

Water Wrights

Westlands Water District July 21, 2020

By Don A. Wright

The Westlands Water District held its board of directors meeting remotely on Tuesday, July 21, 2020 from its Fresno headquarters. For the first time I remember since this virus my microphone is working and I can interrupt now. Turns out deep within the bowels of Microsoft

programming there is a privacy switch I had to turn on to get things going. Now, between my computer, my phone and the two Alexa gizmos I'm beginning to feel the pangs of paranoia. How can I be sure no one is listening in to what's happening in my home? Actually there isn't much happening I'd give a rat's butt about hearing but for – I baby talk my cat. I did the same thing with my dogs and I'd be so embarrassed if anyone heard me. I don't know what actual image I



project but I hope it is one with a reasonable amount of manly virtues, strength, resolve, calm in the face of most dangers. I don't believe baby talking a cat is conducive to cultivating this image. He's a pretty good cat although I did see a mouse scare him once and to be fair he didn't see it coming. Oliver is 16 years old and waits for me to go to sleep then treats me like Snoopy's doghouse and lays on top of me. This is the kind of information that spills out when a meeting starts late.

WWD Chairman Daniel Errotabere called the meeting at 1:10pm and started out as the Westlands Water District San Luis Finance Authority. There were no changes to the agenda and the minutes were approved. There wasn't one soul with a public comment today. * And that opened the regular meeting at 1:14pm. There is some redundancy in that the minutes, the agenda and the public comments are all duplicated with the same votes and participation.

GM Report

General Manager **Tom Birmingham** started his report by directing **Russ Freeman** to give the water report. He said WWD used 80,000 a/f in June with about a total of 109,000 a/f of groundwater usage so far this year. Westlands gets its surface water from the San Luis Delta Mendota Canal. That water comes from the Delta pumps and is stored in San Luis Reservoir. If there is water in SLR at the end of the water year that water can be carried over to the next year but it could also be lost. If the Bureau or the State Department of Water Resources wants to fill up the reservoir with new water the carryover space can be lost. That means you have to use it or lose it.

Tom Boardman gave his report saying the Delta pumps are at capacity since July 9th and should remain so until mid-September. State pumping is also up but not as much as the feds. There's 2.8 million a/f at Shasta which is good. There appears enough water is behind the dam to provide for

the cold water flows salmon need. The US Bureau of Reclamation is in talks with the State Board about this. Boardman said in 2007 there were similar storage levels and the Central Valley Project got a 50 percent allocation and this year they only got 20 percent. SLR could drop below 200,000 a/f before the end of the season. He's looking at a dry year coming up but with a little blessing SLR could fill.

Staff Reports

Shelly Ostrowski gave a very good report from Washington DC. She said the Trump administration has some new rules to limit the number of pages in a NEPA document. She said the California legislature is coming back to work with a very modified agenda to try to make up what they can due to Chinese Commie Virus shutdowns in Sacramento.

Kat Boren reported the social media remains strong and web hits remain steady. She said staff is in the middle of several projects and working with Mercury Consultants.

Birmingham said he's going on tour of the CVP project with the Director of Fish & Wildlife, **Aurelia Skipwith** who is very interested how things are going out here in California. I met Ms. Skipwith once and she was very reserved but also friendly. That should be a good trip for Birmingham.

Ostrowski and Errotabere met with several public relations firms to review their proposal for lobbying the state on behalf of Westlands. Birmingham said it was considered how much relationship bandwidth was offered. He said it would do WWD well to develop better relationships with Valley legislators. There isn't a specific recommendation from staff but they agree with Errotabere they are all good teams which could do a fine job. Director **Todd Neves** said even the water policy committee doesn't have a recommendation. Birmingham pointed out **Tal Eslick** from Vista Consulting has incredible experience. Director **Jim Anderson** directly asked Birmingham who he'd recommend and bless Tom's heart he told him each team is very strong and that's why there is no staff recommendation. I've observed Birmingham for years and I've never know him to shy from sharing his opinion. So it was interesting to hear him decline to do so. Had anyone thought to ask me I would have to support Vista, the company is a client after all and I have great respect for Eslick. There was another firm mentioned that I have seen drain a former client of mine a trash can full of cash. I won't say who and perhaps it will be a little different with Westlands. I don't watch much sports so this is kind of like a good ball game. Mercury is already working for WWD as does Brownstein.

Director **William Bourdeau** asked if there has been a cost/benefit analysis and would having someone working on the state side and federal side be a problem. Ostrowski said all the firms are offering the same price. Different people would work federal from state. Bourdeau asked how do you measure results. Ostrowski said that has been laid out to the firms. Anderson asked why Cal Strategies left and was told it was a budget issue. I've heard CS is on the pricey side.

Errotabere said since Westlands is already working with Mercury he'd recommend selecting them. Ostrowski was asked who would lead from Mercury and **Duncan McFetridge** is the man. Anderson pointed out the deal can be terminated at any time and he seconded Errotabere's motion to hire Mercury. It passed.

SGMA

Engineer **Kiti Campbell** gave a recharge report saying 2,380 a/f of water was sent to basins. There was one basin getting an average 11 a/f per day. That's incredible, like pouring the water into a pit of sand. Most of the recharge was south of Highway 145 were most of the pumping also takes place. WWD is also injecting water with an ASR Program. I can't recall what ASR stands for. Aquifer Storage & Recovery I think. Evaporation loses were figured into things at it wasn't that high an amount. Westlands has a groundwater credit pilot program and uses technical professionals. The land being used for recharge isn't permanently retired but there are no plans for crops anytime soon, but a

landowner has the option to plant again. They won't be able to count groundwater shallower than the root zone of course. Grower **John Reiter** commented it is a good program and hopes the district will soon adopt policy to give everyone a solid idea of what will happen. He said it will be very valuable during wet years. WWD has goals for recharge and it sounds like it is going pretty well on track to meet the timeline.

Financials

The finance and administration portion of the meeting was next. **Bobbie Ormonde** lead a lot of the talk. There was a \$105,000 budget augmentation requested for a subsidence project under Prop 68. Director **Frank Coelho Jr.** asked staff to look at a more equitable distribution of funds. There are different ways to structure the deal and it's somewhat complicated. The funds were approved.

The next item was similar in that it was a budget augmentation for water supply in 2020-2021. Ormonde said the budget was originally set for a 40 percent allocation instead of the 20 realized. There were other changes brought about by Chines Commie Virus that will impact the budget. Less what meant less O&M costs. The board agreed to the change.

Funding for the Lower Yolo Restoration Project and Ormonde said there is \$9 million left over from bonding after paying off its CVP contract conversion. This money can be spent on the Lower Yolo and the board agreed.

Accounts payable and investment/financial reports were next. The finance committee recommended paying the bills and the board agreed. It also approved the reports. This type of item is usually hashed out in committee before being brought to the entire board. Once you understand that you realize the beauty of committees. Members can develop expertise and delve into the details without bogging down the larger board meeting.

Voting Rights and Wrongs

Resolution No. 119-20 will provide for notice to voters that district elections are coming up. There are nine seats and I think five are up for elections this year. Ormonde said this is a cure for incorrectly filled out proxy portions. WWD is a water district and as such it is allowed to have proxy votes for directors. You get a vote weighted by how many acres own. There are other things at play in weighting votes, but let's go with one vote per acre. I live in the water district but I don't own any land I don't get a vote. If I had 100 acres and you had 200 acres you'd get twice the votes I do. You have to own land to sit on the board and if you wanted me on the board and you didn't want to serve you could give me your proxy vote and I'd have 300 votes to run on. A corporation can do the same thing. Bob's Farming Inc. has 50 acres it can proxy those votes also.

The question here is about getting the proxy documentation filled out correctly. Birmingham pointed out the ballots are secret. They are protected. But if the ballot is empty or someone voted for too many candidates it is void. It's secret, who you going to send it back to? Staff at WWD is welcoming to voters to help them be sure the process is followed, not who to vote for. There was a bit of back and forth about just how the resolution will deal with notifications regarding this. Coelho asked for an amendment and that caused the original motion to be withdrawn and reworded to include a paragraph that had been cut. But this has to be reviewed by legal council to determine if it's a legal provision. Neves said he wouldn't put this on attorney **Jon Rubin** to make a judgment in five minutes during a meeting. Errotabere said this can be tabled until next meeting since the election isn't until November. Grower **Sarah Woolf** spoke saying this will help to get an ever better transparency to voting and thanked the board. The resolution was tabled.

Public comment was next and there was none. The meeting then went into closed session and that was that.

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Westlands Water District

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Board: Don Peracchi-President, Dan Errotabere – Vice President, Jim Anderson, William Bourdeau, Frank Coelho Jr., Larry Enos, Ryan Ferguson, Stan Nunn & Todd Neves.

Staff: Tom Birmingham-General Manager, Jon Rubin-Attorney, Jose Gutierrez-COO, Russ Freeman-Deputy GM Resources, Diana Giraldo-Public Affairs Representative, Shelly Ostrowski-Associate GM Water Policy, Kitty Campbell-Supervisor of Resources, Bobbie Ormonde-VP of Finance & Administrative Affairs

About: Without irrigation, farming in the Westlands area of California would be limited and ineffectual. The history of Westlands is one of continual adaptation, careful water stewardship and advanced technology. By maintaining a fierce commitment to sustainability, the Westlands' comprehensive water supply system continues to adapt, educate, and surpass conservation goals. Throughout its history, Westlands Water District has demonstrated a lasting dedication to water conservation and recognized that the long-term survival of its farms depends on the effective management of California's precious water resources. From www.wwd.ca.gov