Meeting:

# Joint Site Reservoir Committee & Authority Board

June 17, 2022 9:00 AM - 12:00 PM

Authority Board Chair:

Fritz Durst (Reclamation District 108)

Authority Board Vice Chair:

Jeff Sutton (Tehama-Colusa Canal Authority)

Reservoir Committee Chair:

Thad Bettner (Glenn Colusa Irrigation District )

Reservoir Committee Vice-Chair:

Valerie Pryor (Zone 7 Water Agency)

Treasurer:

Jamie Traynham (Davis Water District)

#### Minutes

### CALL TO ORDER/PLEDGE OF ALLEGIANCE:

Authority Board Chair Durst called the Joint Authority Board (AB) and Reservoir Committee (RC) Meeting to order at the hour of 9:00 a.m., followed by the Pledge of Allegiance.

#### **ROLL CALL/ATTENDANCE:**

Roll of the Authority Board members was called (Attachment B) and there was a quorum present.

Roll of the Reservoir Committee was called (Attachment A), which resulted in 19 eligible representatives. This equated to 91% 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:**

Reservoir Committee Chair Bettner made time to consider approval of the June 17, 2022 Joint Meeting Agenda.

Director Evans requested that an additional Closed Session matter regarding exposure to litigation be placed on the Agenda for consideration. **Brief discussion followed.** 

## RESERVOIR COMMITTEE/AGENDA/CLOSED SESSION:

It was moved by Vanderwaal, seconded by Tincher to approve the addition of the closed session matter; potential exposure to litigation, that required immediate consideration which was not known to the Authority Board or the Reservoir Committee prior to the Agenda being posted pursuant to (Gov. Code Section 54956.9(d)(3), to the June 17, 2022 Joint Reservoir Committee and Authority Board Agenda. Motion carried as follows:

# Joint Authority Board & Reservoir Committee Meeting

June 17, 2022

AYE:

City of American Canyon, Coachella Valley WD, Colusa County, Colusa County WD, Cortina WD, Davis WD, Desert WA, Dunnigan WD, Glenn-Colusa Irrigation District, Irvine Ranch WD, LaGrande WD, Metropolitan WD, RD 108, San Bernardino Valley WD, San Gorgonio Pass WA, Santa Clara Valley WD, Santa Clarita Valley WA, Wheeler Ridge Maricopa WSD, Zone 7 WA.

NO: None.

ABSENT: Antelope Valley-East Kern WA, Rosedale-Rio Bravo WD, Westside WD.

ABSTAINED: None.

# **AUTHORITY BOARD/AGENDA/CLOSED SESSION:**

It was moved by Director Evans, seconded by Director Sutton to approve the addition of the closed session matter; potential exposure to litigation that required immediate consideration, which was not known to the Authority Board or the Reservoir Committee prior to the Agenda being posted pursuant to (Gov. Code Section 54956.9(d)(3), to the Joint Reservoir Committee and Authority Board June 17, 2022 Agenda. Motion carried as follows:

AYE: Colusa County, Colusa County WD, Glenn County, Glenn-Colusa

Irrigation District, RD 108, Placer County WA, Tehama-Colusa Canal

Authority, City of Sacramento.

NO: None.

ABSENT: Westside WD.

ABSTAINED: None.

#### AGENDA APPROVAL/RESERVOIR COMMITTEE:

It was moved by Pryor, seconded by Azevedo to approve the June 17, 2022 Joint Reservoir Committee and Authority Board Meeting Agenda, as amended.

Motion carried unanimously.

# AGENDA APPROVAL/AUTHORITY BOARD:

It was moved by Director Evans, seconded by Director Allen to approve the June 17, 2022 Joint Reservoir Committee and Authority Board Meeting Agenda, as amended. **Motion carried: All Directors present voted yes.** 

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

Counsel Doud announced the Authority Board of Directors and the Reservoir Committee members would consider Closed Session matters as follows:

#### 5. <u>Closed Session</u>:

Negotiations concerning water rights permit terms and conditions (Govt. Code §54956.9(c) and §54956.9(d)(4)).

- 5.2 Negotiations concerning Sites Project operation terms, conditions, and agreements with the Department of Interior, Bureau of Reclamation (Gov. Code 54956.6(c)).
- 5.3 Negotiations concerning Sites Project operation terms, conditions and agreements with the United States Fish & Wildlife Service (Govt. Code §§54956.9(c)).
- 5.4 Potential exposure to Litigation that required immediate consideration and which was not known to the Authority Board or the Reservoir Committee prior to the Agenda being posted pursuant to (Gov. Code Section 54956.9(d)(3).

#### PERIOD FOR PUBLIC COMMENT:

Authority Board Chair Durst called for a period of public comment. Hearing none, he closed the period for public comment.

#### 1. CONSENT AGENDA:

Reservoir Committee Chair Bettner and Authority Board Chair Durst made time to consider consent agenda items 1.1 through 1.4 as follows:

- 1.1 Consider approval of May 20, 2022, Reservoir Committee Meeting Minutes.
- 1.2 Consider approval of May 25, 2022, Authority Board Meeting Minutes.
- 1.3 Consider acceptance of the Sites Project Authority Treasurer's Report.
- 1.4 Consider approval of the Payment of Claims.

# **CONSENT AGENDA/RESERVOIR COMMITTEE:**

It was moved by Murphy, seconded by Pryor to approve Consent Agenda Item Numbers 1.1 and 1.3 through 1.4, except for 1.2, the Authority Board Meeting Minutes of May 25, 2022. **Motion carried unanimously.** 

#### **CONSENT AGENDA/AUTHORITY BOARD:**

It was moved by Director Arnold, seconded by Director Allen to approve Consent Agenda Item Numbers 1.2 through 1.4, except for 1.1 the Reservoir Committee Meeting Minutes of May 20, 2022. **Motion carried**: **All Directors present voted yes.** 

#### 2. Action Items:

2.1 Consider approval of the following actions: a) add new scope for increased real estate actions to the Amendment 3 work plan to include an initial budget of \$2 million from the Phase 2 - Amendment 3 undesignated funds and b) amend the approved Fiscal Year 2022 Annual Budget to include \$500,000 for planned real estate actions.

Mr. Spesert gave a presentation on Amendment 3 Budget for Real Estate Actions and spoke to the following:

 Develop and implement land agreements could help provide a higher likelihood of land access for fieldwork, Develop and implement

- actions and land agreements to increase the certainty of future parcel availability
- \$2 million to cover the proposed real estate scope in Amendment 3, Propose a portion of the \$9.3M undesignated carryover funds from A2 to be assigned to cover these expenses
- FY2022 Annual Budget to increase by \$500,000 to a total annual budget of \$43,350,981, Any unused funds would be reallocated to FY 2023

# **ACTION/RESERVOIR COMMITTEE:**

It was moved by Tincher, seconded by Azevedo to recommend to the Authority Board to approve the following actions: a) add new scope for increased real estate actions to the Amendment 3 work plan to include an initial budget of \$2 million from the Phase 2 — Amendment 3 undesignated funds and b) amend the approved Fiscal Year 2022 Annual Budget to include \$500,000 for planned real estate actions.

Motion carried unanimously.

### **ACTION/AUTHORITY BOARD:**

It was moved by Director Harris, seconded by Director Evans to approve the following actions: a) add new scope for increased real estate actions to the Amendment 3 work plan to include an initial budget of \$2 million from the Phase 2 - Amendment 3 undesignated funds and b) amend the approved Fiscal Year 2022 Annual Budget to include \$500,000 for planned real estate actions. Motion carried: All Directors present voted yes.

2.2 Consider authorizing the Executive Director to submit the Project's 2023-2026 application to the United States Fish and Wildlife Service for a Bald and Golden Eagle Protection Act Short-Term Disturbance "Take" Permit for Geotechnical Activities to the United States Fish and Wildlife Service.

Ms. Forsythe gave a presentation on the Bald and Golden Eagle Protection Act Short-Term Disturbance Take Permit for Geotechnical Activities Application and spoke to the following:

Measures to reduce amount of take include:

 Construction windows and buffer areas, 1 mile for golden eagles, 660 feet for bald eagles, Construction best management practices, Preconstruction surveys, Access restrictions, Biological monitoring

Mitigation Requirements

- USFWS in-lieu fee program for power-pole retrofit, Uses standard USFWS Resource Equivalency Analysis methodology for mitigation (used nation-wide)
- Mitigation costs estimated to be no more than \$450,000, Mitigation can roll forward if not used, including into long term effects

Eagle Permit Nest Steps

June 2022

 Submit Short-term Eagle Take Permit to USFWS, Coverage for geotechnical activities from January 2023 through December 2026

Late 2023 or Early 2024

 Submit Eagle Conservation Plan for construction and long-term effects. It would include a nest removal permit for Golden Gate bald eagle nest site

Brief discussion followed.

# **ACTION/RESERVOIR COMMITTEE:**

It was moved by Cheng, seconded by Vanderwaal to recommend to the Authority Board to authorize the Executive Director to submit the Project's 2023-2026 application to the United States Fish and Wildlife Service for a Bald and Golden Eagle Protection Act Short-Term Disturbance "Take" Permit for Geotechnical Activities to the United States Fish and Wildlife Service. Motion carried unanimously.

# **ACTION/AUTHORITY BOARD:**

It was moved by Director Sutton, seconded by Director Arnold to authorize the Executive Director to submit the Project's 2023-2026 application to the United States Fish and Wildlife Service for a Bald and Golden Eagle Protection Act Short-Term Disturbance "Take" Permit for Geotechnical Activities to the United States Fish and Wildlife Service. Motion carried: All Directors present voted yes.

## 3. <u>Discussion and Information Items:</u>

3.1 Review and comment on the Financing Action Plan Roadmap and next steps for the Plan of Finance. Volunteer for an ad-hoc subcommittee tasked with developing the WIFIA loan application.

Mr. Robinette spoke to the following:

WIFIA Schedule Drivers

- JPA Indicative Rating (Nov. 2022)
- Submit WIFIA Application (March 2023), Receive Water Right Order and Permit (Dec 2023)
- Negotiate terms/close WIFIA loan (March 2024), Enter Financing (July 2024)
- Ad-hoc Subcommittee, Master Resolution

Mr. Cheng expressed interest in the opportunity for Coachella Valley Water District to volunteer for the ad-hoc subcommittee and noted that he has prior experience in receiving the WIFIA loan.

3.2 Review and comment on the approach and timing for developing updated board-level decision-making criteria to be considered for implementation through future project phases.

Executive Director Brown discussed a possible ad-hoc workgroup for the governance topic.

Ms. Traynham spoke to the history of the current bylaws and explained there was previously a Governance Committee as part of the original JPA Board. The previous Governance Committee spent many meetings constructing the bylaws at the committee level to present to the original JPA. Ms. Traynham noted that when the Reservoir Committee began, the RC reviewed the bylaws and the only change made was the weighted voting.

Brief discussion followed.

3.3 Review and comment on the formation of public engagement working groups.

Mr. Spesert gave a presentation on forming public engagement working groups and spoke to the following:

- Need for a meaningful, productive vehicle for local community input and two-way communication
- Identify local challenges and potential solutions, maximize project benefits to the local community
- Local community working group & Tribal Government working group
- Potential topics of discussion
  - Community: Traffic, economic/jobs, land use planning issues, community benefits
  - Tribal: Cultural resources protection, preservation of Tribal history
- Local community participation
  - Should include representation from the AB and RC, Focus on local community agencies and organizations, try to represent a broad cross-section of the local community
  - Will rely on local participants to identify appropriate organizations, Geographic coverage (Colusa, Glenn, and Yolo)
- Identify and engage with potential participants to gauge interest, Set first meeting date and send invitations, Hold first meeting (tentatively August 2022)

Brief discussion followed.

3.4 Receive an update on the status of the Federal Endangered Species Biological Assessment and California Endangered Species Act's Incidental Take Permit Application for the Project's operational components.

Ms. Forsythe spoke to the following:

• Biological Assessment / State Operations ITP Application

- Biological Assessment / State Operations ITP Application
- · Completion of operations modeling
- Longfin Smelt update

Brief discussion followed.

### 4. Reports:

## 4.1 Chairpersons' Reports:

Authority Board Chair Durst spoke to his upcoming lunch with the Yoch Dehe Tribe.

# 4.1 Committee & Workgroup Chairpersons' Reports:

# Reservoir Operations & Engineering Workgroup

Mr. Kunde noted the June O&E meeting was rescheduled for July 12<sup>th</sup>.

Mr. Robinette gave an update on the Sites Contractor meeting that was held in Maxwell on June  $9^{\rm th}$ . He noted there were sixty signatures on the sign-in sheet, not including staff, and many contractors signed up for 1 on1 meetings.

# Authority Board/Legislative & Outreach

Director Sutton noted he gave a presentation on the Sites Project at the ACWA tour of Shasta Reservoir.

# 4.3 <u>Authority Board & Reservoir Committee Participant Reports:</u>

Mr. Vanderwaal noted that RD108's 150th-anniversary celebration will be held in Grimes on June 29th.

## 4.4 Executive Director's Reports:

Executive Director Brown spoke to the following:

- Monthly status report, cash call status
- LA Times Editorial Interview
- Meeting with Secretary Wade Crowfoot
- Work Plan Key Deliverables Report
- Meetings Action Items Summary

Authority Board Chair Durst declared a recess at 10:55 a.m., and convened into Closed Session to consider the following matter:

#### 5. <u>Closed Session</u>:

- 5.1 Negotiations concerning water rights permit terms and conditions (Govt. Code §54956.9(c) and §54956.9(d)(4)).
- 5.2 Negotiations concerning Sites Project operation terms, conditions, and agreements with the Department of Interior, Bureau of Reclamation (Gov. Code 54956.6(c)).
- 5.3 Negotiations concerning Sites Project operation terms, conditions and agreements with the United States Fish & Wildlife Service (Govt. Code §§54956.9(c)).

5.4 Potential exposure to Litigation that required immediate consideration and which was not known to the Authority Board or the Reservoir Committee prior to the Agenda being posted pursuant to (Gov. Code Section 54956.9(d)(3).

Authority Board Chair Durst adjourned closed session at 12:11 p.m. and reconvened into Open Session.

# 6. Report from Closed Session:

Counsel Doud stated as to Closed Session matters there was no reportable action taken.

#### 7. Recap:

7.1 Suggested Future Agenda Items.

None.

# 7.2 **Upcoming Meetings**:

# Joint Sites Ag District Structuring Workshop

Tuesday, July 12, 2022 (9:00 - 10:30 am) Maxwell Project Office & Virtual

#### **Reservoir Committee**

Friday, July 22, 2022 (9:00 am - 12:00 pm) Maxwell Project Office & Virtual

# **Authority Board**

Wednesday, July 27, 2022 (1:30 - 4:00 pm) Maxwell Project Office & Virtual

Authority Board Chair Durst adjourned the Joint Reservoir Committee and Authority Board Meeting at the hour of 12:15 p.m.

andra Yarbrough, Board

Fritz Durst, Authority Board Chair

Thad Bettner, Reservoir Committee Chair

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Meeting:

**Reservoir Committee** 

June 17, 2022

Subject:

Roll Call

9:00 AM - 12:00 PM

# Current Voting Committee Participants (22):

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	%	Participant	
	3.47	American Canyon, City	
	2.42	Antelope Valley-East Kern WA	
$\boxtimes$	5.28	Coachella Valley WD	
$\boxtimes$	5.28	Colusa County	
$\boxtimes$	5.05	Colusa Co. WD	
$\boxtimes$	2.41	Cortina WD (1)	
$\boxtimes$	2.87	Davis WD	
$\boxtimes$	0.00	Department of Water Resources (non-voting)	
$\boxtimes$	4.22	Desert WA	
$\boxtimes$	3.17	Dunnigan WD	
$\boxtimes$	3.77	Glenn-Colusa ID	
$\boxtimes$	2.57	Irvine Ranch WD	
$\boxtimes$	2.57	LaGrande WD (1)	

	%	Participant
	17.29	Metropolitan WD
$\boxtimes$	3.47	Reclamation District 108
	2.42	Rosedale-Rio Bravo WSD
	8.70	San Bernardino Valley MWD
	6.48	San Gorgonio Pass WA
	2.42	Santa Clara Valley WD
	3.77	Santa Clarita Valley WA 🛽
	3.89	Westside WD
	3.19	Wheeler Ridge-Maricopa WSD
	.00	US Bureau of Reclamation (non-voting)
	5.28	Zone 7 WA
	100	Total

# 19 Voting members represented at Meeting start $\boxtimes$

91% Represented participation percentage

Representation has been delegated as follows:

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

Meeting

# Joint Authority Board & Reservoir Committee

June 17, 2022

Subject:

Attendance

9:00 AM - 12:00 PM

Current Voting Authority Board Participants:							
Participant	2	Representative	?	Alternate/Delegate			
Colusa County	$\boxtimes$	Gary Evans	$\boxtimes$	Mike Azevedo			
Colusa County Water District		Joe Marsh		Doug Griffen Shelly Murphy			
Glenn County		Ken Hahn	$\boxtimes$	Thomas Arnold			
Glenn-Colusa Irrigation District		Logan Dennis	$\boxtimes$	John Amaro			
Reclamation District 108	$\boxtimes$	Fritz Durst		Sean Doherty			
City of Roseville / Placer County Water Agency	$\boxtimes$	Gray Allen		Joshua Alpine			
Tehama-Colusa Canal Authority	$\boxtimes$	Jeff Sutton		Halbert Charter			
City of Sacramento / Sacramento County Water Agency	$\boxtimes$	Jeff Harris		Brett Ewart Anne Sanger			
Westside Water District		Doug Parker		Zach Dennis			
Associate Members (2 non-voting):							
Participant	?	Representative	?	Alternate			
TC4	$\boxtimes$	Jamie Traynham		Tom Charter			
Western Canal Water District	Ш	Ted Trimble		Greg Johnson			
Current Voting Reservoir Committee Participants (22):							
Participant	?	Representative	?	Alternate/Delega te			
American Canyon, City		Felix Hernandez		Jason Holley			
Antelope Valley-East Kern Water Agency		Dwayne Chisam		Dan Flory			
Coachella Valley Water District	$\boxtimes$	Robert Cheng	$\boxtimes$	Petya Vasileva			
Colusa County	$\boxtimes$	Mike Azevedo	$\boxtimes$	Gary Evans			
Colusa County Water District	$\boxtimes$	Shelly Murphy		Joe Marsh			
Cortina Water District		Jim Peterson		Chuck Grimmer Jamie Travnham			

				***************************************		
Dantinia mut		2			<b></b>	Alternate/Delega
Participant			Repres	entative	?	te
Davis Water District			Jamie Ti	raynham		Tom Charter
Desert Water Agency			Mark Kr	ause	$\boxtimes$	Steve Johnson
Dunnigan Water Distric	ct		Bill Vand	derwaal		Jake Spooner
Glenn-Colusa Irrigation	District	$\boxtimes$	Thad Be	ettner	$\boxtimes$	Holley Dawley
Irvine Ranch Water Dis	trict	$\boxtimes$	Paul We	ghorst	$\boxtimes$	Kellie Welch
LaGrande Water Distric	ct		Zach De	nnis		Ken LaGrande Jamie Traynham
Metropolitan Water District			Randall	Neudeck		Nina Hawk
RD 108		$\boxtimes$	Bill Vand	derwaal		Lewis Bair
Rosedale-Rio Bravo Wa	ter District	Ш	Trent Ta	ıylor		Dan Bartel
San Bernardino Valley	Water District	$\boxtimes$	Bob Tind	cher		Heather Dyer
San Gorgonio Pass Wat	er Agency	$\boxtimes$	Lance Ed	ckhart		Thomas Todd
Santa Clara Valley Wate		Cindy Ka	10	$\boxtimes$	Katherine Maher	
Santa Clarita Valley Water Agency			Dirk Mai	rks		Steve Cole
Westside Water Distric		Allan Myers			Dan Ruiz	
Wheeler Ridge-Maricopa Water Storage District			Rob Kunde			Sheridan Nicholas
Zone 7 Water Agency			Valerie F	<sup>o</sup> ryor		Amparo Flores
Non-Voting Committee Participants (2):						
	Represent	ative	e/	Alternate/	'Oth	
Participant	Other		?	er		
Dept of Water Resources	Rob Cooke		$\boxtimes$	Jagruti Marc	oney 🛭	Alex Vdovichenko
	X Itzia Rivera			Jim Wieking		Dave Arrate
Bureau of Reclamation	Richard We	lsh	☐ Don Bade			Chris Duke
	<ul><li>✓ Vanessa Kin</li><li>✓ Allison Jaco</li><li>✓ Natalie Tayl</li></ul>	bson		Derya Sume Michael Mos	******	] Jessica Boyt ] Shana Kaplan

Authority, Non-Signatory (6):

  Participant	?	Representati	F3	Altarnata	Altananta
		ve		Alternate	Alternate
PCWA	$\boxtimes$	Ed Horton	Ш	Ben Barker	Darin Reintjes
Roseville		Sean Bigley		Trevor Joseph	Jason Marks
Sacramento County W	/A 🖾	Kerry Schmitz		Michael Peterson	
Staff:					
2 Name	Represe	enting	2 /	Vame	Representing
Brown, Jerry	Sites Pro	ject Authority	$\boxtimes_1$	rapasso, Joe	Sites Project Authority
⊠Forsythe, Ali	Sites Pro	ject Authority	$\boxtimes_1$	irado, Yolanda	Sites Project Authority
oxtimesRobinette, JP	Sites Pro	ject Authority	$\boxtimes_{Y}$	arbrough, Sandra	Sites Project Authority
Spesert, Kevin	Sites Pro	ject Authority			
Consultants:					
🛮 Name	Repre	senting	2	Name	Representing
Alexander, Jerian	n Fugro			Leaf, Robert	Ch2m
☐ Boling, Robert	HDR			Luu, Henry	HDR
☐ Briard, Monique	ICF		$\boxtimes$	McDonald C	CMD West
☐ Brown, Doug	Stradlin	ng		Micko, Steve	Ch2m
☐ Brown, Scott	LWA		$\boxtimes$	Maltby, Marcus	Brown & Caldwell
Bruner, Marc	Perkins	Cole		Montague, Doug	Montague DeRose Asso
Forrest, Mike	AECON	1	$\boxtimes$	Nielsen, Caitlin	HDR
☐ Floyd, Kim	Floyd			Rossetto, Sarah	Katz & Associates
☐ Harris, Cheyanne	Brown	& Caldwell		Rude, Peter	Ch2m
Herrin, Jeff	AECON	I	$\boxtimes$	Spranza, John	HDR
Heydinger, Erin	HDR			Traynham, Hailey	Brown & Caldwell
Katz, Sara	Katz &	Associates		Van Camp, Marc	МВК
Kivett, Marcia	Brown	& Caldwell		Warner Herson,	Phenix
Doud, Alan	Young \	Wooldridge	$\boxtimes$	Laurie Westcot, Cathy	HDR

Name	Representing	Contact (Phone & E-mail)
Juleah Cordi	Assemblyman Michael Gallagher's Office	
Laura Nicholson	Senator Jim Nielsen's Office	
Carol Mahoney	Zone 7	
Emmett Campbell		
Hillary Harrington		
Kevin Jacobs	USBR	
Cindy Saks	SBVMWD	
Lillian Xie	Valley Water	
Kyle Hamilton	Nossaman	
Greg Plucker		
Manny Bahia		
Marc Wheeler		
Nate Rangel		
Timothy Babich	Michels	
Laynee Haywood	HDR	
Morgan Dennis	HDR	
Asa Vann	HDR	
Donald Anderson		