

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

JERRY BROWN, EXECUTIVE DIRECTOR  
925.260.7417

SANDRA YARBROUGH, CLERK  
530.438.2309  
syarbrough@SitesProject.org

## Board of Directors

FRITZ DURST, RECLAMATION DISTRICT 108, CHAIR  
JEFF SUTTON, TEHAMA-COLUSA CANAL AUTHORITY, VICE-CHAIR  
GARY EVANS, COLUSA COUNTY SUPERVISOR  
THOMAS ARNOLD, 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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July 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 Arnold, seconded by Director Dennis to approve the July 27, 2022 Authority Board Agenda. **Motion carried: All Directors present voted yes.**

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

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

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

5.1 Conference with Real Property Negotiators (Gov. Code § 54956.8)  
Property: [Glenn County] APNs 014-240-004-000, 014-210-005-000, 014-220-001-000, 014-240-003-000, 014-220-001-000, 014240-005-000 and 014-240-006-000

Agency negotiators: Jerry Brown, Kevin Spesert

Negotiating parties: Bill Owens Ranch

Under negotiation: Price and terms of payment

5.2 Conference with Real Property Negotiators (Gov. Code § 54956.8)  
Property: [Colusa County] APNs 011-150-021-000 and 011-150-022-000

Agency negotiators: Jerry Brown, Kevin Spesert

Negotiating parties: Banyan Transport Systems

Under negotiation: Price and terms of payment

- 5.3 Negotiations concerning Sites Project operation terms, conditions, and agreements with the Department of Interior, Bureau of Reclamation (Gov. Code 54956.6(c)).
- 5.4 Conference with legal counsel regarding significant exposure to litigation or adjudicatory proceedings (Gov. Code §§54956.9(d)(2) and (4)).

**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 Allen to approve Consent Agenda Item Numbers 1.1 through 1.5 as follows:

- 1.1 Approve the June 17, 2022 Joint Reservoir Committee & Authority Board Meeting Minutes.
- 1.2 Accept the Sites Project Authority Treasurer's Report.
- 1.3 Approve the Payment of Claims.
- 1.4 Authorize a total contract authority for Real Property Appraisal Services to support Amendment 3 real estate actions, not to exceed \$100,000, from prequalified firms.
- 1.5 Approve forming of the ad hoc Governance Joint Committee and ad hoc WIFIA Joint Subcommittee charters. **Motion carried: All Directors present voted yes.**

**2. Action Items:**

- 2.1 Consider authorizing the Executive Director to (1) submit the Biological Assessment (BA) to Reclamation for consultation under the Federal Endangered Species Act covering construction and operations and (2) submit the Operations Incidental Take Permit (ITP) application to the California Department of Fish and Wildlife (CDFW) and pay the associated application fee.

Ms. Forsythe provided a presentation on the Federal Biological Assessment and State Operations ITP Application and spoke to the following:

- Longfin smelt included in BA for conference opinion.
- Exact take numbers for aquatic species will be developed during BA and ITP consultation process.
- Mitigation for aquatic species tends to have more negotiation, Generally, no established or precedential ratios like terrestrial.
- Adaptive Management Plan: Framework and process for addressing uncertainty with current scientific understanding of listed species and the effects of Project operations.

- Terms and Changes: Biological Opinions, Operations ITP, Changes, if any, in the future would be mutually agreed upon.

Brief discussion followed.

**ACTION:**

It was moved by Director Sutton, seconded by Director Allen to authorize the Executive Director to (a) submit the Biological Assessment to Reclamation for consultation under the Federal Endangered Species Act covering construction and operation and (2) submit the Operation Incidental Take Permit application to the California Department of Fish and Wildlife and pay the associated application fee. **Motion carried: All Directors present voted yes.**

- 2.2 Recommend the following actions for the 2022-2024 Sites Reservoir Geologic, Geophysical and Geotechnical Investigations ("Project"): (1) adoption of the CEQA Initial Study/Mitigated Negative Declaration; (2) adoption of the Mitigation Monitoring and Reporting Program; (3) approval of the Project; and (4) authorize the Executive Director to file all related notices and pay all related fees.

Ms. Forsythe provided a presentation on the 2022-2024 Geologic, Geophysical and Geotechnical Investigations and spoke to the following:

- Support engineering, design, and cost estimates.
- Geologic mapping, Surface mapping, noninvasive, Geotechnical investigations, subsurface drilling, invasive, Surface geophysical surveys, Surface mapping, non or minimally invasive.
- Mitigation Monitoring and Reporting Program, Mitigation Measures.
- Resource Area: General, Biological Resources, Paleontological Resources, Cultural Resources, Tribal Cultural Resources.
- Permits and Schedule: Anticipate permits by end of 2022 with permits only needed for a few locations, Work scheduled to begin September 1, 2022 and end by December 2024.

Director Sutton spoke to landowner approval.

Ms. Forsythe explained the Geotechnical Investigations will only take place in areas landowners have willingly approved access.

**ACTION:**

It was moved by Director Arnold, seconded by Director Allen to approve the following actions for the 2022-2024 Sites Reservoir Geologic, Geophysical and Geotechnical Investigations ("Project"): (1) adoption of the CEQA Initial Study/Mitigated Negative Declaration; (2) adoption of the Mitigation Monitoring and Reporting Program; (3) approval of the Project; and (4) authorize the Executive Director to file all related notices and pay all related fees. **Motion carried: All Directors present voted yes.**

- 2.3 Consider adopting a new Accounting Policy to guide staff preparation of the Sites Project Authority's financial statements.

Mr. Trapasso spoke to the adoption of a new Accounting Policy and noted the following:

- Development of the Accounting Policy was a recommendation of the Authority's financial audit.
- Policy gives the auditors a reference for evaluating the financial cost accounting practices being implemented.
- Accounting foundations will be used to provide consistency and inform Staff level decision-making in day-to-day accounting.
- The Policy addresses multiple financial areas including accounting, revenues, invoicing, and accounts receivable, cash, bank accounts, credit cards, liabilities, general ledger, audit practices and reporting.
- The Policy acknowledges that as the project progresses, the accounting policy will need to be amended to reflect the accounting practices used by the Authority.

Ms. Traynham expressed that a considerable amount of time went into the development and review of the Accounting Policy.

**ACTION:**

It was moved by Director Murphy, seconded by Director Dennis to adopt the Sites Project Authority Accounting Policy to guide staff preparation of the Project Authority's financial statements. **Motion carried: All Directors present voted yes.**

- 2.4 Consider approval of the Contracting Strategy for the purpose of developing an overall project construction schedule which will establish a baseline to efficiently advance final design, coordinate with agencies, and establish a procurement approach. Authorize staff to:

1. Evaluate adjustments to the Amendment 3 work plan and current task orders to reflect the packaging, delivery method, and overall schedule criticality.
2. Make changes to the initial Contracting Strategy as needed throughout the Amendment 3 work period while maintaining consistency with the evaluation considerations.

Mr. Robinette provided a presentation on Contracting Strategy and spoke to the following:

- Process for Developing Contract Strategy Recommendation.
- Contract Strategy Values: Oversight, Construction Contracts, Project Costs, Project Schedule, Project Risks.
- Evaluation Considerations: Facilitate system-wide testing and commissioning, and logistical planning, early engagement of operator

and community perspectives, Provide opportunities for local contractors.

- Market Outreach Takeaways, Contract Procurement: Surface Storage Projects receiving State funding.
- Procurement Strategy Considerations: Values, Timing, Guidelines, Market outreach, Authority representation.
- Construction Manager at Risk Overview and Contract Strategy Risk Summary.
- If future conditions warrant a change in packages or delivery method, then authorize Authority staff to make modifications through Amendment 3 consistent with the evaluation considerations.

Discussion was held on community involvement.

**ACTION:**

It was moved by Director Evans, seconded by Director Parker to approve the Contracting Strategy for the purpose of developing an overall project construction schedule which will establish a baseline to efficiently advance final design, coordinate with agencies, and establish a procurement approach. Authorize staff to:

1. Evaluate adjustments to the Amendment 3 work plan and current task orders to reflect the packaging, delivery method, and overall schedule criticality.
2. Make changes to the initial Contracting Strategy as needed throughout the Amendment 3 work period while maintaining consistency with the evaluation considerations. **Motion carried: All Directors present voted yes.**

**3. Discussion and Information Items:**

- 3.1 Review and comment on the process for the development, content, and schedule for the Sites Project's Proposition 1 benefit agreements.

Ms. Heydinger provided a presentation on the Overview of Proposition 1 Benefit Agreement Process & Contract Contents and spoke to the following:

- Purpose of Prop 1 Benefit Agreements; Determine how the benefits will be administered, Receive construction funds from the State.
- Key Sections of the benefit agreements: Implementation, Reporting, Adaptive management.
- Sections that are expected to be primarily standard contract language:
  - Recitals, Definitions, Authority, Term, Right of Entry, Effect of contract agreement, Breach of contract, General terms and conditions, Process for amending and modifying contract.

- Public Benefit Agreements are anticipated to be completed around Summer of 2023.

Brief discussion followed.

**4. Reports:**

**4.1 Chairpersons' Report:**

Chairman Durst gave an update on a meeting held with California Trout.

**4.2 Authority Board Committee Chairpersons' Reports:**

Legislative and Outreach

Director Sutton spoke to the various legislative meetings held.

Budget & Finance

Ms. Traynham noted the Audit is nearing completion.

Land Management

Mr. Spesert noted the upcoming Landowner meetings:

Glenn/Colusa August 16th Sites Office in Maxwell

Colusa Basin/Dunnigan August 17<sup>th</sup> Dunnigan Fire Hall

**4.3 Authority Board Participant Reports:**

Director Evans noted he was approached by Rural County Representatives of California (RCRC) for an Op-Ed.

**4.4 Executive Director's Reports:**

Executive Director Brown provided an update on the following:

- Expressed Interest in re/new Participation.
- Monthly status report, Work Plan Key Deliverables Report, Changes to the schedule, Meetings Action Items Summary.
- Records Management Policy.

Chair Durst declared a recess at 3:15 P.M, to convene into Closed Session to consider Closed Session matters 5.1 through 5.4.

**5. Closed Session:**

Chair Durst adjourned Closed Session at 4:12 P.M. and reconvened into Open Session.

**6. Report from Closed Session**

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

**7. Recap:**

**7.1 Suggested Future Agenda Items.**

None.

7.2 Upcoming Meeting:

**Reservoir Committee**

Friday, August 19, 2022 - 9:00 AM to 12:00 PM

Maxwell Project Office, 122 Old Highway 99

**Authority Board**

Wednesday, August 24, 2022 - 1:30 to 4:00 PM

Maxwell Project Office, 122 Old Highway 99

Chair Durst adjourned the July 27, 2022 Authority Board Meeting at the hour of 4:13 P.M.

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Fritz Durst, Chairman

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Sandra Yarbrough, Board Clerk

**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 type="checkbox"/> Joe Marsh	<input type="checkbox"/> Hal Charter <input checked="" type="checkbox"/> Shelly Murphy
Glenn County	<input checked="" type="checkbox"/> Thomas Arnold	<input type="checkbox"/> TBD
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 checked="" type="checkbox"/> Halbert Charter
City of Sacramento / Sacramento County Water Agency	<input type="checkbox"/> Jeff Harris	<input checked="" type="checkbox"/> Brett Ewart <input type="checkbox"/> Anne Sanger <input type="checkbox"/> Bill Busath
Westside Water District	<input type="checkbox"/> Doug Parker	<input 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 type="checkbox"/> Greg Johnson	<input checked="" type="checkbox"/> Ted Trimble

**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 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 type="checkbox"/> Don Bader	<input type="checkbox"/> Chris Duke
	<input type="checkbox"/> Allison Jacobson	<input type="checkbox"/> Derya Sumer	<input type="checkbox"/> Jessica Boyt
	<input checked="" type="checkbox"/> Natalie Taylor	<input 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 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	



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

**Staff:**

<input type="checkbox"/> <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"/> Robinette, JP	Sites Project Authority
<input checked="" type="checkbox"/> Spesert, Kevin	Sites Project Authority

<input type="checkbox"/> <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"/> Yarbrough, Sandra	Sites Project Authority

**Consultants:**

<input type="checkbox"/> <i>Name</i>	<i>Representing</i>
<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"/> <i>Name</i>	<i>Representing</i>
<input type="checkbox"/> Leaf, Robert	Ch2m
<input 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"/> Nielsen, Caitlin	HDR
<input checked="" type="checkbox"/> Patel, Trishna	HDR
<input type="checkbox"/> Rude, Peter	Ch2m
<input checked="" type="checkbox"/> Spranza, John	HDR
<input checked="" type="checkbox"/> Traynham, Hailey	Brown & Caldwell
<input type="checkbox"/> Van Camp, Marc	MBK
<input checked="" type="checkbox"/> Warner Herson, Laurie	Phenix
<input checked="" type="checkbox"/> Westcot, Cathy	HDR

**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>
Juleah Cordi	Assemblyman Michael Gallagher's Office	
Laura Nicholson	Senator Jim Nielsen's Office	
Laura Page	Congressman Doug LaMalfa's Office	

**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>
Dan Ruiz	Westside	
Bill Vanderwaal	Dunnigan and RD108	
Marc Wheeler	GCID	
Brad Kuhn	Nossaman	
Pat Tangora	Brown & Caldwell	
Ryan Nordvik	Arup	
Guy Voss	HDR	
Heidi Kaulen	Kleinfelder	
Erin Huang	Jacobs Engineering	
Jenny Scheer	Water and Solutions	
Amy Aguer	SCVWA	
Leslie Barrett	Vanir	
Dennis Sanchez	Garney	
Onallee Elsberry-Crabtree	Vanir	
Eric Patterson	Kiewit	
James Yoder	Glenn County	