

Meeting: **Phase 2 Reservoir Project Agreement**

2020 August 21

Subject: **Reservoir Committee Meeting**

9:00 AM – 12:00 PM

Location: WebEx Link

Chair: Thad Bettner (Glenn-Colusa Irrigation District)

Vice Chair: Jeff Davis (San Geronio Pass Water Agency)

Treasurer: Jamie Traynham (Davis Water District)

MINUTES

CALL TO ORDER:

Chairman Bettner called the meeting to order at 9:00 a.m., followed by the Pledge of Allegiance.

ROLL CALL:

Roll was called (See Attachment A), which resulted in 18 eligible representatives. This equated to 90.06% of the current participation percentage being in attendance, which is greater than the 50% needed to have a quorum of the Reservoir Committee.

INTRODUCTIONS:

The Sites Staff, Consultants and members of the public introduced themselves.

ATTENDANCE:

See Attachment B.

AGENDA APPROVAL:

It was moved by Traynham, seconded by Davis to approve the August 21, 2020 Reservoir Committee Agenda, as presented. Motion carried unanimously.

PERIOD FOR PUBLIC COMMENT:

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

1. **Consent Agenda:** It was moved by Davis, seconded by Marks to approve Consent Agenda Item Numbers 1.1 through 1.4 as follows:
 - 1.1 Approve the July 16, 2020 Phase 2 Reservoir Committee Meeting Minutes, as presented.
 - 1.2 Accept the Sites Project Authority Treasurer's Report as presented in Attachment 1.2A.
 - 1.3 Approve the Payment of Claims as presented in Attachment 1.3A with supporting details provided in Attachment 1.3B.

- 1.4 Approve a recommendation to the Sites Project Authority for issuing two checks totaling \$110,000 to initiate applications with Pacific Gas & Electric (PG&E) and Western Area Power Administration (WAPA) to begin engineering consultation for progressing feasibility study of project electrical facilities.

Motion carried unanimously.

2. Action Items:

- 2.1 Approve the revised work plan (budget) with a period of performance of September 1, 2020 to December 31, 2021 (Amendment 2) and updated Exhibit B to the Second Amendment to 2019 Reservoir Project Agreement. **(Attachments A, B, & C)**

Mr. Robinette provided an overview of the revised work plan (budget) through December 31, 2021 and an updated Exhibit B to the Second Amendment to the 2019 Reservoir Project Agreement and spoke to the following:

- Changes since April approval.
- Increased Revenue and Expenses.
- Cash Call invoice schedule.
- Work Plan Goals:
 - Affordable, Permittable and Buildable.
- Task Order development.
- Cost Allocation by Subject (Reservoir Committee funded).
- Deliverables/Management View.
- Next Steps:
 - Task Orders with all consultants, September or October 2020.
 - Scope and budget for local cost share commitment and plan of finance.
 - Determine second cash call final amount in February 2021 based on: a) progress on work plan goals and 2) target ending balance: bridging funds to finance/next cash call.

Lengthy discussion followed.

Action: It was moved by Leitterman, seconded by Davis to approve the revised work plan (budget) with a period of performance of September 1, 2020 to December 31, 2021 (Amendment 2) and updated Exhibit B to the Second Amendment to the 2019 Reservoir Project Agreement. Motion carried unanimously.

Chairman Bettner suggested combining Agenda Items 2.1.1 through 2.1.9, Task Orders as they were all related to the work plan (budget). No objections were made.

Action: It was moved by Leitnerman, seconded by Tincher to approve Action Item Numbers 2.1.1 through 2.1.9 as follows:

- 2.1.1 Approve a recommendation to the Sites Project Authority and approve HDR Engineers, Inc.'s (Project Integration) Amendment 2 Task Order No. 3.0 scope of work with a not to exceed contract authority of \$4,342,136 for the period of September 1, 2020 through December 31, 2021.
- 2.1.2 Approve a recommendation to the Sites Project Authority and approve Brown and Caldwell's (B&C) (Project Controls) Amendment 2 Task Order No. 3.0 scope of work with a not to exceed contract authority of \$2,505,736 for the period of September 1, 2020 through December 31, 2021.
- 2.1.3 Approve a recommendation to the Sites Project Authority and approve Katz and Associates' (Katz) (Communications) Amendment 2 Task Order No. 3.0 scope of work with a not to exceed contract authority of \$400,000 for the period of September 1, 2020 through December 31, 2021.
- 2.1.4 Approve a recommendation to the Sites Project Authority and approve CH2M Hill engineers, Inc.'s (CH2M) (Operations) Amendment 2 Task Order No. 3.0 scope of work with a not to exceed contract authority of \$2,094,564 for the period of September 1, 2020 through December 31, 2021.
- 2.1.5 Approve a recommendation to the Sites Project Authority and approve ICF Jones and Stokes, Inc's. (ICF) (Environmental Planning) Amendment 2 Task Order No. 3.0 scope of work with a not to exceed contract authority of \$3,010,759 for the period of September 1, 2020 through December 31, 2021.
- 2.1.6 Approve a recommendation to the Sites Project Authority and approve ICF Jones and Stokes, Inc's (ICF) (Permitting and Agreements) Amendment 2 Task Order No. 3.0 scope of work with a not to exceed contract authority of \$4,400,995 for the period of September 1, 2020 through December 31, 2021.
- 2.1.7 Approve a recommendation to the Sites Project Authority and approve CH2M Hill Engineers, Inc.'s (CH2M) (Engineering-Conveyance) Amendment 2 Task Order No. 3.0 scope of work with a not to exceed contract authority of \$3,356,849 for the period of September 1, 2020 through December 31, 2021.
- 2.1.8 Approve a recommendation to the Sites Project Authority and approve AECOM (Engineering - Reservoir) Amendment 2 Task Order No. 3.0 scope of work with a not to exceed contract authority of \$1,765,758 for the period of September 1, 2020 through December 31, 2021.
- 2.1.9 Approve a recommendation to the Sites Project Authority and approve Fugro USA Land, Inc.'s (Fugro) (Geologic/Geotechnical Services) Amendment 2 Task Order No. 3.0 scope of work with a not to exceed contract authority of \$2,079,804 for the period of September 1, 2020 through December 31, 2021.

- 2.2 Approve updated Funding Credit and Reimbursement Policy. **(Attachment A)**

Action: It was moved by Traynham, seconded by Nuedeck to approve the updated Sites Reservoir Project, Phase 1 & 2 Funding Credit and Reimbursement Policy, as submitted. Motion carried unanimously.

3. Discussion and Information Items:

- 3.1 Review and comment on the approach being taken to address comments from conservation organizations on the 2017 Draft Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) in the development of the Revised EIR/Supplemental EIS. **(Attachment A)**

Ms. Forsythe provided an overview of the approach being taken to address comments from conservation organizations on the 2017 Draft EIR/EIS in development of the Revised EIR/Supplemental EIS and spoke to the following:

- Receipt of 11 comment letters by the Authority and Reclamation from conservation organizations on the 2017 Draft EIR/EIS.
- Authority proactively addressing the concerns raised in these comment letters in the development of the Revised EIR/Supplemental EIS.
- Staff reaching out to commenters in October to discuss their concerns and how to address them.
- Current Efforts by Staff.
- Comments/Issues Raised:
 - Project description and range of alternatives.
 - Modeling approach, modeling baseline and modeling analysis.
 - Operational impacts to fisheries.
 - Impacts to Trinity River resources.
 - Indian Trust Assets and impacts to Tribal Cultural Resources.
 - Impacts to terrestrial species.
 - Water quality.
 - Water rights.
 - Geotechnical and geological data and seismicity.
 - Cumulative impacts.
- Addressed through:
 - Revisions to the project description to incorporate changes as a result of Value Planning.
 - Clarify baseline/existing conditions.
 - Clarify study areas for resource sections.
 - Update with current information and analyses (i.e., water and air quality, Tribal cultural resources, terrestrial).
 - Update hydrologic modeling and fisheries analyses based on current information.

- Clearly identify and support there will be no negative impacts to the Trinity River and its resources.
- Closely look at impacts of the revised project along with mitigation measures to ensure they are specific, robust, supported by evidence and address the driving factors.
- Improve organization, layout and make reader friendly.
- Next Steps:
 - Continue development of the Revised EIR/Supplemental EIS.
 - Begin reaching out to commenters in October to discuss their comments and how comments will be addressed in the development of the Revised EIR/Supplemental EIS.

Discussion followed with no action taken.

3.2 Review and comment on Permitting and Agreement List. **(Attachment A)**

Mr. Brown provided an overview of the Permitting and Agreement List stating the list identifies permit/agreement, purpose/key components anticipated to be addressed in the permit/agreement, negotiation timeframe, lead negotiators, negotiation teams and the workgroups involved.

Discussion followed with no action taken.

3.3 Receive status update on preliminary participation levels, outreach efforts related to maintaining project subscription in Second Amendment to 2019 Reservoir Project Agreement (Amendment 2) and the process of rebalancing participation. **(Attachment A)**

Mr. Robinette provided an update on the preliminary participation levels, outreach efforts and the process of rebalancing participation and spoke to the following:

- Updated Participation as of August 21, 2020.
- Reduced Participation Work Plan Impact.
- Potential reduction in participation of 20,000 AF-reduces revenue by \$2m.
- Second cash call likely close to full \$40/AF.
- Contributed Credit Correction:
 - August 2019 correction to \$48.50/AF for all participants approved.
 - Treasurer recommendation: participants who did not reduce at end of Phase 1 (no contributed credit balance) will be invoiced.

Brief discussion followed with no action taken.

3.4 Review and Comment on Engineering Feasibility Approach for Improved Cost Certainty.

Mr. Luu provided a review on the Engineering Feasibility Approach for Improved Cost Certainty and briefly spoke to the following:

- Improved Cost Estimate Certainty.
- Improved Cost Estimate: Uncertainty, Implications and Mitigation Strategy:
 - Geologic and Geotechnical Data.
 - Colusa Basin Drain (CBD) Feasibility.
 - Regulatory Required Emergency Drawdown and Release Impact.
 - Power Transmission and Delivery.
 - Salt Laden Spring Water in Reservoir Area.
 - Agency Coordination and Reviews.

Brief discussion followed with no action taken.

3.5 Receive report by Legal Counsel reviewing provisions of the Ralph M. Brown Act related to closed sessions. **(Attachment A)**

Mr. Kuney provided a report regarding provisions of the Ralph M. Brown Act related to closed sessions and spoke to appropriate items that could be heard in closed session, rules of reporting out in open session, who can attend the closed sessions and confidentiality of matters discussed in closed session. Brief discussion followed with no action taken

4. **Reports:**

4.1 **Member's Reports:**

4.1.1 **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 Bettner thanked Executive Director Brown for the August 13, 2020 Workshop on the Strategic Planning Session.

4.1.2 **Workgroup Chairpersons' Report:**

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

None.

4.1.3 **Reservoir Committee Participant Reports:**

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

None.

4.2 Executive Director's Reports:

- Monthly status report. **(Attachment A)**
- Welcomed Nina Hawk, Metropolitan WD, Alternate-Reservoir Committee.
- Congressman Garamendi's proposed Bill - WIFIA.
- Animation/Video which describes Sites Operations.
- Strategic Planning Session.
- SOQ for Water Rights Attorney.

5. Future Meetings and Schedules:

5.1 Suggested Future Agenda Items.

- Revisit Advanced Check Policy.

5.2 Upcoming meeting:

Joint Authority Board & Reservoir Committee

Thursday, September 17, 2020 1:00 PM
TBD

The meeting adjourned at 11:06 a.m.



Thad Bettner
Chairman



Jerry Brown
Executive Director

Roll Call

Current Voting Committee Participants (21):

	<i>Pct</i>	<i>Participant</i>	
<input checked="" type="checkbox"/>	3.42	American Canyon, City	
<input type="checkbox"/>	2.51	Antelope Valley-East Kern WA	
<input type="checkbox"/>	2.46	Carter MWC	
<input checked="" type="checkbox"/>	4.97	Coachella Valley WD	
<input type="checkbox"/>	4.97	Colusa County	
<input checked="" type="checkbox"/>	5.49	Colusa Co. WD	(1)
<input checked="" type="checkbox"/>	2.50	Cortina WD	(1)
<input checked="" type="checkbox"/>	2.90	Davis WD	
<input checked="" type="checkbox"/>	0.00	Department of Water Resources (non-voting)	
<input checked="" type="checkbox"/>	4.06	Desert WA	
<input checked="" type="checkbox"/>	3.09	Dunnigan WD	
<input checked="" type="checkbox"/>	3.68	Glenn-Colusa ID	
<input checked="" type="checkbox"/>	2.64	LaGrande WD	(1)
<input checked="" type="checkbox"/>	15.34	Metropolitan WD	
<input checked="" type="checkbox"/>	3.42	Reclamation District 108	
<input checked="" type="checkbox"/>	7.93	San Bernardino Valley MWD	
<input checked="" type="checkbox"/>	6.01	San Geronio Pass WA	
<input checked="" type="checkbox"/>	6.53	Santa Clara Valley WD	
<input checked="" type="checkbox"/>	3.67	Santa Clarita Valley WA	
<input checked="" type="checkbox"/>	6.27	Westside WD	
<input checked="" type="checkbox"/>	3.17	Wheeler Ridge-Maricopa WSD	(2)
<input checked="" type="checkbox"/>	0.00	US Bureau of Reclamation (non-voting)	
<input checked="" type="checkbox"/>	4.97	Zone 7 WA	
	100.00	Total	

18 Voting members represented at Meeting start

90.06% Represented participation percentage

Representation has been delegated as follows:

- (1) To Jamie Traynham, Davis WD
- (2) To Robert Cheng, Coachella Valley WD

(±) Not present after _____

Current Voting Reservoir Committee Participants (21):

<i>Participant</i>	<input checked="" type="checkbox"/> <i>Representative</i>	<input checked="" type="checkbox"/> <i>Alternate</i>	<i>Others</i>
American Canyon, City	<input checked="" type="checkbox"/> Rick Kaufman	<input type="checkbox"/> Felix Hernandez III Jason Holley	
AVEK WA	<input type="checkbox"/> Dwayne Chisam	<input type="checkbox"/> Dan Flory	
Carter MWC	<input type="checkbox"/> Ben Carter	<input type="checkbox"/> Ann Carter	
Coachella Valley WD	<input checked="" type="checkbox"/> Robert Cheng	<input checked="" type="checkbox"/> Ivory Reyburn	
Colusa County.	<input type="checkbox"/> Mike Azevedo	<input type="checkbox"/> Gary Evans	
Colusa Co. WD	<input type="checkbox"/> Shelley Murphy	<input type="checkbox"/> Joe Marsh	<input checked="" type="checkbox"/> Jamie Traynham
Cortina WD	<input type="checkbox"/> Jim Peterson	<input type="checkbox"/> Chuck Grimmer	<input checked="" type="checkbox"/> Jamie Traynham
Davis WD	<input checked="" type="checkbox"/> Jamie Traynham	<input type="checkbox"/> Tom Charter	
Desert WA	<input type="checkbox"/> Mark Krause	<input checked="" type="checkbox"/> Steve Johnson	
Dunnigan WD	<input checked="" type="checkbox"/> Bill Vanderwaal	<input type="checkbox"/>	<input checked="" type="checkbox"/> Jamie Traynham
Glenn-Colusa ID	<input checked="" type="checkbox"/> Thad Bettner	<input type="checkbox"/> Don Bransford	
LaGrande WD	<input type="checkbox"/> Zach Dennis	<input type="checkbox"/> Ken LaGrande	<input checked="" type="checkbox"/> Jamie Traynham
Metropolitan WD	<input checked="" type="checkbox"/> Randall Neudeck	<input checked="" type="checkbox"/> Nina Hawk	
RD 108	<input checked="" type="checkbox"/> Bill Vanderwaal	<input type="checkbox"/> Blair Lewis	
San Bernardino V MWD	<input checked="" type="checkbox"/> Bob Tincher	<input type="checkbox"/> Heather Dyer	
San Geronio Pass WA	<input checked="" type="checkbox"/> Jeff Davis	<input checked="" type="checkbox"/> Lance Eckhart	
Santa Clara Valley WD	<input type="checkbox"/> Cindy Kao	<input checked="" type="checkbox"/> Eric Leitterman	
Santa Clarita Valley WA	<input checked="" type="checkbox"/> Dirk Marks	<input type="checkbox"/> Steve Cole	
Westside WD	<input type="checkbox"/> Allan Myers	<input checked="" type="checkbox"/> Dan Ruiz	
Wheeler Ridge-Maricopa WSD	<input type="checkbox"/> Rob Kunde	<input type="checkbox"/>	<input checked="" type="checkbox"/> Robert Cheng
Zone 7 WA	<input checked="" type="checkbox"/> Amparo Flores	<input type="checkbox"/> Carol Mahoney <input type="checkbox"/> Jarnail Chahal <input checked="" type="checkbox"/> Valerie Pryor	

Non-Voting Committee Participants (2):

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

Authority, Non-Signatory (6):

<i>Participant</i>	✓ <i>Representative</i>	✓ <i>Alternate</i>
Glenn County	<input type="checkbox"/> John Viegas	<input type="checkbox"/>
PCWA	<input type="checkbox"/> Ed Horton	<input type="checkbox"/> Ben Barker
		<input type="checkbox"/> Darin Reintjes
Roseville	<input type="checkbox"/> Sean Bigley	<input type="checkbox"/> Trevor Joseph
		<input checked="" type="checkbox"/> Jason Marks
Sacramento, City of	<input type="checkbox"/> Jeff Harris	<input type="checkbox"/> Anne Sanger
Sacramento County WA	<input type="checkbox"/> Kerry Schmitz	<input type="checkbox"/> Michael Peterson
Tehama-Colusa Canal Authority	<input type="checkbox"/> Jeff Sutton	<input type="checkbox"/>

Staff:

✓ <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Jerry Brown	Executive Director
<input checked="" type="checkbox"/> Forsythe, Ali	Sites Project Authority
<input 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	Board Clerk
<input checked="" type="checkbox"/> Kivett, Marcia	Admin

Consultants:

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

✓ <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Luu, Henry	HDR
<input checked="" type="checkbox"/> McDonald, Connor	CMD West
<input checked="" type="checkbox"/> Robinette, JP	Brown & Caldwell
<input type="checkbox"/> Rude, Peter	Ch2m
<input type="checkbox"/> Spranza, John	HDR
<input type="checkbox"/> Tull, Rob	Ch2m
<input type="checkbox"/> Warner Herson, Laurie	Phenix

Reservoir Committee Meeting

2020 August 21

Other Attendees:

<i>Name</i>	<i>Representing</i>	<i>Contact (Phone & E-mail)</i>
Laura Nicholson	Office of Senator Nielson	Stephen Heter in the morning.
Juleah Cordi	Office of Assemblyman James Gallagher	
Cathy Westcot	HDR	
Scott Brown	Larsen Wurzel	
Katrina Jessop	Valley Water	
Alan Doud	Young Woolridge	
Charles Gardiner	Catalyst Group	
Alex Vdovichenko	DWR	
Scott De Moss	Glenn County	