

**Westlands Water District
Distribution District No. 2
Notice of Meeting and Agenda**

Notice

Notice is hereby given that a meeting of the Distribution District No. 2 Board of Directors of Westlands Water District will be held on April 16, 2024, at 9:00 a.m. at the District's Fresno Office, 286 W. Cromwell Avenue, Fresno, California 93711.

Any member of the public may participate in the meeting through Zoom

Join the meeting from a computer, tablet or smartphone:

[Join Zoom](#)

Meeting ID: 810 6283 8977
Passcode: 3130

Dial-In Number:
(669) 900-9128

Use the meeting ID and passcode from above

After you join, please mute your line.

If you have problems using the Zoom prior to the start of the meeting, please contact the District's IT staff at 559-224-1523 or itstaff@wwd.ca.gov. Requests for assistance made during the meeting may not be responded to timely.

Westlands Water District Distribution District No. 2

April 16, 2024, at 9:00 a.m.

Meeting Agenda

Public Comment - Any member of the public may address the Board concerning any matter on the agenda before or, for open session items, during its consideration of that matter. Public comment is limited to three minutes per person and no more than fifteen minutes per topic. For good cause, the President may waive these limitations.

- 1. Call to Order**
- 2. Board of Directors to Consider Corrections or Additions to the Agenda of Items, as Authorized by Government Code Section 54950 et seq.**
- 3. Board of Directors to Consider Approval of the Minutes of the Regular Board Meeting of March 21, 2023**
- 4. Board of Directors to Consider: (a) Finding Exempt from the California Environmental Quality Act the Execution of a Water Transfer Agreement Between Westlands Water District Distribution District No.2 and the City of Coalinga to Benefit a Landowner/Water User in Pleasant Valley Water District, (b) Authorizing Execution of Said Transfer Agreement, and (c) Authorizing Related Actions**
- 5. Public Comment** - Any member of the public may address the Board concerning any matter not on the Agenda but within the Board's jurisdiction. Public comment is limited to three minutes per person and no more than fifteen minutes per topic. For good cause, the Board President may waive these limitations.
- 6. Adjournment**

Order of Business

The order of business reflected in this Agenda is subject to change.

Accessibility

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the District provide a disability-related modification or accommodation in order to facilitate that person's participation in any public meeting of the District. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the District. Requests for such assistance may be made in person at the District's Fresno office, which is located at 286 W. Cromwell Avenue, Fresno, California, 93711 by telephone (559-224-1523), facsimile (559-241-6277), or written correspondence addressed to Westlands Water District, Attn: Karen Clark, P.O. Box 5199, Fresno, California 93711. Notifications of at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made.

Westlands Water District Distribution District No. 2

April 16, 2024, at 9:00 a.m.

Remote Participation by Members of the Public

At this time, the District permits any member of the public to participate in meetings of its Board and Committees from any location by telephone or video, or both. Remote participation by members of the public from any location is offered as a courtesy and is not required by law. Telephone and internet access and reliability varies widely, and District staff may not be able to assist members of the public with technical difficulties. To avoid issues that may arise from participating remotely by phone or video, members of the public who wish to provide public comment are encouraged to attend in person at a noticed location.

At the appropriate time to provide the comment, members of the public wishing to comment will be acknowledged by the Chair of the meeting. Members of the public participating by video should use the "Raise Hand" tool located in Zoom meeting link when seeking to provide public comment on an item.

Document Availability

Written material related to an item on this agenda that is distributed less than 72 hours prior to this meeting to at least a majority of the members of the legislative body will be available for inspection at the District's Fresno office, which is located at 286 W. Cromwell Avenue, Fresno, California, 93711.

Written material distributed during a public meeting will be available for public inspection at the meeting, if prepared by District staff or a member of its legislative body, or after the meeting if prepared by some other person.

Disclosure

This agenda has been prepared pursuant to applicable laws of the State of California, including but not limited to, Government Code section 54950 et seq. The agenda and information to support items on the agenda have not been prepared to inform an investment decision concerning the District, including in any of District's bonds, notes, or any other financial obligations. Any projections, plans, or other forward-looking statements included in the information in this agenda or the information supporting the items on the agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from such statements. The information in this agenda and the information supporting the items on the agenda are not intended to be used by investors or potential investors in considering the purchase or sale of the District's bonds, notes, or other financial obligations. Investors and potential investors should rely only on information filed by the District on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and the District's Investor Relations website, maintained on the World Wide Web at emma.msrb.org and wwd.ca.gov/investor-relations, respectively. For purposes of this note, "District" means Westlands Water District, Westlands Water District Distribution District No. 1, Westlands Water District Distribution District No. 2, San Luis Unit/Westlands Water District Financing Authority, and/or Westlands Water District Financing Corporation.

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MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF
WESTLANDS WATER DISTRICT DISTRIBUTION DISTRICT NO. 2

March 21, 2023

The Board of Directors of Westlands Water District Distribution District No. 2 held a regular board meeting on March 21, 2023, at the District's Five Points Shop and Field Office, 23050 W. Mt. Whitney Avenue, Five Points, California 93624.

Directors present:

Jeff Fortune
Jim Anderson
Kevin Assemi
William Bourdeau
Frank Coelho, Jr.
Ernie Costamagna
Ross Franson
Jeremy Hughes

Director absent:

Justin Diener

Staff present:

Jose Gutierrez, Interim General Manager
Jon Rubin, Assistant General Manager & General Counsel
Tommi Saghatelian, Deputy General Counsel
Shelley Cartwright, Deputy General Manager – External Affairs (by phone)
Bobbie Ormonde, Deputy General Manager – Finance &
Administration/District Secretary
Russ Freeman, Deputy General Manager – Resources
Kiti Campbell, Supervisor of Resources
Bill Pierce, Director of Operations and Maintenance
Kelly Vandergon Supervisor of Field Engineering & Planning
Steve Farmer, Supervisor of Customer Accounting
Elizabeth Jonasson, Public Affairs Representative
Karen Clark, Executive Assistant/Assistant District Secretary
Jas Singh, Senior Information Technology Analyst
Juan Serrano, Senior Information Technology Analyst

CALL TO ORDER

President Fortune called to order the regular meeting of the Board of Directors of Westlands Water District Distribution District No. 2 at approximately 10:20 a.m.

BOARD TO CONSIDER CORRECTIONS OR ADDITIONS TO THE AGENDA OF ITEMS, AS AUTHORIZED BY GOVERNMENT CODE SECTION 54950 ET SEQ.

There were no corrections or additions to the agenda of items.

APPROVAL OF MINUTES

There being no additions or corrections, the minutes of the Regular Board Meeting of March 16, 2021 and April 25, 2022 stood approved as circulated.

BOARD TO CONSIDER: (A) FINDING EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT THE EXECUTION OF A WATER TRANSFER AGREEMENT BETWEEN WESTLANDS WATER DISTRICT DISTRIBUTION DISTRICT NO.2 AND THE CITY OF COALINGA TO BENEFIT A LANDOWNER/WATER USER IN PLEASANT VALLEY WATER DISTRICT, (B) AUTHORIZING EXECUTION OF SAID TRANSFER AGREEMENT, AND (C) AUTHORIZING RELATED ACTIONS

Mr. Freeman stated the purpose of this item was to seek authorization for the General Manager or designee to execute an agreement for a water transfer out of Westlands Water District Distribution District No. 2 (DD#2) for up to 2,000 acre-feet (AF), to the City of Coalinga (Coalinga) for the benefit of Wood Ag Management, Inc (Wood Ag). The water is being made available for transfer from Wood Ag's Mercy Springs Water District contract assignment, which totals 4,198 AF. Wood Ag expects to make full use of all surface water supplies, and not pump groundwater this water contract year.

Under the proposal, the water will be transferred starting in April based on water demands in Coalinga's service area. The United States Bureau of Reclamation (Reclamation) approved these types of transfers between Central Valley Project Contractors under its South of Delta Accelerated Water Transfer and Exchange Program through 2025. This

transfer request is unique because Wood Ag acquired the Mercy Springs Water District supply for its own use.

The District will collect all the applicable Reclamation and District water rates/charges from Wood Ag and transportation charges from Coalinga.

The actions proposed herein are exempt from California Environmental Quality Act (CEQA) because it continues ongoing operations of existing facilities within established parameters without substantial modification (Section 15301 of the CEQA Guidelines); and because it can be seen with certainty that there is no possibility that the water transfer may have a significant effect on the environment, the water transfer is not subject to CEQA (Section 15061(b)(3) of the CEQA Guidelines).

Mr. Gutierrez asked for comments from the members of the public however, none were offered.

Director Anderson moved that that Board of Directors (a) Finds exempt from the California Environmental Quality Act the execution of a water transfer agreement between Westlands Water District Distribution District No.2 and the City of Coalinga to benefit a landowner/water User in Pleasant Valley Water District, (b) Authorizes Execution of Said Transfer Agreement, (c) Authorizes related actions. The motion was seconded by Director Coelho.

The Board of Directors approved the motion. Mr. Gutierrez reported the vote as follows:

President Fortune: Aye

Vice President Anderson: Aye

Director Assemi: Aye

Director Bourdeau: Aye

Director Coelho: Aye

Director Costamagna: Aye

Director Diener: Absent

Director Franson: Aye

Director Hughes: Aye

PUBLIC COMMENT

Mr. Gutierrez asked if there were any public comments however none were given.

ADJOURNMENT

The meeting was adjourned at approximately 10:25 p.m.

Bobbie Ormonde, District Secretary

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WESTLANDS WATER DISTRICT DISTRIBUTION DISTRICT NO. 2
BOARD OF DIRECTORS
MEETING OF APRIL 16, 2024
ITEM 4

SUBJECT:

Consider: (a) Finding Exempt from the California Environmental Quality Act the Execution of a Water Transfer Agreement Between Westlands Water District Distribution District No. 2 and the City of Coalinga to Benefit a Landowner/Water User in Pleasant Valley Water District, (b) Authorizing Execution of Said Transfer Agreement, and (c) Authorizing Related Actions

DISCUSSION:

The purpose of this item is to seek authorization for the General Manager or designee to execute an agreement for a water transfer out of Westlands Water District Distribution District No. 2 (DD#2) for up to 2,000 acre-feet (AF) of the Central Valley Project (CVP) allocation, to the City of Coalinga (Coalinga) for the benefit of Wood Ag Management, Inc (Wood Ag). The water is being made available for transfer from Wood Ag's Mercy Springs Water District contract assignment to DD#2, which totals 4,198 AF, at a 100 percent CVP water allocation. Wood Ag expects to make full use of all surface water supplies, and not pump groundwater this water contract year as a result of the proposed water transfer.

Under the proposal, the water will be transferred starting in April based on water demands in Coalinga's service area. The United States Bureau of Reclamation (Reclamation) granted approval for these types of transfers between Central Valley Project Contractors under its South of Delta Accelerated Water Transfer and Exchange Program through 2025. This transfer request is unique because Wood Ag acquired the Mercy Springs Water District supply for its own use.

The District will collect all the applicable Reclamation and District water rates/charges from Wood Ag and transportation charges from Coalinga.

The actions proposed herein are exempt from California Environmental Quality Act (CEQA) because it continues ongoing operations of existing facilities within established parameters without substantial modification (Section 15301 of the CEQA Guidelines); and because it can be seen with certainty that there is no possibility that the water transfer may have a significant effect on the environment, the water transfer is not subject to CEQA (Section 15061(b)(3) of the CEQA Guidelines).

PROPOSED MOTION:

Move that that Board of Directors (a) Finds exempt from the California Environmental Quality Act the execution of a water transfer agreement between Westlands Water District Distribution District No.2 and the City of Coalinga to benefit a landowner/water User in Pleasant Valley Water District, (b) Authorizes Execution of Said Transfer Agreement, (c) Authorizes related actions.

RECOMMENDATIONS:

Approve the proposed motion.

ATTACHMENTS:

1. Draft Westlands Water District Distribution District No. 2 and City of Coalinga Transfer Agreement
2. Wood Ag Management's Transfer Request

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**WATER TRANSFER AGREEMENT BETWEEN
CITY OF COALINGA AND
WESTLANDS WATER DISTRICT DISTRIBUTION DISTRICT NO. 2**

This Agreement is made this ___ day of April 2024, by and between Westlands Water District Distribution District No. 2 (WWD) and the City of Coalinga (Coalinga).

RECITALS

- A. WWD is a public agency of the State of California and Coalinga is an incorporated city of the State of California, duly formed and operating under the laws of the state, and are empowered to enter into contracts to manage the water supply available to them for the benefit of their constituents.
- B. WWD is a contractor entitled to receive water which it can beneficially use from the Central Valley Project (CVP) administered by the U.S. Department of Interior, Bureau of Reclamation (Bureau) pursuant to WWD's Contract No. 14-06-200-3365-AC-IR5-P. Coalinga is a contractor with the Bureau and is entitled to receive CVP water pursuant to Coalinga's Contract No. 14-06-200-4173A-IR1-P.
- C. Coalinga anticipates a water supply insufficient to meet its 2024/25 water demands and desires to obtain additional water supplies from other entities which take delivery of water from the San Luis Unit.
- D. WWD has, pursuant to Water Code Section 383, determined there is water that is temporarily surplus to the needs of WWD and one of its landowners.
- E. WWD is willing to transfer **up to 2,000 acre-feet (AF)** of 2024 CVP water to Coalinga, during the remainder of the Contract Year (CY), for the exclusive use: (1) by a landowner that is common to both WWD and Coalinga (Common Landowner), and (2) on lands that are owned by said Common Landowner and eligible to receive CVP water within Coalinga's service area.
- F. The transfer under this agreement is consistent with authority granted to WWD under Water Code Sections 382 and 35425.
- G. Coalinga and WWD have determined that the transfer under this Agreement will have no significant environmental impact, will remove no additional water from the Delta and shall

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not increase the cost, nor reduce the supply of water to other CVP contractors.

AGREEMENT

1. This Agreement shall terminate on February 28, 2025, unless terminated earlier by WWD.

DELIVERY AND COST OF CVP WATER TO COALINGA

2. For the sole and exclusive use by the Common Landowner during the 2024/25 CY and on lands that are owned by the Common Landowner and eligible to receive CVP water within Coalinga's service area, WWD will deliver to Coalinga, **up to 2,000 AF** of CVP water, prior to February 28, 2025 and pursuant to the terms and conditions of the Bureau's approval, including the schedule developed by WWD and Coalinga (see forecast delivery schedule Exhibit A).
3. The amount of water transferred to Coalinga will be within the sole discretion of WWD and will be subject to the Common Landowner causing an equal amount of water to be made available from their water user account for transfer to Coalinga.
4. WWD shall deliver the water to Coalinga at points on the Coalinga Canal, as provided by the separate conveyance agreement between WWD and Coalinga, dated July 2017.
5. Deliveries of water from WWD to Coalinga shall be measured by WWD.
6. WWD agrees to pay the United States Bureau of Reclamation contract rate, Restoration Fund, Trinity PUD Assessment Charge, and additional rates for CVP services required to effectuate the transfer.
7. Coalinga is responsible for paying the San Luis & Delta-Mendota Water Authority O&M charge, and Westlands Water District transportation charges.
8. The payment of charges required by Section 7 immediately above are in addition to the rates and charges the Common Landowners will be obligated to pay pursuant the Westlands Water District's Rules and Regulations and Terms and Conditions of Water Service.
9. WWD may terminate this Agreement upon 14 days of advanced written notice to Coalinga.

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APPROVALS

10. The performance by both parties to this Agreement is contingent upon and subject to approval of the Bureau and the terms and conditions thereof.

MISCELLANEOUS

11. WWD and Coalinga shall cooperate in securing Bureau approvals.
12. Coalinga agrees to abide by all provisions of Reclamation Law.
13. Any notice, request, tender, demand, delivery, approval or other communication providing for, required, or arising under this Agreement shall be in writing and shall be deemed delivered three business days after deposit in the United States mail, addressed to the party as follows:

City of Coalinga
155 W. Durian Avenue
Coalinga, CA 93210
Attention: Marissa Trejo, City Manager

Westlands Water District
P.O. Box 5199
Fresno, CA 93755
Attention: Jose Gutierrez, Assistant General Manager
14. Amendments to this Agreement shall be effective only if in writing, and then only when signed by the authorized representatives of WWD and Coalinga.
15. Consistent with the provisions of Water Code Sections 475 and 1244, WWD and Coalinga agree that neither this transfer nor this Agreement is evidence of the availability of surplus water beyond the terms of this Agreement or lack of beneficial use of the water involved in this Agreement, and neither shall contend otherwise.

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IN WITNESS WHEREOF, the parties execute this Agreement on this day and year first above mentioned.

WESTLANDS WATER DISTRICT
DISTRIBUTION DISTRICT NO. 2

CITY OF COALINGA

By _____
Jose Gutierrez, Assistant General Manager

By _____
Marissa Trejo, City Manager

Date _____

Date _____

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Exhibit A

Forecast Delivery Schedule
Westlands Water District Distribution District No. #2 to City of Coalinga

Month	Transfer Amount (AF)
March	0
April	100
May	200
June	300
July	400
August	250
September	200
October	150
November	100
December	100
January	100
February	100
Total	2,000

Wood Ag Management, Inc.

March 27, 2024

Jose Gutierrez
Westlands Water District
286 W. Cromwell Ave.
Fresno, CA 93755

Dear Mr. Gutierrez:

This letter is a formal request for approval to transfer water during the 2024/25 year from Westlands Water District Distribution District No. 2 to the City of Coalinga. More specifically, the request is for approval to transfer, as needed, up to 2000 acre feet of the water imported from the Mercy Springs Water District to Distribution District No. 2. The exact amount we could transfer will, of course, depend on the actual CVP allocation available for this year. This is not a request to transfer "regular" Westlands allocation supplies.

The Mercy Springs water allocation for Distribution District No. 2 is available solely to the land within Distribution District No. 2, all of which is owned by David E. Wood, who imported the water. This particular water is not available for use by any other Westlands landowner, and thus transferring it will not affect any other landowners in Westlands. We simply wish to temporarily transfer water we imported into the district.

Thankfully, given the abundance of precipitation recently, we will not have to rely on any ground water pumping for the current water year, and also plan to use a portion of the water supplies to further recharge the aquifer and develop additional ground water credits.

Please include this request on the next available agenda for the Water Policy Committee and the Westlands Board of Directors.

Sincerely,
David E. Wood

A handwritten signature in black ink that reads "David E. Wood". The signature is written in a cursive, flowing style.

President,
Wood Ag management, Inc.