

**PACHECO WATER DISTRICT  
SPECIAL MEETING OF THE BOARD OF DIRECTORS  
MEETING MINUTES  
May 20, 2021**

A regular meeting of the Board of Directors was held on May 20, 2021, at 9 am, via Zoom and teleconference per Governor Newsom's Executive Order N-29-20. Those present at the meeting were:

- Directors: Aaron Barcellos, President  
David Parreira, Vice-President  
George Delgado, Director  
Lance LeVake, Director  
Alec Smith, Director
- Others: Joe Del Bosque, Pacheco WD Landowner  
Josh Bunch, Water & Land Solutions, LLC  
Jennifer Cozart, Del Don Farms  
Michael Gardner, Water & Land Solutions, LLC  
Chase Hurley, Water & Land Solutions, LLC  
Dana Hurley, Water & Land Solutions, LLC  
Lauren Layne, General Counsel  
Palmer McCoy, Grassland Basin Authority  
Brad Nyman, Pacheco WD Landowner

**CALL TO ORDER:** President Barcellos called the meeting to order at 9 am

**ROLL CALL:** A quorum of the Board of Directors was present, as were its officers.

**POTENTIAL CONFLICTS OF INTEREST:** There were no conflicts of interest.

**PUBLIC COMMENT:** There was no public comment.

**APPROVAL OF MINUTES**

On a motion by Director LeVake and seconded by Director Parreira, the minutes of the Special Board Meeting on April 30, 2021, were unanimously approved. The roll call vote on the matter was as follows:

Ayes:	Barcellos, Delgado, LeVake, Smith, Parreira	Nays:	None
Absent:	None	Abstain:	None

**THE BOARD TO REVIEW AND CONSIDER APPROVAL OF THE APRIL 30, 2021 FINANCIAL REPORT**

Upon a motion by Director Delgado and seconded by Director Smith, the Board unanimously approved the financial report and payable list totaling \$590,991.18 as presented by Mrs. Hurley. The roll call vote on the matter was as follows:

Ayes:	Barcellos, Parreira, Delgado, LeVake, Smith	Nays:	None
Absent:	None	Abstain:	None

**THE BOARD TO REVIEW AND CONSIDER APPROVAL OF THE TREASURER'S QUARTERLY INVESTMENT REPORT ENDING MARCH 31, 2021**

Upon a motion by Director Parreira and seconded by Director LeVake, the investment report was unanimously approved as presented by Mrs. Hurley. The roll call vote on the matter was as follows:

Ayes:	Barcellos, Parreira, Delgado, LeVake, Smith	Nays:	None
Absent:	None	Abstain:	None

**THE BOARD TO CONSIDER APPROVAL OF CHASE HURLEY AS PACHECO WATER DISTRICT'S ALTERNATE REPRESENTATIVE AT THE CENTRAL DELTA MENDOTA REGION MANAGEMENT COMMITTEE GSA**

Upon a motion by Director Delgado and seconded by Director Smith, the appointment of Mr. Hurley as the alternate representative to the Central Delta Mendota Region Management Committee GSA was unanimously approved. The roll call vote on the matter was as follows:

Ayes:	Barcellos, Parreira, Delgado, LeVake, Smith	Nays:	None
Absent:	None	Abstain:	None

**THE BOARD TO REVIEW AND CONSIDER AMENDING THE WY2021 GROUNDWATER CONVEYANCE POLICY AND TE PROPOSED WATER QUALITY STANDARDS AT INDIVIDUAL GROUNDWATER WELLHEADS AND FOR BLENDED WATER QUALITY**

Mr. Gardner reviewed the water quality standards for individual's groundwater well discharges as well as the blended water quality if the conveyance systems as set by the board for the last two years. He stated that the board may need to revisit these standards if the District can't find enough supplemental surface water to meet grower demand and thus will have to deliver a higher percentage of straight well water. Mr. Gardner answered various questions and stated that perhaps this decision could be made after the District determines how much additional water they may be able to purchase prior to the summer demand curve. President Barcellos agreed that the timing of making this decision should perhaps wait until the next meeting. Without any disagreement from the board, President Barcellos tabled action on this topic until the next board of directors meeting.

**WIIN ACT CONTRACT CONVERSION UPDATE**

**a. Validation Action**

Ms. Layne stated that the Validation Action pertaining to the WIIN Act conversion received no public comments or opposition during the court validation process. After the validation was approved, there was also no appeals to the final decision. Therefore, the District is one step closer to having their contract conversion being deemed complete. One other item that may put a delay in the final outcome is the current legal action being taken against the Federal government relating to the renewal process. That item will be discussed further in closed session.

**b. Reclamation Reform Act Compliance**

Mr. Hurley stated that the Bureau's Denver office is finalizing a review of landowner and water user WY2019 and WY2020 District Reclamation Reform Act papers on file with the District. At this point in time, District staff has not been told of any issue or concerns. If nothing turns up, the hope is that the Denver office sends a final release letter to the District officially releasing them of all future Reform Act compliance measures. Mr. Hurley stated that this official letter may be received within the next two months.

**c. Other:** There were no other items

**WATER SUPPLY**

- a. Usage to date (March 1<sup>st</sup> – April 30<sup>th</sup>): 1,914 af
- b. USBR Water Balance: 71 af
- c. Shasta Reservoir Storage: 47% of Capacity and 54% of Historical Average
- d. San Luis Reservoir Storage: 47% of Capacity and 56% of Historical Average

Mr. Gardner spent a considerable amount of time discussing with the board the critical issues pertaining to the lack of surface water supply available to the District for the summer months of June, July and August. The current projected deficit is approximately 1800-acre feet. Mr. Hurley stated that staff has spent a considerable amount of time trying to secure supplemental surface water to get water users

through the critical summer irrigation cycle. One thought is to exchange our Fall transfer water from Northern California for summer water starting in June.

Due to the fact that surface water may be limited, staff is crunching numbers to determine how much water can be produced from groundwater supplies while at the same time not having a blended water quality too high in salt or boron. Mr. Hurley asked the Directors for their personal opinion on what water quality levels they would be comfortable with if the District had to be aggressive in developing more groundwater that originally expected. The comments were as follows:

President Barcellos

- ✓ Concerned with TDS levels in the 1500 range and it will be hard to leach out residual boron in the future if we raise the Boron levels closer to 2 parts

Director Delgado

- ✓ Agrees that Boron is a big issue, but may not be long term if we only have to increase the load for two months

Director Smith

- ✓ As a row crop grower whose crop isn't yet made, I don't have a lot of options. I need wet water. What other options do we have other than trying to deliver more ground water?

Director Parreira

- ✓ It isn't a good situation to be in. Boron isn't good for almonds

Director Levake

- ✓ I have the same concerns as Director Parreira. I have a well that is probably higher in Boron than any other in the District and I will probably have to use it.

President Barcellos then asked if any water users that were in attendance had additional comments:

Joe Del Bosque

- ✓ I think that we need to tighten up the calculations on the exact amount of surface water we need for the three summer months and determine if the District can exchange that amount of water with someone like Santa Clara Valley Water Agency (Santa Clara).

It was the consensus of the board to find out if Santa Clara has the capacity to set up an exchange program to meet the summer demand. The Board requested that staff do the following:

1. Discuss further with Santa Clara an exchange program for summer water
2. Review the price point for Well Water purchased from Pacheco grower wells. The \$90/acre foot may need to be revised based on the current hydrology
3. Have the well water quality policy standards up for review at the next meeting
4. Have staff set up a Special board meeting for early June if needed to approve any water transfers or exchanges

## **OPERATIONS**

- a. Routine Maintenance Update: Mr. Gardner reported that the Water Operators are focused on keeping all the lift pumps in working order to get us through the summer with limits repair bills. They have also had time to perform some maintenance of a few of the District tile line systems. An outside contractor has completed the first round of herbicide spraying on the District ditches and drains.

## **DRAINAGE MANAGEMENT**

Mr. McCoy reviewed the latest farming practices on the San Joaquin River Improvement Project. He stated that the first cutting of Jose Tall Wheat Grass will begin this week. The amount of water available for project irrigation has decreased over the last two months. This is mainly due to limited irrigation within member entity boundaries due to decreased water supplies.

**GENERAL MANAGER’S REPORT**

- a. Sustainable Groundwater Management Act- Mr. Hurley stated that staff has worked diligently over the last month with the GSA consultant team to verify any missing data from within the Pacheco boundary. He also reminded all well owners to complete and turn in the groundwater well reporting forms to the GSA team. If you have questions on the forms, please feel free to call Mr. Gardner for technical support.
- b. Other: Ms. Lane reminded staff and the directors that Governor Newsom has stated that June 15, 2021 will be the target date of “opening” up the state from current Covid regulations. At that time, there will be some guidance on when and how public agencies may be able to meet for their public board meetings in person instead of by video or phone.

**REPORT ON OTHER ITEMS PURSUANT TO GOVERNMENT CODE SECTION 54954.2(a)(3):** No other items

**CLOSED SESSION:** The Board went into closed session at 10:40 a.m.

- A. Conference with Legal Counsel – Existing Litigation  
Closed session pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9. Name of case: *AQUALLIANCE, et al. v. The United States Bureau of Reclamation, et al.*, United States District Court for the Eastern District of California, Case No. 1:20-cv-878-DAD-EPG.
- B. Conference with Legal Counsel – Existing Litigation  
Closed session pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9. Name of case: *Pacheco Water District v. All Persons Interested in the Matter of the Authorization of the Contract Between the United States and Pacheco Water District Providing for Project Water Service*, Merced County Superior Court, Case No. .21CV-00245.
- C. Conference with Legal Counsel – Existing Litigation  
Closed session pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9. Name of case: *California Sportfishing Protection Alliance v. All Persons Interested in the Matter of the Validity of the Northern and Central Delta-Mendota Regions Groundwater Sustainability Plan, et al.*, Stanislaus County Superior Court, Case No. CV-20-001748 (Delta-Mendota Subbasin SGMA Challenge).
- D. Conference with Legal Counsel – Anticipated Litigation: Closed session pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: (1 case)

**RETURN TO OPEN SESSION:** The Board returned to open session at 10:47 a.m. President Barcellos stated that there were no reportable actions.

**FUTURE MEETING DATES**

The next regularly scheduled meeting is scheduled for July 15, 2021.


**ADJOURNMENT**

With no further business on the agenda, President Barcellos adjourned the meeting at 10:50 a.m.



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Aaron Barcellos, President



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Chase Hurley, Secretary