



SANTA CLARA VALLEY WATER DISTRICT (VALLEY WATER)  
WATER STORAGE EXPLORATORY COMMITTEE

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# MINUTES

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**MONDAY, MARCH 7, 2022**

(Paragraph numbers coincide with agenda item numbers)

A regular meeting of the Water Storage Exploratory Committee (Committee) was held on March 7, 2022, via Zoom.

**1. CALL TO ORDER**

The Water Storage Exploratory Committee was called to order by Committee Acting Chair Director Richard P. Santos at 2:01 p.m.

**1.1 ROLL CALL**

Valley Water Board Members in attendance were: Committee Chair, Director Gary Kremen (District 7), and Director Richard P. Santos (District 3).

Valley Water Staff in attendance were: Emmanuel Aryee, Aaron Baker, Neeta Bijoor, Glenna Brambill, Melissa Fels, Alexander Gordon, Samantha Greene, Andy Gschwind, Christopher Hakes, Brian Hopper, Dana Jacobson, Cindy Kao, Candice Kwok-Smith, Jessica Lovering, Katherine Maher, Michael Martin, Ryan McCarter, Heath McMahon, Carmen Narayanan, Carlos Orellana, Don Rocha, and Charlene Sun.

Guests in attendance were: David Cramer (Walsh), Dwight Good (Cal Fire), Danielle McPherson (BAWSCA), Katja Irvin (Sierra Club-Loma Prieta Chapter), Chuck Hammerstead (Fly Casters of San Jose), Hon. Steve Jordan (BAWSCA and Purissima Hills Water District), Marguerite Patil (Contra Costa Water District {CCWD}), Bill Tuttle (San Jose Water Company-SJWC), Hon. John Weed (Alameda County Water District {ACWD}), and Matt Williams (Sukut).

Public in attendance were: Arthur Keller, Ph.D., and Senobar Lanigan.

**2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON AGENDA**

There was no one present who wished to speak.

**3. APPROVAL OF MINUTES**

**3.1 APPROVAL OF MINUTES**

It was moved by Director Gary Kremen, second by Director Richard P. Santos and by roll call and unanimous vote carried to approve the minutes of the January 27, 2022, meeting of the Water Storage Exploratory Committee as presented.

**4. ACTION ITEMS**

**4.1 SITES RESERVOIR UPDATE:**

Ms. Cindy Kao reviewed the materials as outlined in the agenda item.

The Water Storage Exploratory Committee took the following action:

It was moved by Director Gary Kremen, second by Director Richard P. Santos and by roll call and unanimous vote approved staff's recommendation that the Board consider authorizing the Chief Executive Officer to execute the Third Amendment to 2019 Reservoir Project Agreement for a participation level of 0.2 percent of the total project and a funding commitment of \$200,000 covering calendar years 2022 through 2024 and appoint the Valley Water Project Agreement Member Primary and Alternative Representatives.

**4.2 STANDING ITEMS**

The Committee received verbal reports on the following projects:

**UPDATE ON LOS VAQUEROS RESERVOIR EXPANSION PROJECT (LVE)  
TRANSFER BETHANY PIPELINE (TBP) AND UPDATE ON MANAGEMENT OF  
SOUTH BAY AQUEDUCT (SBA) FACILITIES** reported on by Mr. Michael Martin

- JPA will be meeting on Wednesday, March 8, 2022, the agenda includes actions on a Diversity policy and Board Meeting Decorum Policy, and discussions on hiring an Executive Director, the FY23 budget, a Claims Policy, and CEQA Policy. provided a briefing to Chair Kremen and Director LeZotte as the representatives to the JPA Board.
- An overview of the FY23 budget will be discussed at this Wednesday's JPA meeting and be going through a staff workgroup, discussions, the financial committee, and to the JPA Board this spring.
- Once a FY23 budget is in place, that will lead to an interim funding agreement between the JPA members in the fall to keep the project funded through the end of 2023 or until the JPA fully takes over financial administration.
- During the February JPA Board meeting, The JPA decided to go with a more rapid approach in bringing on an Executive Director and recruitment will likely start in April/May with assistance from a Board ad-hoc committee.
- Staff is still planning on bringing a discussion for VW participation in the coming months. Negotiations are upcoming that will influence the staff recommendation on participation. project schedule indicates VW will need a participation decision at the end of CY 22 or early CY 23.

**DEL PUERTO CANYON RESERVOIR** reported on by Ms. Cindy Kao:

- December 15, 2021, CA Water Commission approved the feasibility of the project which makes it eligible to apply for funds if Prop 1 is opened for more applications
- VW Staff just learned about a group of 10 Friant Users filed a lawsuit in November 2020 alleging that the Exchange Contractors do not have the right to store their water in the reservoir, the lawsuit reflects their concern that there could be some indirect impact if those Exchange Contractors store water instead of taking direct delivery of that water

\*please place the lawsuit information in the Board's Non-Agenda Packet

**GROUNDWATER BANK UPDATE** reported on by Ms. Cindy Kao

McMullin:

- Imported Water Unit Staff reviewed DWR's comments on the King's subbasin which includes the GSP's 1 of which is the McMullin area Groundwater Sustainability Agency's (GSA) GSP and DWR sent an incomplete determination letter to state the GSP is inadequate and must be fixed 180 days
- Local GSA's have until July 27, 2022, to revise and re-submit their plans
- VW is participating in the McMullin board meetings and tracking the proposed revisions to the GSPs

Antelope Valley East Kern (AVEK) partnership:

- Draft pilot banking agreement was developed, and the term sheet was sent to AVEK to review, and they are evaluating and seeking board approval before it is approved

**PACHECO RESERVOIR EXPANSION PROJECT UPDATE:** reported on by

Mr. Ryan McCarter

- The Public comment period for the draft EIR closed February 15, 2022, and comments from nearly 200 different sources were received. Many of the comments were from members of the public opposing the project. Also had several regulatory agencies and NGOs also submitted comments on many different topics, as usual. The team will be compiling all the comments and working to address them and incorporate them into the Final EIR.
- The team had a very productive meeting with DSOD with regards to the dam type we are proposing on February 16, 2022. We shared our intentions to submit 30% design plans for an earthfill dam at the upstream site next month. DSOD was pleased that Valley Water decided to discontinue pursuing the hardfill dam concept. It was agreed that it could be a long process to vet the concept with DSOD.
- The critical activities over the next few months will be processing the Draft EIR comments and working on the 30% level design that will include plans and a new construction cost estimate
  - \*public comment letters can be made available to the Board in the Non-Agenda Packet when available.

**SEMITROPIC: reported on by Ms. Cindy Kao**

- January 2022 VW recovered 3,736 acre feet water from semitropic, we're continuing to receive water from bank and VW has roughly 293,000 acre feet in storage and is about 84% full
- DWR sent an incomplete determination letter to Kern Subbasin GSP to state the GSP is inadequate and must be fixed 180 days (issue=land subsidence, water quality, reduced storage levels)
- Local GSA's have until July 27, 2022, to revise and re-submit their plans
- VW is participating in the Semitropic, Kern Groundwater Authority, and Kern County Agency board meetings and tracking the development of the GSPs
- 123 TCP is being worked on by VW staff and the committee will receive an update when completed

**B.F. SISK DAM RAISE PROJECT: reported on by Ms. Cindy Kao**

- February 23, 2022, the San Luis and Delta-Mendota Water Authority (SLDMWA/Authority) re-released RFP to solicit bids for full time Project Manager for the Sisk Dam Raise project, and proposals are due by March 29, 2022,
- The Authority is planning on soliciting participation of the project through an activity agreement executed among the interested members of SLDMWA with an option for participation by non SLDMWA members as well. The activity agreement was to be considered for approval at the March 10, 2022, SLDMWA board meeting.
- VVW currently developing principles of agreement in advance of negotiations with Reclamation to nail down and clarify for all the potential participants of what the benefits and the costs and cost allocation approach to be agreed upon, also working with the Authority to identify what those principles are

The Water Storage Exploratory Committee took no action

**4.3 REVIEW WATER STORAGE EXPLORATORY COMMITTEE WORK PLAN AND THE COMMITTEE'S NEXT MEETING AGENDA**

Ms. Glenna Brambill reviewed the agenda materials as outlined in the agenda item.

The Water Storage Exploratory Committee took no action.

**5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE ACTIONS**

Ms. Glenna Brambill noted there was one action item for Board consideration.

Agenda Item 4.1.

The Water Storage Exploratory Committee by roll call and unanimous vote approved staff's recommendation that the Board consider authorizing the Chief Executive Officer to execute the Third Amendment to 2019 Reservoir Project Agreement for a participation level of 0.2 percent of the total project and a funding commitment of \$200,000 covering calendar years 2022 through 2024 and appoint the Valley Water Project Agreement Member Primary and Alternative Representatives.

**6. CLOSED SESSION**

**6.4 DISTRICT COUNSEL REPORT ON CLOSED SESSION**

Mr. Brian Hopper noted there was no reportable action.

**7. ADJOURNMENT**

Committee Acting Chair Director Richard P. Santos adjourned the meeting at 2:48 p.m.

Glenna Brambill  
Board Committee Liaison  
Office of the Clerk of the Board

Approved: 6-17-2022