arteries. Working with DU to replace the Mud Slough siphon under the Arroyo and Agatha canals this summer. Lastly, they're hoping to break ground on the intertie and on the holding reservoirs with the city this summer.

**CVPIA REFUGE WATER SUPPLY CONTRACT RENEWEL:** Mr. Ortega reported that negotiations have been completed, and they are scheduling a final technical session to review grammatical edits. They still need to work through NEPA with USBR and ESA compliance with the USFWS so they will continue to apply pressure to get that done asap.

### **WATER SUPPLY PROJECTS**

**CWC:** Mr. Ortega reported that he will provide comments at the CWC meeting. Speaking of the continued need for the state to invest in the refuges. Nearly half a billion dollars of state funding was awarded for this purpose and the failure of one project should not be the end all. He will thank staff across all the agencies involved but intends to keep the spotlight shining on wetlands.

**DROUGHT RELIEF FUNDS:** Mr. Ortega reported that he is working with CDFW to amend the Drought Funding Agreement to allow for the upgrading of the GWD conveyance system with eight radial overshot gates replacing flash boards. This will allow for more efficient and precise water management, especially at problematic weirs where boards tend to float. The amendment will also allow for well rehabs in the east grasslands on clubs that provide refuge water supply on both the east and west side of the San Joaquin River. The goal is to spend the remaining funds by April, so they are on a tight schedule to get this done. Radial gates can be manufactured by then but will have to conduct the installations after the grant close out and with other funding sources.

**NORTH GRASSLANDS INTERTIE:** Mr. Ortega reported that the USFWS conducted a cultural survey and GWD's contractor Eric Hansen completed the biological survey of the project site. GWD hopes to have the cultural and biological reports by the end of January. An updated project description was provided to USFWS and USBR to keep the process moving forward. CVJV USFWS staff will provide the coverage of the expanded project now that additional funds are available, and the project has grown in scope and scale. The goal is to get through NEPA in February and execute the funding agreement with USFWS shortly thereafter. This will allow DU to go to bid with the goal of breaking ground in the summer. GWD appreciates the HLCC, Ingomar and Turlock clubs' close coordination and cooperation as we move this critical water supply project forward. GWD provided draft easement agreements to the clubs and hope to execute those soon.

**LBCR:** Mr. Ortega reported that they received the 99% design drawings for review. Once approved the surveyors will complete the boundary descriptions and the contractors will begin to put together the bid packets. GWD received the 404 permit for the project. Mrs. Wehr has been working with USBR on the water rights front and will still need to change the SOP for the reservoir but are hopeful to break ground in September of 2025. They are also working with USBR to amend the Level 2 Exchange Agreement with SLWD to accommodate SLWD to cover GWD's cost share of construction and operation of the project.

### **STORM WATER AND DRAINAGE**

**CITY OF LOS BANOS:** Mr. Ortega reported that the City of Los Banos has allocated \$3M to match GWD \$1M in grant funding from DWR. Staff met with the city last week to begin thinking about how to schedule and prioritize the work to be sure they can expend the grant dollars in advance of the grant sunset. He will be working with our grant administrators and Woodward and Curran to be sure to get all necessary

deliverables to and approvals from DWR in advance of breaking ground. The goal is to break ground in the summer-fall of 2025.

**SGMA:** Mr. Ortega reported that GWD worked with Merced County and the San Joaquin River Exchange Contractors (mainly CCID) GSA on a Pumping Reduction Plan which he intends to bring to the GGSA for adoption in February or March. This will be included in GWD annual report along with a well mitigation plan that they are still working on with the SWRCB staff. They are still negotiating with SWRCB staff on water quality mitigation and should know more soon.

**ENCROACHMENT:** Mr. Ortega reported that they continue to work with Wetlands Water District, Golden State Clean Energy (GSCE) on a plan to protect the Mendota Wildlife Area and surrounding lands as they continue to work on the environmental and planning docs associated with the proposed 130,000-acre (200+ square mile) Valley Clean Infrastructure Project (VCIP) solar project.

## LEGAL UPDATE

Ellen Wehr, General Counsel, reported on the following:

**BUREAU OF RECLAMATION:** BOR held a formal public negotiation with GWD, CDFW and USFWS for the CVPIA refuge contract renewals. The session was completed in one day, with a follow-up technical session to be scheduled for remaining small edits. USBR will need to conduct NEPA, and FWS will conduct a review under the Endangered Species Act, which will take up to six months. The renewed contracts are almost identical to the existing ones and are expected to take effect March 2026 - February 2051 (25 years). Mrs. Wehr thanked everyone who helped and was involved in moving this forward.

**CITY OF FRESNO V. U.S. (BREACH OF CONTRACT CHALLENGE BY FRIANT CONTRACTORS OVER 2014 RELEASES FROM MILLERTON LAKE):** A decision on appeal was issued by the federal circuit court and was a resounding win for the San Joaquin River Exchange Contractors. The court ruled that the Bureau of Reclamation did not violate the law or CVP contracts when it released water from Millerton Lake to the Exchange Contractors during the extreme drought of 2014. Refuges were not named as a party, but we did intervene to protect against adverse arguments by Friant contractors. The court ruled: "It is undisputed that during 2014, Reclamation was only able to deliver approximately 331,000 acre-feet of non-San Joaquin River water to the Exchange Contractors, thereby requiring the remaining substitute water to be sourced from the San Joaquin River to fulfill its obligations under Article 8 of the Exchange Contract." The upshot for GWD is that this legal opinion assumes that refuge water deliveries were not available for Reclamation to supply to the Exchange Contractors.

**CENTRAL VALLEY JOINT VENTURE:** Mrs. Wehr submitted comments in coordination with the CVJV on a negotiated investment into the Sacramento River Settlement Contractor's facilities by BOR in exchange for reducing their allocations fifty percent in dry years. In hearing back from BOR that Sacramento Valley refuges will not be subject to the allocation cutbacks.

GWD received a response to comments on the Las Camas solar project located 1.6 miles west of the GEA. The response added new language to the Final EIR including additional nighttime lighting reduction measures, a discussion of reduced glare because the panels will track the sun, and a description and analysis that there will be few impacts on the GEA. However, the response noted that bird surveys at the nearby Wright Solar Park project found very little bird presence and no bird fatalities, therefore no additional mitigation was imposed.

**HEALTHY RIVERS AND STREAMS:** Mrs. Wehr working with CWA and Mr. Ortega submitted comments on the water quality plan for the Delta. The State Water Board will be having stakeholder meetings with NGOs in which she intends to engage. The language in the plan needs improvements and options where the refuges are concerned.

**LEGISLATION**

**CAPITAL SOLUTIONS**, Jeff More: Good things are happening in Washington D.C. in the final days of the 118<sup>th</sup> Congress they passed the Water Resource Development Act and Congress was able to do an extension (September 2025) on the Farm Bill. Congressman Jim Costa lost his bid to become top democrat in the House AG Committee. They were unable to secure the \$20B though for climate friendly conservation measures. Mr. More feels it may be a very chaotic six months with some major cuts to federal programs due to renewing the President Trump tax package he will continue to monitor the progress. Mr. More will be getting together with Jonathon Birdsong of NIFWIF and may discuss any concerns Mr. Ortega has for GWD and its involvement in the restoration program. **Lastly they will be monitoring the Conservation Restoration Fund and what may happen under the new administration.**

**SMITH POLICY GROUP**, Mark Smith: He reported that in Washington D.C. the confirmation hearing on the Interior Secretary nominee Bergam from North Dakota has been held over but should happen relatively quickly and will be confirmed in short order. Still waiting to hear who the Reclamation Commissioner will be. A strong ally of GWD Congressman Huffman who has been the ranking member and chair of the sub-committee on Wildlife and Water in the house Natural Resource Committee has risen to become the ranking member of the entire committee so that will mean a new democrat will be put on the sub-committee where GWD priorities in the House go to. Congressman Bentz took a new position departing the Wildlife and Water Committee and took a new position with energy so that will create a new chair which is Harriet Hageman from Wyoming and unfortunately probably knows nothing about California's water, Westerman is still the chair of the House Natural Resources Committee. On the Senate side Padilla will stay with the Energy of Natural Resources Committee, which is good. With all the moving around we will need to make new relationships. California's new Congressman is Adam Gray, and the good news is we know the person he hired for Chief of Staff, and it will be interesting to see who else he brings on.

**STATE:** State Legislature has been sworn in, GWD representation at the state level remains the same. Bills are being introduced slowly before the deadline. AB828 (bill to protect wetlands from the negative impacts of SGMA) may be reintroduced. He will be watching the bills introduced that may have an impact and bring them before the board for position.

The Governor's budget has been introduced. A \$322B which is the second largest ever in California's history. It's largely balanced, stronger than last year's and may end with a surplus but it's anticipated that the state will re-encounter a deficit.

So, the governor and his team proposed the first allocation of funding from Proposition 4 climate and water bond (\$10B). \$2.3B to be spent included the \$25M allocation which is directly geared to CVPIA and Klamath priorities and a \$870M pot of funding that goes to the Wildlife Conservation Board. We know that \$230M to the Wildlife Conservation Board. It is now his and GWD job to advocate for the WCB that they put as much of that money as possible into the Inland Wetland Conservation program that is set up to priorities of the Central Valley Joint Venture and fund investments in habitat management and conservation in the Central Valley Wildlife Refuges and private lands.

Lastly he feels that water is going to be very political in the next few years and will need to work hard to insulate GWD and wetlands from those issues.

Mr. Ortega wanted to add that B.F. Sisk (San Luis Reservoir) Raise is gaining more traction. \$300M was allocated to that raise and it will be moving forward. With that raise it will create additional refuge storage.

**COMMITTEE REPORTS:** No report

**CORRESPONDENCE:** No report

**GEECe:** Candace Sigmond, Grassland Environmental Education Center (GEECe) sent in a report which Mr. Ortega read.

Working with partners on Los Banos Spring Fair Little Hands Exhibit to build up display of natural ecosystems in the valley.

Sent out flyers and emails to teachers and scout leaders about setting their field dates.

Working with high schools on FFA projects and the SLEWS program.

Total for students = 47 and adults = 10

Finished a long list of building maintenance with Bob.

### **AGENCY & ORGANIZATION REPORTS**

**CWA:** Preston Brunk reported that construction has started, a pump refurbishment at Salt Slough Wildlife Area on LL2 along with a couple valve replacements utilizing the drought relief funds and a pump rehab at Mendota on pump one. He is working on a couple of NAWCA duck stamp proposals (pond enhancements, levee refurbishment, and upland nesting habitat restoration) and he is also putting together an estimate for the CVJV for all water needs for Volta Wildlife Area, North Grasslands and Volta Wildlife Area (valve replacements, screw gate replacements, pump rehab, new structures and pipeline) which is around \$1.5M

**USFWS:** Katheryn Pitkin, Private Lands Biologist, and Emily Weisenberger, Conservation Easement Specialist introduced themselves. Both are new to the area and provided their contact information.

**NRCS:** Shareni Donis and Kristen Perano introduced themselves and informed the board that there have been changes at the Merced office, they both have been brought in temporarily to help with the area until permanent positions are filled. They are available to help if needed.

**CDFW:** Lara Sparks read Sean Allen's report:

The NOE was filed and cleared with no challenges for the Delta Mendota **intercompeted** water supply monitoring well on China Island. Construction to start in February or March. The access letter and no challenges letters have been submitted.

Earmark of \$1.5M to repair deep wells and put in three monitoring wells which will be through CWA.

Transferred 2000 AF of water to GWD for Mud Slough and Gadwall water use.

The service needs to be advocating for wildlife habitat whenever possible and he feels that season length and limits need to be less in his opinion, he also said that the community of the grasslands is unique and encourages to continue to nurture it and include all parties as you have been because this area is incredibly special.

**CDFW:** Lara Sparks reported that they have seen nutria in the O'Neill Forebay and will monitor and dispatch. The southernmost detection of the nutria is on private land just off the James bypass north of the town of Helm, it has been removed. Her team has surveyed Lake Mc Clure with no detections, Lake Don Pedro, and the Tuolumne River and continue to look on the San Joaquin River from Friant Dam and remove any found. They have removed thirty-forty off the San Joaquin River in Fresno and Madera counties. They will continue their efforts.

**VALLEY ECO:** No report

**DUCKS UNLIMITED:** No report

**CONFERENCES, WORKSHOPS, UPCOMING EVENTS**

**Ducks Unlimited Blackhawk Gala:** Thursday, March 27, 2025, Blackhawk Auto Museum, Danville, CA, 5:30 pm

**Grasslands Annual Meeting:** TBD but will move the date back to May.

**DIRECTORS' REPORT:** Director Kerry addressed Director Reid asking where the ducks are, he added concern with increasing the limit of Pintails. Director Reid said with the prairies unfortunately so dry when proposing this increase it could have a huge impact, but with the increase to three only one can be a hen.

**ADJOURNMENT: 4:30 p.m.**



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**Pepper Snyder, President**



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**Ricardo Ortega, Secretary**