Meeting: Sites Reservoir Project October 22, 2021

Subject: Reservoir Committee Meeting 9:00 AM - 12:00 PM

Location: Click here to join the meeting Call in: 1-213-379-5743

ID: **431 764 717**#

Chair: Jeff Davis (San Gorgonio Pass Water Agency)

Vice Chair: Bill Vanderwaal (Reclamation District 108 and Dunnigan Water District)

Treasurer: Jamie Traynham (Davis Water District)

MINUTES

CALL TO ORDER:

Chairman Davis called the Reservoir Committee Meeting of October 22, 2021 to order at the hour of 9:00 a.m., followed by the Pledge of Allegiance.

ROLL CALL:

Roll of the Reservoir Committee was called (Attachment A), which resulted in 20 eligible representatives. This equated to 92.06% 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.

AGENDA APPROVAL:

It was moved by Azevedo, seconded by Tincher to approve the October 22, 2021 Reservoir Committee Agenda. Motion carried unanimously.

ANNOUNCEMENT OF CLOSED SESSION:

Counsel Doud announced the Reservoir Committee would consider Closed Session matters as follows:

- 5.1 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)).
- Negotiations concerning water rights application, conditions and agreements with Sacramento River entities (Govt. Code §§54956.9(c) and 54956.9(d)(4)).

5.3 Public Employee Performance Evaluation, Executive Director (Govt. Code §§54957).

Counsel Doud also provided a brief overview of Public/teleconference meetings pursuant to the Brown Act Provision as provided under Assembly Bill 361. Brief discussion followed with no action taken.

PERIOD FOR PUBLIC COMMENT:

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

1. <u>CONSENT AGENDA</u>: Chairman Davis made time to consider Consent Agenda Item Numbers 1.1 through 1.6.

Ms. Traynham stated that on page 6, of the September 22, 2021 Joint Reservoir Committee & Authority Board Meeting Minutes, Action Item 2.3, the word "by" needs to be added to the motion in front of Mr. Kunde's name.

Chairman Davis stated the Minutes would be corrected.

- 1. <u>ACTION/CONSENT AGENDA</u>: It was moved by Marks, seconded by Cheng to approve Consent Agenda Item Numbers 1.1 through 1.6 as follows:
- 1.1 Approve the September 22, 2021 Joint Reservoir Committee & Authority Board Meeting Minutes, as corrected. (Attachments A & B)
- 1.2 Accept the Sites Project Authority Treasurer's Report. (Attachment A)
- 1.3 Approve the Payment of Claims. (Attachments A, B & C)
- 1.4 Authorize teleconference meetings, pursuant to Brown Act Provision provided under Assembly Bill 361, effective through November 21, 2021.
- 1.5 Approve the 2022 Reservoir Committee Meeting Calendar and recommend the coordinated 2022 Authority Board Meeting Calendar. (Attachment A)
- Approve a recommendation to the Authority Board to approve a task order amendment with CH2M Hill Engineers, Inc., Service Area D Operations Modeling, for additional scope of work related to project modeling analysis. The requested amendment increases the total task order amount by \$175,000 bringing the not-to-exceed task order amount to \$2,269,564 for work done during Amendment 2.

Motion carried unanimously.

2. ACTION ITEMS:

Chairman Davis made time to consider Action Item 2.1 as follows:

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- 2.1 Authorize the Executive Director to submit the Final WSIP 75% Non-Public Cost Share Commitment materials to comply with Prop 1 conditions and continued eligibility of WSIP funds as follows:
 - a. Letter Demonstrating Commitment of Non-Public Benefit cost. (Attachment A)
 - b. Endorse 2021 Drafts of the Plan of Finance and Guiding Principles and Preliminary terms and direct the Executive Director to transmit 2021 Drafts to Project Members for their Agency review and comment. (Attachment B & C)

Executive Director Brown and Mr. Robinette provided a brief overview of the Final WSIP 75% Non-Public Cost Share Commitment materials to comply with Prop 1 conditions.

Executive Director Brown also requested that items a) Letter Demonstrating Commitment of Non-Public Benefit cost and b) Endorse 2021 Drafts of the Plan of Finance and Guiding Principles and Preliminary terms be considered as separate motions. Discussion followed.

2.1a <u>ACTION</u>: It was moved by Tincher, seconded by Flores to recommend to the Authority Board to authorize the Executive Director to submit the Final WSIP 75% Non-Public Cost Share Commitment materials to comply with Prop 1 conditions and continued eligibility of WSIP funds as follows:

Letter Demonstrating Commitment of Non-Public Benefit cost

Motion carried unanimously.

2.1b Chairman Davis made time to consider endorsement of 2021 Draft of the Plan and Finance Guiding Principles and Preliminary terms.

Mr. Robinette provided a brief overview of the 2021 Draft of the Plan and Financing Guiding Principles and Preliminary Terms. Discussion followed.

Mr. Neudeck informed Chairman Davis that he would be abstaining on this matter only because he did not want to endorse the 2021 Draft of the Plan and Finance Guiding Principles and Preliminary Terms before going before their Home Board. Further discussion followed.

<u>ACTION:</u> It was moved by Kunde, seconded by Vanderwaal to recommend to the Authority Board to endorse the 2021 Drafts of the Plan of Finance Guiding Principles and Preliminary Terms and direct the Executive Director to transmit the 2021 Drafts to Project Members for their Agency review and comment. Motion carried unanimously, except for Neudeck, Metropolitan Water District, who abstained.

2.2 Approve a new Procurement and Contract Policy. (Attachment A)

<u>ACTION:</u> It was moved by Tincher, seconded by Cheng to recommend to the Authority Board to approve a new Procurement and Contract Policy. Motion carried unanimously.

3. Discussion and Information Items:

3.1 Review and Comment on the Amendment 3 Project Agreement Approval Process including estimated participation levels, outreach and rebalancing, and schedule.

Executive Director Brown provided an update on the Amendment 3 Project Agreement Approval Process and spoke to the Soft Call Survey Results. He also requested that those who have not submitted their survey please do so.

Chairman Davis asked those participants who had not completed the survey for their anticipated timing of home board review/approval of the Amendment 3 Project Agreement and participation (AF).

The following participants responded as follows:

Participants	Participation level and date will be
	taken to Home Boards

Antelope Valley-East Kern
Carter MWC
City of American Canyon
Colusa County

Absent
Same and to Board TBD

Cortina WD Absent

Davis WD Don't know and to Board in Nov 2021
Desert WA Same and uncertain when will take

to Board yet

Glenn-Colusa ID Don't know and to Board in Dec 2021

La Grande Absent

MWD of Southern CA Don't know yet
Santa Clarita Valley Same and to Board in Feb/March

2022

Westside WD Don't know and to Board in Jan 2022

Executive Director Brown also spoke to the following:

Expressed Interest in re/new Participation:

- Bureau of Reclamation (an increase from 7% to 25% investment.)
- Woodland Davis Clean Water Agency (2,000-5000 annualized AF).

Discussion followed with no action taken.

3.2 Review and comment on the Amendment 3 Key Consultant Task Order Summary.

Mr. Maltby provided an update on the Amendment 3 Key Consultant Task Order Summary and spoke to the following:

Work Plan and Task Order Schedule

April 2021 - Review Amendment 3 Draft Org Chart and Work Plan Goals & Objectives.

May 2021 - Review Amendment 3 Expense and Cash Flow Estimates.

June 2021 - The decision to Proceed with a 36-month Work Plan.

September 2021 - Approval of Amendment 3 Project Agreement and Work Plan.

October 2021 - Review Key Consultant Task Order Summary.

November 2021 - Approve Key Consultant Task Order Summary, Review Support Consultant Task Order Summary, Revisit Budget Allocation.

December 2021 - Approve Support Consultant Task Order Summary.

Draft Task Orders Summary – Key Consultant

- Subject Area/Firm Task Order Budget Work Plan Budget
- Key Consultant Service Area Task Order Budget (Preliminary)

Comparison to Amendment 2

All information is related to Key Consultant Draft Task Orders Only

- % of Total Expenses Dedicated to Project Management
 - o Amendment 2 = 6.0%
 - o Amendment 3 = 5.3%
 - o Change = 0.7%
- Weighted Average Hourly Rate
 - o Amendment 2 = \$184
 - Amendment 3 = \$180
 - Change = -2.4%
- Number of FTEs
 - Amendment 2 = 49.1
 - o Amendment 3 = 65.4
 - o Change = +33%

Discussion followed with no action taken.

3.3 Receive an update on status of the development of the Authority's water right permit application, including the approach for the water availability analysis.

Ms. Forsythe provided an update on the status of the development of the Authority's water right permit application and approach for the water availability analysis and spoke to the following:

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Place of Use and Points of Rediversion

- Place of Use:
 - Changes to North of Delta areas reflecting discussions with member agencies.
- Points of Rediversion:
 - o Addition to include more South of Delta facilities for refuge needs.
 - Continue discussions with a few members to refine and possible add more.
 - o Map for the North of Delta and South of Delta-place of use.

Water Availability Analysis

- Purpose:
 - Demonstrate a "reasonable likelihood" of water available for appropriation.

Background

- Sites Project is focused on diverting high winter flows into storage for later use.
- Diversion Criteria:
 - Outside the fully Appropriated Stream season (September mid-June).
 - o Permit to include Term 91.
 - Delta is in Excess Conditions.
 - Specific Sites diversion/bypass criteria.
- Dual Approach:
 - CalSim II Modeling:
 - Used for CEQA and NEPA; and refinement for the BA, ITP and Final EIR/EIS.
- Historical Analytical Approach:
 - Historical stream gauge data.
 - o Existing minimum flow requirements.
 - o Face value of downstream post-1914 water rights.
 - o Reported use for pre-1914 and riparian rights.
 - Delta Conditions (Balanced/Excess.)
 - Layer in Sites' specific bypass requirements.
- Initial analysis is completed for Sacramento River from Red Bluff to Freeport.
- Currently incorporating Delta analysis.
- Next step is Funks Creek and Stone Corral Creek.
- On-going discussions with State Board staff on approach.

Discussion with Other Water Right Holders

- Meetings to other water right holders:
 - Proactively address concerns and avoid/less likelihood of protests.
 - Establish early relationships to address concerns expeditiously.
 - o Additional meetings planned for November/December.

 Goal is to maintain an aggressive schedule for the water right approval process by proactively identifying and addressing concerns.

Discussion followed with no action taken.

4. Reports:

4.1 <u>Member's Reports</u>:

4.1.1 Chairpersons' Report:

Chairman Davis deferred making a report due to time constraints.

4.1.2 Workgroup Chairpersons' Report:

Environmental & Permitting

Chairman Davis stated the Environmental & Permitting Workgroup met regarding ongoing environmental permitting issues.

Budget and Finance - None.

Reservoir Ops & Engineering

Mr. Kunde stated the Reservoir Ops and Engineering Workgroup met and discussed the following:

- Geotechnical investigation matters
- Review of Sites operational plan being developed by Sites for Sites.

Coordination

Chairman Davis stated the Coordination Workgroup met and discussed Agenda items to be considered in the next couple of months and the Executive Director's Performance Evaluation.

Authority Board-Land Management Committee

Director Evans stated a meeting of the Land Management Committee was held two weeks ago regarding Geotech matters.

Communications

Ms. Katz provided an update on the many various activities on behalf of the Sites Project. Brief discussion followed.

4.1.3 Reservoir Committee Participant Reports:

San Bernardino Valley MWD

Mr. Tincher expressed his appreciation to Executive Director Brown for the monthly Status Report, stating he presents this report to his Board every month.

Ms. Murphy expressed her appreciation to Executive Director Brown, Mr. Robinette and staff for their assistance with the Landowner Meeting held at the Sites Office in Maxwell.

4.2 <u>Executive Director's Reports</u>:

Executive Director Brown provided a brief update on the following:

- Monthly status report. (Attachment A)
- Work Plan Key Deliverables Report. (Attachment B)
- Meetings Action Items Summary. (Attachment C)

Discussion followed with no action taken.

Chairman Davis declared a recess at 11:00 a.m., to convene into Closed Session to consider the following matters:

5. Closed Session:

- 5.1 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)).
- 5.2 Negotiations concerning water rights application, conditions and agreements with Sacramento River entities (Govt. Code §§54956.9(c) and 54956.9(d)(4)).
- 5.3 Public Employee Performance Evaluation, Executive Director (Govt. Code §§54957).

Chairman Davis adjourned Closed Session at 12:54 p.m. and reconvened into Open Session.

6. Report from Closed Session

Counsel Doud stated no reportable action was taken on the following Closed Session Matters:

- 5.1 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)).
- 5.2 Negotiations concerning water rights application, conditions and agreements with Sacramento River entities (Govt. Code §§54956.9(c) and 54956.9(d)(4)).

5.3	Public	Employee	Performance	Evaluation,	Executive	Director	(Govt.	Code
	§§5495	57).						

- 7. <u>Recap</u>:
- 7.1 Suggested Future Agenda Items.

None.

7.2 **Upcoming Meetings**:

Authority Board

Wednesday, October 27, 2021 - 1:30 to 4:00 PM

Reservoir Committee

Friday, November 19, 9:00 PM - 12:00 PM

Chairman Davis adjourned the Reservoir Committee Meeting at the hour of 12:55 p.m.

Jeff Davis, Chairman Jerry Brown, Executive Director

Meeting: Reservoir Committee October 22, 2021

Subject: Roll Call 9:00 AM - 12:00 PM

Current Voting Committee Participants (23):

	Pct	Participant
	3.37	American Canyon, City
	2.32	Antelope Valley-East Kern WA
	2.26	Carter MWC
\boxtimes	5.16	Coachella Valley WD
\boxtimes	5.16	Colusa County
\boxtimes	5.18	Colusa Co. WD
\boxtimes	2.31	Cortina WD (1)
\boxtimes	2.77	Davis WD
	0.00	Department of Water Resources (non-voting)
\boxtimes	4.11	Desert WA
\boxtimes	3.06	Dunnigan WD
\boxtimes	3.67	Glenn-Colusa ID
\boxtimes	2.47	Irvine Ranch WD

	Pct	Participant
		·
	2.47	LaGrande WD (1)
\boxtimes	17.09	Metropolitan WD
\boxtimes	3.37	Reclamation District 108
\boxtimes	2.32	Rosedale-Rio Bravo WSD
\boxtimes	8.56	San Bernardino Valley MWD
\boxtimes	6.35	San Gorgonio Pass WA
\boxtimes	2.32	Santa Clara Valley WD
\boxtimes	3.67	Santa Clarita Valley WA
\boxtimes	3.78	Westside WD
\boxtimes	3.08	Wheeler Ridge-Maricopa WSD
	.00	US Bureau of Reclamation (non-voting)
\boxtimes	5.16	Zone 7 WA
	100.00	Total

20 Voting members represented at Meeting start oximes

92.06% Represented participation percentage

Representation has been delegated as follows:

- (1) To Jamie Traynham, Davis WD
- (‡) Not present after _____

Meeting

Subject:

Attendance

9:00 AM - 12:00 PM

Current Voting	Reservoir	Committee	Participants	(23):
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Participant		Representative		Alternate/Delegate
American Canyon, City		Felix Hernandez		Jason Holley
Antelope Valley-East Kern Water Agency		Dwayne Chisam		Dan Flory
Carter Mutual Water Company		Ben Carter		Ann Carter Charlie Palmer Kendra Carter
Coachella Valley Water District		Robert Cheng	\boxtimes	Petya Vasileva
Colusa County		Mike Azevedo		Gary Evans
Colusa County Water District	\boxtimes	Shelley Murphy		Joe Marsh
Cortina Water District		Jim Peterson		Chuck Grimmer Jamie Traynham
Davis Water District	\boxtimes	Jamie Traynham		Tom Charter
Desert Water Agency	\boxtimes	Mark Krause		Steve Johnson
Dunnigan Water District	\boxtimes	Bill Vanderwaal		
Glenn-Colusa Irrigation District		Thad Bettner		Don Bransford Holley Dawley
Irvine Ranch Water District		Paul Weghorst		Kellie Welch
LaGrande Water District		Zach Dennis		Ken LaGrande Jamie Traynham
Metropolitan Water District	\boxtimes	Randall Neudeck		Nina Hawk
RD 108	\boxtimes	Bill Vanderwaal		Blair Lewis
Rosedale-Rio Bravo Water District	\boxtimes	Trent Taylor		Dan Bartel
San Bernardino Valley WD		Bob Tincher		Heather Dyer
San Gorgonio Pass WA		Jeff Davis		Lance Eckhart
Santa Clara Valley WD		Cindy Kao	\boxtimes	Eric Leitterman Andrew Garcia
Santa Clarita Valley WA	\boxtimes	Dirk Marks		Steve Cole
Westside WD		Allan Myers	\boxtimes	Dan Ruiz
Wheeler Ridge-Maricopa WSD		Rob Kunde		Sheridan Nicholas
Zone 7 WA	\boxtimes	Amparo Flores		Carol Mahoney Jarnail Chahal Valerie Pryor

Reservoir Committee Attendance

October 22, 2021

Non-Voting Committee Participants (2):

	cipant		Represe	entative/Other		Alter	nate/Other		
Dept Resou	of Water urces	\boxtimes	Rob Co	ooke		Dav	id Sandino		Alex Vdovichenko
			Ajay G	oyal	\boxtimes	Itzia	Rivera/CWC		Amy Young/CWC
Burec	au of amation		Richard	d Welsh		Don	Bader		Chris Duke
Kecic		\boxtimes	Vaness Natalie	•		-	ra Sumer nael Mosley		Jessica Boyt Shana Kaplan
Auth	ority, Non-Si	gno	atory (6) :					
Partio	cipant			Representative	e	ПА	Iternate	Α	 Iternate
PCW			\boxtimes	Ed Horton		В	en Barker		Darin Reintjes
Rose	ville			Sean Bigley		Tr	revor Joseph		Jason Marks
Sacro	amento Count	y W.	A 🗌	Jeff Harris		☐ B	Brett Ewart		Ann Sanger
Staff	:								
	Name	F	Represer	nting			Name	Re	presenting
	Brown, Jerry	5	Sites Proj	ect Authority			Trapasso, Joe	Sit	es Project Authority
	Forsythe, Ali	5	Sites Proj	ect Authority			Tirado, Yolanda	Sit	es Project Authority
	Spesert, Kevin	5	Sites Proj	ect Authority					
Cons	sultants:								
	Maria -		D - 12 12 12	1:			Maria		0
\Box	Name Alexander, Jer	ianr	Repres n Fugro	enning			Name Herrin, Jeff		Representing AECOM
	Boling, Robert		HDR			\boxtimes	Heydinger, Erin		HDR
	Briard, Moniqu	е	ICF			\boxtimes	Katz, Sara		Katz & Associates
\boxtimes	Brown, Doug		Stradlir	ng		\boxtimes	Kivett, Marcia		Brown & Caldwell
\boxtimes	Brown, Scott		LWA			\boxtimes	Alan Doud		Young Wooldridge
	Bruner, Marc		Perkins	Coie			Leaf, Robert		Ch2m
	Forrest, Mike		AECO	М		\boxtimes	Luu, Henry		HDR
	Floyd, Kim		Floyd			\boxtimes	McDonald C		CMD West
\boxtimes	Harris, Cheyan	ne	Brown	& Caldwell			Micko, Steve		Ch2m

Reservoir Committee Attendance

October 22, 2021

	Name	Representing			Name	Representing
\boxtimes	Maltby, Marcus	Brown & Caldwell			Traynham, Hailey	Brown & Caldwell
	Montague, Doug/Brian	Montague DeRose			Van Camp, Marc	MBK
	Grubbs	Assoc.			Warner Herson,	Phenix
\square	Robinette, JP	Brown & Caldwell			Laurie	
	KODINETIE, JF	brown & Calawell		₹	Westcot, Cathy	HDR
	D 11 C 1	K 0 1 1	_	_	Wesicol, Carry	HDK
ш	Rossetto, Sarah	Katz & Associates		7		1100
П			Z	7	Owens, Molly	HDR
Ш	Rude, Peter	Ch2m				
\square						
	Spranza, John	HDR				

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

Name	Representing	Contact (Phone & E-mail)
Juleah Cordi	Assemblyman Michael Gallagher's Office	
Laura Nicholson	Senator Jim Nielsen's Office	
Grace Lui	Fugro	
Erin Huang		
Andrew Garcia	Valley Water	
Itzia Rivera	CWC	
Chaudhuri Debanik		
Alex Heide		
Brian Grubbs	Montague, DeRose	
John Schlotterbeck		
Lillian Xie	Zone 7	