

SITES PROJECT AUTHORITY  
P.O. Box 517  
122 OLD HIGHWAY 99 WEST  
MAXWELL, CALIFORNIA 95955  
[www.SitesProject.org](http://www.SitesProject.org)

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925.260.7417

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## Board of Directors

FRITZ DURST, RECLAMATION DISTRICT 108, CHAIR  
JEFF SUTTON, TEHAMA-COLUSA CANAL AUTHORITY, VICE-CHAIR  
GARY EVANS, COLUSA COUNTY SUPERVISOR  
KEN HAHN, GLENN COUNTY SUPERVISOR  
LOGAN DENNIS, GLENN-COLUSA IRRIGATION DISTRICT  
GRAY ALLEN, 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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# April 27, 2022

## Sites Project Authority – MINUTES

### **CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE:**

Chair Durst called the Sites Project Authority Board Meeting to order at the hour of 1:30 p.m., followed by Roll Call and the Pledge of Allegiance.

### **INTRODUCTIONS:**

Chair Durst asked those present to introduce themselves.

### **AGENDA APPROVAL:**

It was moved by Director Hahn, seconded by Director Allen to approve the April 27, 2022 Authority Board Agenda.

Motion carried: All Directors present voted yes.

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

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

#### **5. Closed Session:**

5.1 Negotiations concerning Sites Project operation terms, conditions and agreements with the United States Fish & Wildlife Service (Govt. Code §§54956.9(c)).

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

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

**1. CONSENT AGENDA:**

It was moved by Director Sutton, seconded by Director Evans to approve Consent Agenda Item Numbers 1.1 through 1.3 as follows:

- 1.1 Approve the March 18, 2022 Joint Reservoir Committee and Authority Board Meeting Minutes.
- 1.2 Accept the Sites Project Authority Treasurer's Report.
- 1.3 Approve the Payment of Claims.

Motion carried: All Directors present voted yes.

**2. ACTION ITEMS:**

- 2.1 Consider approval of a legal services agreement in the amount of \$750,000 with Nossaman LLC to provide Real Estate and Inter-Agency Agreements Legal Services for the period of May 1, 2022 through December 31, 2024.

Mr. Trapasso provided an update on the procurement process for the Real Estate and Inter-Agency Agreements Legal Services. He stated the Interview Panel consisted of Valerie Pryor, Gary Evans, Gray Allen, Bob Tincher, Michael Azevedo, and Robert Cheng. The panel interviewed four law firms on April 6, 2022, and unanimously voted to recommend Nossaman, LLC to perform both legal services.

Mr. Trapasso noted Nossaman, LLC has strong relevant experience in both areas of service and the individual attorneys proposed to perform the direct work demonstrated knowledge and experience that would be complementary to the Sites team and are expected to fit well with the organizational culture and values of the Sites Authority.

Brief discussion was held regarding agreements and conflict of interest.

**ACTION:**

It was moved by Director Evans, seconded by Director Allen to approve a legal services agreement in the amount of \$750,000 with Nossaman LLC to provide Real Estate and Inter-Agency Agreements Legal Services for the period of May 1, 2022 through December 31, 2024.

Motion carried: All Directors present voted yes, with the exception of Director Sutton (Tehama-Colusa Canal Authority), who abstained.

**3. Discussion and Information Items:**

- 3.1 Receive an update on the status of the operations modeling completed in support of the Project's Biological Assessment and State Incidental Take Permit application.

Ms. Heydinger provided an overview of the Biological Assessment and State Operations ITP Modeling Update and spoke to the following:

Background – Changes from RDEIR/SD Model

- Incorporated climate change baseline.
- Deadpool reduced to 60 TAF.
- Shifted focus to Alternative 3.
- Proportionally reduced storage allocation to local PWAs to make room for Reclamation.
- Incorporated revised diversion criteria.
- Expanded operations to improve Shasta cold water pool, fall flow stability, and spring pulse actions.
- Requested by Reclamation.
- Other minor modifications, updates and model improvements.

Takeaways from Updated Modeling

1. More federal investment results in less cost for local PWAs and more efficient reservoir operations (greater overall releases).
2. Benefits for local PWAs do not substantially change with model updates and increased federal investment.
3. Changes in modeling and federal storage result in greater overall anadromous fish benefits.

Reclamation Investment Improves Overall Project Performance

More federal investment results in less cost for local PWAs due to lower storage allocation and more efficient reservoir operations (greater overall releases).

Local PWAs Supplies do not Substantially Change with Reclamation Investment

Benefits for local PWAs do not substantially change with model updates and increased federal investment.

SOD increases under Alt 3B due to increased storage and movement of water in Wet and Above Normal years. NOD more static due to less active use of storage.

Changes in Modeling and Federal Storage Result in Greater Anadromous Fish benefits.

SALMOD – Decrease in Long-Term Average Salmon Mortality

Important for federal funding, meeting project objectives.

Next Steps

- Agree on changes to storage allocation among Local PWAs to "make room" for Reclamation @ Alt 3 level.
  - Rebalance to final participation levels before Phase 3.
- Provide input on storage space for the offer letter to Reclamation.
- Complete other models required for Biological Assessment/Operations ITP application.
- Complete modeling for Final EIR/EIS.

Brief discussion was held regarding future Bureau of Reclamation involvement and what that would mean for participant reductions.

3.2 Review and Comment on the updated Amendment 3 Project Schedule findings including a critical path analysis through the end of Phase 2 of the Project.

Mr. Maltby provided an update on the Amendment 3 Project Schedule and spoke to the following:

Background

Focus:

- Amendment 3 Work Period (1/1/22 - 12/31/24).
- End of Amendment 3 = Investor Commitment.

Goals:

- Develop a detailed planning level schedule to help guide decision-making.
- Establish a "Baseline" schedule to track progress and manage changes.

Schedule Takeaways

1. Critical path for Investor Commitment goes through Updated Project Cost Estimate and Geotech Work Packages 3 & 4.
2. Other key activities narrowly off the critical path are:
  - WIFIA Negotiations with approximately 4 months of float.
  - Water Right Permit with approximately 7 months of float.

Contract Strategy will drive the development of the schedule through project completion

3 Paths to Investor Commitment.

**Next Steps**

1. Track Against Established Baseline (ongoing)
2. Master Schedule through Project Completion
  - Target completion date: **Fall 2022**
  - Predecessor: Contract Strategy – **Summer 2022**

Brief discussion followed.

- 3.3 Review and comment on Amendment 3 Project Agreement Approval Process including estimated participation levels, outreach and rebalancing, and schedule.

Executive Director Brown presented an update on Amendment 3 Rebalancing Results and spoke to the following:

- Amendment 3 Agreement Status.
- Signed agreements were due on March 31, 2022.
- Expressed Interest in re/new Participation.
- Carter Mutual was the only participant that withdrew.
- Colusa County participation decreased, and Wheeler Ridge participation increased.
- Participation is on target with capacity and currently fully subscribed.
- All participants received approval from their boards.
- At this time there is no deadline for submitting a letter of interest for participation and will continue to invite any expressed interest.
- Voluntary reductions would need to happen to make room for new interests.

Brief Discussion Followed.

**4. Reports:**

4.1 Chairpersons' Report:

Chair Durst gave a brief update on the meeting held with the Secretary of CA EPA.

4.2 Authority Board Committee Chairpersons' Reports:

Budget and Finance Committee

Ms. Traynham provided an update regarding Amendment 2 closeout and finalizing unallocated funds.

Land Management Committee

Director Evans gave an update on the recommendation to amend the land acquisition policy to allow for flexibility.

Legislative & Outreach Committee

Director Sutton spoke to organizing a Sites tour for Assemblymember Aguiar-Curry.

4.3 Authority Board Participant Reports:

None.

4.4 Executive Director's Reports:

Executive Director Brown provided an update on the following:

- Monthly status report.
- Work Plan Key Deliverables Report
- Meetings Action Items Summary.
- Environmental Water Management Advisory Committee
  - Volunteers for the Water advisory committee are Mr. Bransford for the (AB) and Mr. Nuedeck for the (RC).

Chair Durst declared a recess at 2:50 p.m., to convene into Closed Session to consider the following:

5. **Closed Session:**

- 5.1 Negotiations concerning Sites Project operation terms, conditions and agreements with the United States Fish & Wildlife Service (Govt. Code §§54956.9(c)).

Chair Durst adjourned Closed Session at 3:32 p.m. and reconvened into Open Session.

6. **Report from Closed Session**

Counsel Doud stated as to Closed Session regarding Negotiations concerning Sites Project operation terms, conditions and agreement with the United States Fish and Wildlife Service (Govt. Code Section 54956.9(c))., no action was taken.

7. **Recap:**

- 7.1 Suggested Future Agenda Items.

7.2 **Upcoming Meeting:**

**Reservoir Committee**

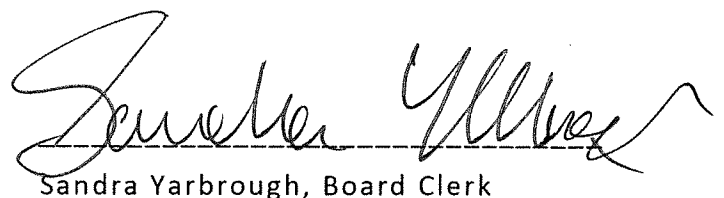
Friday, May 20, 2022 - 9:00 AM to 12:00 PM  
122 Old Highway 99W, Maxwell, CA 95955

**Authority Board**

Wednesday, May 25, 2022 - 1:30 to 4:00 PM  
122 Old Highway 99W, Maxwell, CA 95955

Chair Durst adjourned the April 27, 2022 Authority Board Meeting at the hour of 3:32 p.m.

  
Fritz Durst, Chairman

  
Sandra Yarbrough, Board Clerk

Meeting: **Authority Board**

**April 27, 2022**

Subject: **Attendance**

**1:30 – 4:00 PM**

**Current Voting Authority Board Participants:**

| <i>Participant</i>                                  | <input type="checkbox"/> <i>Representative</i>   | <input type="checkbox"/> <i>Alternate/Delegate</i>  |
|---|--|---|
| Colusa County                                       | <input checked="" type="checkbox"/> Gary Evans   | <input checked="" type="checkbox"/> Mike Azevedo  |
| Colusa County Water District                        | <input checked="" type="checkbox"/> Joe Marsh    | <input checked="" type="checkbox"/> Doug Griffen<br>Shelly Murphy   |
| Glenn County  | <input checked="" type="checkbox"/> Ken Hahn     | <input type="checkbox"/> Thomas Arnold  |
| Glenn-Colusa Irrigation District                    | <input checked="" type="checkbox"/> Logan Dennis | <input type="checkbox"/> John Amaro   |
| Reclamation District 108                            | <input checked="" type="checkbox"/> Fritz Durst  | <input type="checkbox"/> Sean Doherty   |
| City of Roseville / Placer County Water Agency      | <input checked="" type="checkbox"/> Gray Allen   | <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 type="checkbox"/> Brett Ewart<br><input type="checkbox"/> Ann Sanger<br><input type="checkbox"/> Bill Busath |
| Westside Water District                             | <input checked="" type="checkbox"/> Doug Parker  | <input checked="" type="checkbox"/> Zach Dennis   |

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

| <i>Participant</i>           | <input type="checkbox"/> <i>Representative</i>     | <input type="checkbox"/> <i>Alternate</i> |
|------------------------------|--|---|
| TC4                          | <input checked="" type="checkbox"/> Jamie Traynham | <input type="checkbox"/> Tom Charter      |
| Western Canal Water District | <input checked="" type="checkbox"/> Ted Trimble    | <input type="checkbox"/> Greg Johnson     |

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

| <i>Participant</i>      | <input type="checkbox"/> <i>Representative/Other</i> | <input type="checkbox"/> <i>Alternate/Other</i>  |  |
|-------------------------|--|--|--|
| Dept of Water Resources | <input checked="" type="checkbox"/> Rob Cooke        | <input checked="" type="checkbox"/> Itzia Rivera | <input type="checkbox"/> Alex Vdovichenko        |
|                         | <input checked="" type="checkbox"/> Jagruti Maroney  | <input type="checkbox"/> Jim Wieking             | <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"/> Vanessa King     | <input type="checkbox"/> Derya Sumer             | <input checked="" type="checkbox"/> Jessica Boyt |
|                         | <input checked="" type="checkbox"/> Natalie Taylor   | <input checked="" type="checkbox"/> Kevin Jacobs | <input type="checkbox"/> Shana Kaplan            |

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

| <i>Participant</i> | <input type="checkbox"/> <i>Representative</i> | <input type="checkbox"/> <i>Alternate</i> | <i>Alternate</i>                        |
|--------------------|--|---|---|
| PCWA               | <input checked="" type="checkbox"/> Ed Horton  | <input type="checkbox"/> Ben Barker       | <input type="checkbox"/> Darin Reintjes |
| Roseville          | <input type="checkbox"/> Bruce Houdesheldt     | <input type="checkbox"/> Joshua Alpine    | <input type="checkbox"/> Jason Marks    |
|                    | <input type="checkbox"/> Sean Bigley           | <input type="checkbox"/> Trevor Joseph    |   |

# Authority Board Meeting

April 27, 2022

| Participant          | <input type="checkbox"/> Representative           | <input type="checkbox"/> Alternate        | Alternate  |
|----------------------|---|---|--|
| Sacramento County WA | <input checked="" type="checkbox"/> Kerry Schmitz | <input type="checkbox"/> Michael Peterson | <input checked="" type="checkbox"/> Mike Grinstead |

## Staff:

| <input type="checkbox"/> Name                      | Representing            |
|--|-------------------------|
| <input checked="" type="checkbox"/> Brown, Jerry   | Sites Project Authority |
| <input checked="" type="checkbox"/> Forsythe, Ali  | Sites Project Authority |
| <input checked="" type="checkbox"/> Robinette, JP  | Sites Project Authority |
| <input checked="" type="checkbox"/> Spesert, Kevin | Sites Project Authority |

| <input type="checkbox"/> Name                         | Representing            |
|---|-------------------------|
| <input checked="" type="checkbox"/> Trapasso, Joe     | Sites Project Authority |
| <input checked="" type="checkbox"/> Tirado, Yolanda   | Sites Project Authority |
| <input checked="" type="checkbox"/> Yarbrough, Sandra | Sites Project Authority |

## Consultants:

| <input type="checkbox"/> Name                        | Representing      |
|--|-------------------|
| <input type="checkbox"/> Alexander, Jeriann          | Fugro             |
| <input type="checkbox"/> Boling, Robert              | HDR               |
| <input type="checkbox"/> Briard, Monique             | ICF               |
| <input type="checkbox"/> Brown, Doug                 | Stradling         |
| <input type="checkbox"/> Brown, Scott                | LWA               |
| <input type="checkbox"/> Bruner, Marc                | Perkins Coie      |
| <input type="checkbox"/> Forrest, Mike               | AECOM             |
| <input type="checkbox"/> Floyd, Kim                  | Floyd             |
| <input checked="" type="checkbox"/> Harris, Cheyanne | Brown & Caldwell  |
| <input type="checkbox"/> Herrin, Jeff                | AECOM             |
| <input checked="" type="checkbox"/> Heydinger, Erin  | HDR               |
| <input checked="" type="checkbox"/> Katz, Sara       | Katz & Associates |
| <input checked="" type="checkbox"/> Kivett, Marcia   | Brown & Caldwell  |
| <input checked="" type="checkbox"/> Alan Doud        | Young Wooldridge  |

| <input type="checkbox"/> Name                      | Representing           |
|--|------------------------|
| <input type="checkbox"/> Leaf, Robert              | Ch2m                   |
| <input checked="" type="checkbox"/> Luu, Henry     | HDR                    |
| <input checked="" type="checkbox"/> McDonald C     | CMD West               |
| <input type="checkbox"/> Micko, Steve              | Ch2m                   |
| <input checked="" type="checkbox"/> Maltby, Marcus | Brown & Caldwell       |
| <input checked="" type="checkbox"/> Montague, Doug | Montague DeRose Assoc. |
| <input checked="" type="checkbox"/> Katz, Sarah    | Katz & Associates      |
| <input type="checkbox"/> Rude, Peter               | Ch2m                   |
| <input checked="" type="checkbox"/> Spranza, John  | HDR                    |
| <input type="checkbox"/> Traynham, Hailey          | Brown & Caldwell       |
| <input type="checkbox"/> Van Camp, Marc            | MBK                    |
| <input type="checkbox"/> Warner Herson, Laurie     | Phenix                 |
| <input type="checkbox"/> Westcot, Cathy            | 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 | <input type="checkbox"/>            |
| Laura Nicholson | Senator Jim Nielsen's Office           | <input type="checkbox"/>            |
| Laura Page      | Congressman Doug LaMalfa's Office      | <input checked="" type="checkbox"/> |
| Leslie Barrett  |  | <input type="checkbox"/>            |



