

**SITES PROJECT AUTHORITY**  
P.O. Box 517  
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MAXWELL, CALIFORNIA 95955  
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JERRY BROWN, EXECUTIVE DIRECTOR  
925.260.7417

YOLANDA TIRADO, CLERK  
530.438.2309  
Boardclerk@SitesProject.org

## **Board of Directors**

FRITZ DURST, RECLAMATION DISTRICT 108, CHAIR  
JEFF SUTTON, TEHAMA-COLUSA CANAL AUTHORITY, VICE-CHAIR  
GARY EVANS, COLUSA COUNTY SUPERVISOR  
LEIGH MCDANIEL, GLENN COUNTY SUPERVISOR  
LOGAN DENNIS, GLENN-COLUSA IRRIGATION DISTRICT  
BRUCE HOUESHELDT, PLACER COUNTY WATER AGENCY/CITY OF ROSEVILLE  
DOUG PARKER, WESTSIDE WATER DISTRICT  
JOE MARSH, COLUSA COUNTY WATER DISTRICT  
JEFF HARRIS, CITY OF SACRAMENTO/SACRAMENTO COUNTY WATER AGENCY  
DON BADER, BUREAU OF RECLAMATION (COST-SHARE PARTNER, NON-VOTING)  
ROB COOKE, CA DEPARTMENT OF WATER RESOURCES (EX-OFFICIO, NON-VOTING)

### **Associate Members (NON-VOTING)**

GREG JOHNSON, WESTERN CANAL WATER DISTRICT  
JAMIE TRAYNHAM, TC 4 DISTRICTS

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# November 23, 2020 1:30 p.m. Sites Project Authority MINUTES

### **CALL TO ORDER & ROLL CALL:**

Chairman Durst called the meeting of the Sites Project Authority Board of Directors to order at the hour of 1:30 p.m., followed by the Pledge of Allegiance.

### **INTRODUCTIONS:**

Chairman Durst asked those present to introduce themselves. **(Attachment A)**.

### **AGENDA APPROVAL:**

**Action:** It was moved by Director Harris, seconded by Director Houdesheldt to approve the November 23, 2020 Sites Project Authority Board Agenda. Motion carried: All Directors present voted yes.

### **ANNOUNCEMENT OF CLOSED SESSION:**

Counsel Doud announced the Authority Board of Directors would consider a Closed Session matter as follows:

#### **1. Closed Session:**

1.1 Negotiations concerning Sites Project construction and operation terms, conditions and agreements with the State of California, Department of Fish & Wildlife (Govt. Code §§54956.9(c), 54956.9(d)(4)).

### **PERIOD FOR PUBLIC COMMENT:**

Chairman Durst called for public comment. Hearing none, he closed the period for public comment.

Chairman Durst declared a recess at 1:38 p.m., to convene into Closed Session to consider the following:

**1. Closed Session:**

- 1.1 Negotiations concerning Sites Project construction and operation terms, conditions and agreements with the State of California, Department of Fish & Wildlife (Govt. Code §§54956.9(c), 54956.9(d)(4)).

Chairman Durst adjourned Closed Session at 2:25 p.m., to reconvene into Open Session.

**REPORT FROM CLOSED SESSION:**

Counsel Doud stated the Authority Board considered Closed Session regarding the following matter:

**1. Closed Session:**

- 1.1 Negotiations concerning Sites Project construction and operation terms, conditions and agreements with the State of California, Department of Fish & Wildlife (Govt. Code §§54956.9(c), 54956.9(d)(4)) and no reportable action was taken.

**2. Consent Agenda:**

Chairman Durst made time to consider Consent Agenda Items number 2.1 through 2.5.

Director Sutton requested Consent Agenda Item 2.5, Yolo County Flood Control District's \$13,000 invoice be pulled from Consent and considered separately. Chairman Durst so directed.

**Action:** It was moved by Director Dennis, seconded by Director Houdesheldt to approve Consent Agenda Item Numbers 2.1 through 2.4 as follows:

- 2.1 Consider Approval of the October 21, 2020 Authority Board Meeting Minutes. **(Attachments A)**
- 2.2 Consider Acceptance of the Sites Project Authority Treasurer's Report. **(Attachment A)**
- 2.3 Consider Approval of the Payment of Claims. **(Attachments A & B)**
- 2.4 Consider Approval of the Authority budget for Authority-funded activities in fiscal year 2021, which occurs between January 1, 2021 and December 31, 2021.

Motion carried: All Directors present voted yes.

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- 2.5 Chairman Durst made time to consider Consent Agenda Item 2.5, Yolo County Flood Control District's \$13,000 invoice. He stated Yolo County Flood Control left the project several years ago and felt this debt needed to be written off.

Director Sutton stated he would be voting no on this matter and briefly spoke to his reasons.

**Action:** It was moved by Director Harris, seconded by Director Dennis to approve Consent Agenda Item Number 2.5, approve writing off the 2015 Yolo County Flood Control District's \$13,000 invoice. Motion carried: All Directors present voted yes, except for Director Sutton.

### 3. **Action Items:**

Ms. Forsythe provided an overview of the Strategic Plan Permitting Action Plan and spoke to the following:

- Overview and Key Takeaways:
  - Embarking on a number of key permitting activities; important that Sites be aligned on approach as an organization.
  - Permitting activities will implement a collaborative, multi-level communications/negotiations approach for the five high priority permitting processes.
  - Regular progress reporting to the work group and prompt escalation of issues will be implemented to ensure efforts progress.
- Strategic Plan – Permitting Goals (Goal 2. Permittable).
- Priority Permitting Processes and Inputs:
  - Federal ESA – Biological Assessment.
  - California ESA – Incidental Take Permit applications for construction and operations.
  - Clean Water Act – Sections 404 and 401 applications.
  - Water Right application.
  - Section 106 Consultation – Historic Preservation.
- Key Inputs:
  - Project description and alternatives.
  - Facilities design and footprints.
  - Diversion criteria and operations.
- Permitting Objectives & Strategy:
  - Objectives:
    - Consistent progress toward securing permits for a cost effective, affordable project.
    - Demonstrate progress and assurance that permits will be secured.
    - Maintain schedule for project approvals, funding and financing.

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- Strategy - Implement a collaborative, multi-level communications /negotiations approach for the five high priority permitting process:
    - Work collaboratively with permitting and resource recovery staff at the fisheries agencies and operation staff at DWR and Reclamation to define project operations, benefits and acceptable permit requirements.
    - Brief state and federal agency leadership at permitting milestones to maintain commitment and agency alignment for successful permitting and resource recovery benefits.
    - Brief state and federal elected officials as needed to maintain project funding and schedule.
  - Permitting Principles – Successfully accomplishing a collaborative, multi-level permitting strategy will depend on the dynamic implementation of the following principles.
    - Interest-based negotiations within the framework established by the Authority Board and Reservoir Committee (June 2020). Interested-based negotiations are based on seeking and supporting full understanding of the interest and desired outcomes for all parties (Authority Board (AB), Reservoir Committee (AB), regulatory agencies and other partners).
    - Regular progress reporting on issues, accomplishments and challenges. The permitting negotiations teams are committed to frequent and transparent communications with appropriate confidentiality, with all audiences on the topics that inform and support interest-based negotiations.
    - Prompt escalation of issues and challenges for discussion and resolution. During permit negotiations, some issues may warrant additional clarification and direction for agency and Authority leadership. The permitting negotiation teams will identify and escalate these issues in cooperation with agency staff.
  - Permitting Timelines (2020 through 2022)
  - Permitting Reporting – Dashboard
  - Action requested:
    - Accept the Strategic Plan Permitting Action Plan defining approach and schedule for the Project's permitting efforts during Amendment 2 (through end of 2021).

Brief discussion followed.

- 3.1 **Action:** It was moved by Director Sutton, seconded by Director Harris to accept the Strategic Plan Permitting Action Plan defining approach and schedule for the Project's permitting efforts during Amendment 2 (through the end of 2021). Motion carried: All Directors present voted yes.

4. **Discussion and Information Items:**

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- 4.1 Review and comment on the Water Right Application Key Parameters for the Sites Project Authority's water right application to the State Water Resources Control Board (State Board).

Ms. Forsythe provided an overview of the Water Right Application Key Parameters and spoke to the following:

- Water Right Application – Key Parameters.
- Staff reinitiated efforts on water right application(s).
- Initial focus on developing key parameter for application:
  - Frames up initial discussions with State Board staff.
  - Informs and sets the foundation of our water right permit approach.
  - Ensures these components are covered in the Revised EIR/Supplemental EIS.

Purpose of Use:

- How water diverted into Sites Reservoir would subsequently be used.
- Generally, follow the purposes of use in the SWP and CVP water right permits.
  - Purpose of Use: Irrigation, Domestic, Municipal, Industrial, Water Quality, Recreational, Fish and Wildlife Preservation and Enhancement and Incidental Power Generation.

Sources:

- Sources of water that the project seeks to “control”:
  - Sources: Sacramento River, Stone Corral Creek and Funks Creek.

Diversion to Off-stream Storage:

- How much the project seeks to divert and store over what time period
- Request would be consistent with the available canal capacity and facilities to move water into Sites.
- Season limited to the season when Sacramento River is not fully appropriated.
- Storage of up to 1.5 million acre-feet per year from all sources.

Points of Diversion:

- Locations where the project would divert water (or take “control” of water)
- Points of diversion:
  - Tehama-Colusa Canal, Glenn-Colusa Irrigation District's Main Canal, Sites Dam and Golden Gate Dam.

Points of Re-diversion:

- Waterways where water previously diverted for the project could be re-diverted.
- Points of re-diversion:
  - North Bay Aqueduc.t
  - Contra Costa's facilities.

- Reclamation's Rock Slough Intake.
- SWP Delta and South-of-Delta facilities.
- CVP Delta and South of Delta facilities.

Place of Use:

- Area where water diverted to storage could subsequently be used.
- Place of Use:
  - Sites Reservoir, associated facilities and recreation areas.
  - Reservoir Committee member districts upstream of the Sacramento-San Joaquin Delta where water from Sites Reservoir can physically be delivered with existing or currently planned facilities.
  - All areas of Colusa County where water from Sites Reservoir can physically be delivered with existing or currently planned facilities.
  - Entire CVP and SWP place of use where water from Sites Reservoir can physically be delivered with existing or currently planned facilities, or otherwise served via exchange agreements with the CVP or SWP.
- Place of use includes Yolo Bypass.
- Next Steps:
  - Exploring need for additional points of re-diversion for Prop 1 water
  - Parameters will be refined based on:
    - Member input and discussions.
    - Refinements to the project description.
    - Discussions with State Board staff.
- Will return with any substantial changes.

Discussion followed regarding the Place of Use, points of diversion and re-diversion and groundwater storage/recharge with no action taken.

#### 4.2 Review and Comment on the proposed 2020 Delegation of Authority Matrix. **(Attachment A)**

Executive Director Brown provided an overview of the proposed 2020 Delegation of Authority Matrix. He stated Darling H2) Consulting was tasked with reviewing the existing Project Governance documents. He stated Darling H2) has completed that task and spoke to the following three Findings and Recommendations:

- Finding 1:
  - Revised Bylaws result in duplication and overlap between RC and AB.
  - All RC decision being brought to AB for approval.
  - RC, AB and staff delegation of authority not clearly defined.
  - No clear definition of material and non-material changes.
- Results in:

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- Extra staff work and costs.
  - Extra work for AB to understand non-policy decision such as technical, environmental and financial findings.
  - Recommendation 1:
    - Direct staff draft revised 2018 Bylaws – clearly define AB and RC roles and responsibilities and material and non-material changes.
    - RC direct technical, environmental and financial studies.
    - AB kept informed to certify environmental documents, adopt mitigation plan and accept permit terms and conditions.
  - Finding 2:
    - Role of the ED (and staff) identified in the 2018 Bylaws has evolved.
    - Many administrative items are routinely brought to the Boards for approval.
    - Bylaws do not define the delegation to the ED in many areas.
  - Recommendation 2:
    - Direct staff to create detailed responsibility matrix that will be approved by both the RC and AB as well as future amendments.
    - Attached is working draft delegation of authority matrix with areas of responsibilities for consideration and comment:
      - Budget management.
      - Grant and Loan applications.
      - MOUs with agencies and utilities.
      - CEQA compliance.
      - Purchasing of materials and supplies.
      - Insurance claims.
      - Travel and Training.
      - Professional Service Contract administration.
      - Progress payments.
      - Land acquisition and easements.
      - Managing staff.
      - Access
  - Finding 3:
    - Processing service payments established initial phase of Project.
    - Today many more and complex payments to process.
    - Very tight processing deadline due to only monthly payments.
    - Impacts timely service payment and rushed processing.
  - Recommendation 3:
    - Adopt a commonly used public agency invoicing process allowing continuous processing of invoices and securing RC approval by warrant register in arrears.
  - Next Steps:
    - November 2020:

- Receive comments to working draft Delegation of Authority Matrix.
- Receive comments to 3 recommendations to clarify delegated authority.
- December 2020:
  - Request approval of Delegation Authority Matrix.
  - Request approval for staff to initiate work to incorporate the 3 recommendations to the Bylaws.

Executive Director Brown stated the proposed matrix is being presented to get reactions and feedback from the RC and AB members which would be consider before bringing the final matrix for approval in December 2020. Discussion followed with no action taken.

4.3 Review and comments on the preliminary draft project schedule through construction completion (2021 to 2030 schedule). **(Attachment A)**

Ms. Forsythe and Mr. Robinette provided an overview of the preliminary draft project schedule through construction completion 2021 to 2030 schedule and spoke to the following:

Master, Cost-loaded Schedule Development:

- Master project schedule being developed to:
  - Outline timing and sequencing of activities through construction.
  - Think through, sequence and plan out all of the steps for final permitting, design, acquisition and construction.
  - Cost load and provide annual cost projections.

Project Delivery Assumptions in Master Schedule:

- Project activities, sequencing and activity duration are generally based on experience of staff and the consultant teams on other construction projects
- Alternative delivery procurement methods were not considered during this exercise, but there is time in the schedule to consider these in the future

Cost Assumption in Master Schedule:

- Based on the construction cost estimate in the April 2020 Value Planning Report for VP-7 (2019 dollars).
- Grouped into four categories, non-contract, construction, mitigation and contingency – cost curve was then applied to each group to spread costs over the expected period of activity.
- Activities in 2022 and 2023 were assumed limited by funding: Cash Call, Interim Financing, WSIP Funding, WIIN Act.
- Financing and WSIP construction funding assumed after obtaining water right permit (mid-2023).

Sites Reservoir Project Cash Flow to Construction Completion (2020 – 2030):

Outcomes from this Early Effort:

- WSIP early funding will be exhausted in 2022.



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- WSIP construction funding is expected in mid-2023 (after obtaining water right permit).
  - Limiting activities to the assumed funding amounts in 2022 and 2023 allows for additional time to secure project financing.
  - Obtaining financing after mid-2023 is likely to delay property acquisition and construction actions.
  - An increase in WIIN Act funding is needed in 2022 and 2023 (\$15 million and \$22 million, respectively).
  - Completion constraint of Jan 2030 will receive further review.
  - Rapid completion of the project is important but needs to be balanced with cost impacts and other considerations.

Next Steps:

- Incorporate updated construction schedule and cost estimates, both of which will be available in Spring 2021.
- Seek to optimize activities.
- Updated master project schedule and cost loading in Spring 2021.
- Continue to implement project financing action plan and the permitting action plan.

4.4 Review and comment on the approach for updates to the Sites Water Storage Policy.

Ms. Heydinger provided an update on the status of the Water Storage Policy, which was referred to the Adhoc Engineering and Operations Workgroup by the RC and AB in July 2020 and spoke to the following:

- The Storage Policy – High-level or policy-level including principles related to diversion storage, releases and exchanges/transfers.
- Water Storage and Supply Contract – Would identify specific requirements for both the RC participants and the Authority members related to participation, diversions, storage, releases and exchanges/transfers and would be legally binding.
- Water Operations Plan – Provides the detailed operational mechanics for implementing the Water Service Contracts. Would include specific details to operationalize diversions, storage, releases and exchanges/transfers and would also be consistent with the Storage Policy.
- Clarifying the priority of the environmental water.
- Clarifying how to maximize diversions to the project.
- Confirmation of Funks Reservoir and the Terminal Regulating Reservoir as points of delivery with clarification of responsibilities for water movement beyond these points.

Next Steps:

- Continue to work with the small working group to make changes identified to the Storage Policy.
- Return to the Reservoir Committee and the Authority Board with revised Policy in early 2021.

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Brief discussion followed with no action taken.

**5. Reports:**

**5.1 Member's Reports:**

5.1.1 Chairpersons' Report:

This time is set aside to allow the Chair/Co-Chair an opportunity to disclose/discuss items related to the Sites Project.

Chairman Durst briefly spoke to the election outcome and keeping new people federal and state informed on the project.

5.1.2 Committee Chairpersons' Report:

This time is set aside to allow the Committee Chairpersons' an opportunity to disclose/discuss items related to the Sites Project.

Budget and Finance Committee

Ms. Traynham stated they are working on the Plan of Finance and getting invoices paid from the last cash call.

Land Management Committee

Mr. Brown stated Mr. Spesert has done a fantastic job with the assistance of Director Evans and the Committee in securing the landowner access agreements for the geotechnical work. He also stated another will be scheduled to discuss advancing the engineering aspects of the TRR and the road configurations.

Legislative and Outreach Committee

Director Sutton provided a brief update on the various matters as they relate to the Legislative and Outreach Committees.

Communications

Ms. Katz provided an update regarding the various activities being conducted by Katz and Associates.

5.1.3 Authority Board Participant Reports:

This time is set aside to allow Representatives or their Alternates an opportunity to disclose/discuss items related to the Sites Project.

5.2 Executive Director's Reports:

Mr. Brown provided an update on the following:

- Monthly status report. **(Attachment A)**

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- Work Progress Plan Reporting. **(Attachment B)**
  - Action Items from Reservoir Committee and Board Meetings. **(Attachment C)**
  - Amendment 2 payments by Members/Participants.
  - OMB meeting to review the feasibility study from the local agency perspective.
  - Temperance Flat Reservoir Authority took action to notify the CWC they no longer wished to receive the -\$170M MCED (confirmed) and they requested the CW identify projects that could provide similar benefit to those funded in Prop 1 within the San Joaquin Valley.
  - On a local level will be starting geotechnical work.

**6. Future Meetings and Schedules:**

6.1 Suggested Future Agenda Items.

None.

6.2 Proposed Upcoming meeting:

**JOINT AUTHORITY BOARD & RESERVOIR COMMITTEE  
(NOTE CHANGE TO JOINT MEETING FROM LAST MONTH'S REPORT)**

FRIDAY, DECEMBER 18, 2020, 9:00 AM  
(VIRTUAL INFORMATION WILL BE PROVIDED PRIOR TO THE MEETING.)

Chairman Durst adjourned the meeting at 4:10 p.m.

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Fritz Durst, Chairman

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Yolanda Tirado, Board Clerk

Topic: **Sites Reservoir Project**

**2020 November 23**

Subject: **Authority Board Meeting**

**1:30 – 4:00 PM**

Location: 122 West Old Highway 99, Maxwell, CA 95955

### Attendance

#### Current Voting Authority Board Participants:

<i>Participant</i>	✓ <i>Representative</i>	✓ <i>Alternate</i>	<i>Others</i>
Colusa County	<input type="checkbox"/> Gary Evans	<input checked="" type="checkbox"/> Mike Azevedo	
Colusa County Water District	<input type="checkbox"/> Joe Marsh	<input type="checkbox"/> Doug Griffen	<input checked="" type="checkbox"/> Shelly Murphy
Glenn County	<input type="checkbox"/> Leigh McDaniel	<input type="checkbox"/> John Viegas	
Glenn-Colusa Irrigation District	<input checked="" type="checkbox"/> Logan Dennis	<input type="checkbox"/> Don Bransford	<input type="checkbox"/> Thad Bettner
Reclamation District 108	<input checked="" type="checkbox"/> Fritz Durst	<input type="checkbox"/> Sean Doherty	<input type="checkbox"/> Hilary Reinhard
City of Roseville / Placer County Water Agency	<input checked="" type="checkbox"/> Bruce Houdesheldt	<input type="checkbox"/> Joshua Alpine	
Tehama-Colusa Canal Authority	<input checked="" type="checkbox"/> Jeff Sutton	<input type="checkbox"/> Halbert Charter	
City of Sacramento / Sacramento County Water Agency	<input checked="" type="checkbox"/> Jeff Harris	<input checked="" type="checkbox"/> Brett Ewart <input type="checkbox"/> Ann Sanger	
Westside Water District	<input checked="" type="checkbox"/> Doug Parker	<input type="checkbox"/> Zach Dennis	

#### Associate Members (2 non-voting):

<i>Participant</i>	✓ <i>Representative</i>	✓ <i>Alternate</i>	<i>Others</i>
TC-4	<input checked="" type="checkbox"/> Jamie Traynham	<input type="checkbox"/> Tom Charter <input type="checkbox"/> Jason Holley	
Western Canal Water District	<input type="checkbox"/> Ted Trimble	<input type="checkbox"/> Greg Johnson	

#### Non-Voting Committee Participants (2):

<i>Participant</i>	✓ <i>Representative/Other</i>	✓ <i>Alternate/Other</i>	
Dept of Water Resources	<input type="checkbox"/> Rob Cooke	<input type="checkbox"/> David Sandino	
	<input type="checkbox"/> Ajay Goyal	<input type="checkbox"/> Jim Wiekling	<input type="checkbox"/> Dave Arrate
Bureau of Reclamation	<input type="checkbox"/> Richard Welsh	<input checked="" type="checkbox"/> Don Bader	<input type="checkbox"/> Chris Duke
	<input checked="" type="checkbox"/> Ryan Davis	<input type="checkbox"/> Derya Sumer	<input type="checkbox"/> Shana Kaplan
	<input checked="" type="checkbox"/> Natalie Wolder	<input type="checkbox"/> Mike Mosley	

**Authority, Non-Signatory (6):**

<i>Participant</i>	✓ <i>Representative</i>	✓ <i>Alternate</i>
PCWA	<input checked="" type="checkbox"/> Ed Horton	<input type="checkbox"/> Ben Bark <input type="checkbox"/> Darin Reintjes
Roseville	<input checked="" type="checkbox"/> Sean Bigley	<input checked="" type="checkbox"/> Trevor Joseph <input type="checkbox"/> Jason Marks
Sacramento County WA	<input checked="" type="checkbox"/> Kerry Schmitz	<input type="checkbox"/> Michael Peterson <input type="checkbox"/> William Busath

**Staff:**

✓ <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Brown, Jerry	Sites Project Authority
<input checked="" type="checkbox"/> Forsythe, Ali	Sites Project Authority
<input checked="" type="checkbox"/> Spesert, Kevin	Sites Project Authority

✓ <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Trapasso, Joe	Sites Project Authority
<input checked="" type="checkbox"/> Tirado, Yolanda	Sites Project Authority
<input checked="" type="checkbox"/> Kivett, Marcia	Sites Project Authority

**Consultants:**

✓ <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Alexander, Jeriann Fugro	
<input checked="" type="checkbox"/> Boling, Robert	HDR
<input type="checkbox"/> Briard, Monique	ICF
<input type="checkbox"/> Floyd, Kim	Floyd
<input type="checkbox"/> Herrin, Jeff	AECOM
<input checked="" type="checkbox"/> Heydinger, Erin	HDR
<input checked="" type="checkbox"/> Katz, Sara	Katz & Associates

✓ <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Kuney, Scott	Young Wooldridge
<input checked="" type="checkbox"/> McDonald, Conner	CMD West
<input checked="" type="checkbox"/> Luu, Henry	HDR
<input checked="" type="checkbox"/> Robinette, JP	Brown & Caldwell
<input checked="" type="checkbox"/> Spranza, John	HDR
<input checked="" type="checkbox"/> Warner Herson, Laurie	Phenix
<input checked="" type="checkbox"/> Westcot	Cathy

**Other Attendees:** *(Check box to have email address added to the distribution list)*

<i>Name</i>	<i>Representing</i>	<i>Contact (Phone &amp; E-mail)</i>
Laura Nicolson	Office of Senator Jim Nielsen	
Juleah Cordi		
Jerry Schmidt	Sacramento County	
Garce Lui	Fugro	
Jonathan Williams		
Hailey Traynham	BC	
Bill Vanderwaal	RD108	