



Meeting: **Joint Sites Reservoir Committee &  
Authority Board**

**July 21, 2023  
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: Valerie Pryor (Zone 7 Water Agency)  
Reservoir Committee Vice-Chair: Mike Azevedo (Colusa County)  
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 9:00 a.m., followed by Roll Call and the Pledge of Allegiance.

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

Authority Board roll call, there were 8 members present, meeting the quorum requirement.

Reservoir Committee roll call, there were 19 representatives present, meeting the quorum requirement with an attendance rate of 85.4%.

### **INTRODUCTIONS:**

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

### **AGENDA APPROVAL:**

It was moved by Director Sutton, seconded by Director Evans, to approve the July 21, 2023, Joint Reservoir Committee and Authority Board Meeting Agenda. **Motion carried unanimously.**

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

General Counsel Doud announced Closed Session agenda item 5.1.

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

Authority Board Chairman Durst called for a period of public comment.

Representatives from the State of California, Department of Industrial Relations, Division of Occupational Safety & Health introduced themselves and their interest in the project and distributed their contact information and handbooks.

Chairman Durst closed the period for public comment.

1. **CONSENT AGENDA:**

Chair Pryor and Chair Durst made time to consider consent agenda items 1 through 4 as follows:

- 1.1 Reservoir Committee and Authority Board consider approval of June 16, 2023, Joint Reservoir Committee and Authority Board Meeting Minutes.
- 1.2 Reservoir Committee and Authority Board consider acceptance of the Sites Project Authority Treasurer's Report.
- 1.3 Reservoir Committee and Authority Board consider approval of the Payment of Claims.
- 1.4 Reservoir Committee and Authority Board to consider authorizing an FY2023 budget transfer of \$350,000 from Unrestricted Contingency to Legal Services to cover additional Legal Services expenses by Perkins Coie.

**ACTION RC:** Moved by Treasurer Traynham, seconded by Mr. Vanderwaal, to approve Consent Agenda Item Numbers 1 through 4. **Motion carried unanimously.**

**ACTION AB:** Moved by Director Allen, seconded by Director Evans, to approve Consent Agenda Item Numbers 1 through 4. **Motion carried unanimously.**

2. **ACTION ITEMS:**

- 2.1 Reservoir Committee and Authority Board consider approval of the 2022 Financial Audit.

Mr. German, CPA of Fechter and Company, presented and gave an overview of the Sites 2022 Financial Audit.

**ACTION RC:** Moved by Mr. Vanderwaal, seconded by Mr. Kunde, to approve the 2022 Financial Audit. **Motion carried unanimously.**

**ACTION AB:** Moved by Director Sutton, seconded by Director Allen, to approve the 2022 Financial Audit. **Motion carried unanimously.**

- 2.2 Reservoir Committee and Authority Board consider authorizing the Executive Director to submit the request to receive the Governor's certification as an SB149 eligible infrastructure project, including agreeing to pay costs of 1) trial court and court of appeal and 2) preparing record of proceedings.

Executive Director Brown went through the history and function of Senate Bill 149. Explained that this could benefit the Project and reviewed a timeline to receive certification by the Governor. Staff believes all requirements for certification are met by the Sites Project. The action before the Board today is to receive authorization to commit to court costs and meet conditions to prepare the admin record.

Members discussed their experiences with CEQA lawsuits and further discussed items that were presented.

Mr. Kunde asked about the mitigation of drought emergency conditions that is applicable to the Project, consideration of siting the drought resource. Executive Director Brown will consider this in preparing the application materials. Mr. Kunde pointed out that seeking certification is not without risks to the Project.

**ACTION RC:** Moved by Cheng, seconded by Cole, to authorize the Executive Director to submit the request to receive the Governor's certification as an SB149 eligible infrastructure project, including agreeing to pay costs of 1) trial court and court of appeal and 2) preparing record of proceedings. **Motion carried unanimously.**

**ACTION AB:** Moved by Director Evans, seconded by Director Allen, to authorize the Executive Director to submit the request to receive the Governor's certification as an SB149 eligible infrastructure project, including agreeing to pay costs of 1) trial court and court of appeal and 2) preparing record of proceedings. **Motion carried unanimously.**

### 3. DISCUSSION AND INFORMATION ITEMS:

- 3.1 Reservoir Committee and Authority Board review and comment on the optimized Initial Phase 3 /4 Project schedule.

Mr. Robinette introduced Mr. Kivett, Brown & Caldwell and then gave an overview of the project schedule objectives regarding managing cost, managing risk, permitting decisions and maintaining credibility with the community. An additional overview of the schedule was presented at the February 2023 board meeting showing a 2033 completion date. This presentation covered the July 2023 optimized schedule and showed a completion date in 2031.

Mr. Kivett discussed the optimized schedule assumptions of changes in priorities, including 1) obtaining a fee title for property where critical project features will be located, 2) reprioritizing Amendment 3 design activities, and 3) onboarding a Construction Manager at Risk (CMAR) earlier in the project, no later than start of 2025. He explained that adopting the overall schedule will occur when the FY24/25 Budget is brought to the Board in October 2023 since there will need to be budget authorization if the July 2023 schedule is adopted.

Mr. Cheng asked questions about the schedule—review of Investor commitment of when home board approval is needed. ED Brown reviewed that there is a 6-month period assumed for Participants to get home board approval and for the State and Federal Governments to award their final funding.

Director Sutton asked about the capabilities of the California Division of Safety of Dams. Mr. Robinette discussed the staffing challenges and getting comfortable with the project. Monthly meetings with DSOD management are occurring to help keep everything on track.

Further detailed discussion occurred about the schedule's critical path and achieving 30% design, the decision-making process for final commitments, the CMAR procurement and the ability to secure a power source for the project in a timely manner.

Chair Durst inquired about the California Independent System Operator's progress on the project's interconnection application, and ED Brown responded that it is progressing, but the queue is long and it was a smart move to get the application in early.

3.2 Review and comment on the Final Environmental Impact Report /Environmental Impact Statement, status briefing in preparation of the Project.

Ms. Forsythe gave an update on the Federal portion of the approval of the NEPA, reviewed the key differences from CEQA, the Federal review process, and the next steps to publish the final EIR/EIS on the website.

Ms. Forsythe gave an overview of activities to be completed before Reclamation signs a Record of Decision which is currently anticipated to be signed in mid-2024. She also gave an update on the cultural resources process and noted ESA compliance is underway and next steps.

3.3 Receive and comment on a status update on the Local Community Working Group (LCWG).

Mr. Spesert presented that 5 meetings have been held with this group and the group's feedback has been very informative. He continued with a brief history of the working group, representation of the attendees, and topics discussed

including planning activities, community concerns, the issues & opportunities matrix and next steps.

Director Evans commented that there is local community enthusiasm that the project will actually get built and the community, generally, continues to support the project.

ED Brown reviewed the estimated number of daily project workers, illustrating the difference in numbers depending on whether the 2033 or 2031 completion schedule is adopted. The board discussed the volume of workers and how it might affect the local agencies and the community.

**4. REPORTS:**

**4.1 Chairpersons' Reports:**

Chair Durst asked staff to keep the Colusa Basin Drain, North of Delta and Restore the Delta individuals informed on the project. He reviewed his discussions in Washington, D.C. about the Project. He mentioned that he and Mr. Bettner are working with the Pacific Coast Federation of Fishermen's Association, Golden Gate Fisherman's Association to find areas of shared interest and the Project has come up in those discussions.

**4.1 Committee & Workgroup Chairpersons' Reports:**

ED Brown mentioned that a website link has been added to the Board Agenda to provide an easy way for board members to review the monthly Committees & Workgroups agendas ([Committee and Workgroup Agendas](#)).

Treasurer Traynham mentioned that the Budget & Finance Committee is discussing the next steps to prepare the business systems for Phase 3/4/5.

Director Evans briefed about the landowner meeting and the effectiveness of face-to-face discussion. Mr. Spesert announced the next two Landowner meetings on August 16 and 17.

Director Sutton discussed the misinformation about the Project that continues to be out there, and how he knows significant effort has been made to make accurate information available. He thanked Mr. Spesert for providing the Colusa-Glen Farm Credit tour, which had three interns in attendance at this meeting. There will be a Legislative & Outreach Committee meeting in August. From a comment from Mr. Bettner, an agenda item will include how to promote and distribute accurate information about the project.

**4.3 Authority Board & Reservoir Committee Participant Reports:**

Mr. Bettner reviewed the issues the Glenn-Colusa Irrigation District is having with a delay of a project due to not being able to get equipment and the lead time for that.

4.4 Executive Director’s Reports:

Executive Director Brown gave an overview of the following items: Project outreach over the last few weeks in the southern California area, presented at the Redding rotary and met with the Yolo County Chief Executive. He also mentioned that the JPA amendments and bylaws for Phase 3/4/5 are being drafted.

Chair Durst declared a recess at 11:13 a.m. to convene into Closed Session.

5. CLOSED SESSION:

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

Chair Durst adjourned Closed Session at 11:49 a.m. and reconvened into Open Session.

6. REPORT FROM CLOSED SESSION:

Counsel Doud stated that no reportable action was taken on Closed Session matters.

7. RECAP:

7.1 Suggested Future Agenda Items:

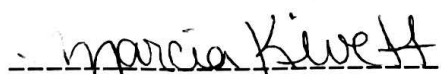
7.2 Upcoming Meetings:

**Joint Reservoir Committee & Authority Board**  
Friday, August 18, 2023 (9:00 am – 12:00 pm)  
Maxwell Project Office & Virtual

Chair Durst adjourned the Joint Reservoir Committee and Authority Board Meeting at 11:53 a.m.

  
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Fritz Durst, Authority Board Chair  
Jeff Sutton

  
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Valerie Pryor, Reservoir Committee Chair

  
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Marcia Kivett, Acting Board Clerk