

Meeting: **Sites Reservoir Project**

**2021 July 15**

Subject: **Reservoir Committee Meeting**

**1:30 PM – 4:00 PM**

Location: [Click here to join the meeting](#)

Call in: **1-213-379-5743**

Code: **462 059 608#**

Chair: Jeff Davis (San Geronio 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 July 15, 2021 to order at the hour of 1:30 p.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 85% 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 Vanderwaal, seconded by Leitterman to approve the July 15, 2021 Reservoir Committee Agenda. Motion carried unanimously.

### **PERIOD OF PUBLIC COMMENT:**

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

#### **1. CONSENT AGENDA**

Chairman Davis declared time to consider approval of the Consent Agenda.

Ms. Amparo Flores stated on the Attendance Sheet, Cindy Saks was shown as present under Zone 7, and that Ms. Saks is not with Zone 7. Chairman Davis stated it would be corrected.

**Action:** It was moved by Vanderwaal, seconded by Leitterman to approve Consent Agenda Item Numbers 1.1 through 1.3 as follows:

- 1.1 Approve the June 23, 2021 Joint Authority Board & Reservoir Committee 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)

Motion carried unanimously.

2. **ACTION ITEMS:**

2.1 Authorize release Revised Draft EIR/Supplemental Draft EIS and authorize the Executive Director to file a Notice of Completion with the State Clearinghouse and complete other noticing requirements to initiate the public review process. Ms. Forsythe provided an overview of the Revised Draft EIR/Supplemental Draft EIS and spoke to the following:

Cumulative Analysis Preliminary Determinations

- Approach:
  - Considers over 60 closely related past, present, or reasonably foreseeable probable future projects.
  - Each resource area is evaluated.
- Preliminary Cumulatively Consider Impacts:
  - Water Quality: mercury and methylmercury.
  - Vegetation: loss of oak woodlands.
  - Wildlife: effects to special status wildlife and changes in wildlife movement.
  - Agriculture: loss of important farmland; cancellation of Williamson Act contracts.
  - Air Quality: emissions during construction.

NEPA Required Chapters Preliminary Determinations

- Ch 28, Climate Change:
  - Operations – No effect to beneficial effects.
- Ch 29, Indian Trust Assets:
  - Construction – No effect.
  - Operations – No adverse effect.
- Ch 30, Environmental Justice:
  - All Alts Construction – substantially adverse effects associated with air quality and visual resources to minority and low-income populations.
  - All Alts Operation – substantially adverse effects associated with air quality.
  - Alt 2 Operations – substantially adverse effects associated with land use and transportation to minority and low-income populations.
- Ch 30, Socioeconomics:
  - Construction and Operation – No adverse effect to beneficial effect.

Air Quality and Water Quality Preliminary Determinations

- Spoke to Chapters 6, Surface Water Quality, 20, Air Quality, 21, Greenhouse Gas Emissions (GHG), Impacts Requiring Mitigation and Significant and Unavoidable Impacts.

Public review process

- Staff currently in planning stages.
- Target release:
  - Under CEQA on August 26.
  - Under NEPA on September 3.
- 60-Day review period from September 3.
- Public Meetings:
  - virtual meetings; 1 during day, 1 in evening.
  - 1 in-person meeting in Maxwell.

Request for Authorization to Release the RDEIR/SDEIS

- Staff requests that the Authority Board:
  - Authorize the release of the RDEIR/SDEIS when it is ready.
  - Authorize the Executive Director to file Notice of Completion and complete other noticing requirements to initiate public review process.
- Release of the RDEIR/SDEIS would not occur until the following:
  - The team addresses the comments received on administrative draft versions of the document.
  - TCCA and GCID consent to the release consistent with Section 2.5 of the Authority's Joint Powers Agreement.
  - Reclamation has scheduled the release of the Notice of Availability in the Federal Register.

Discussion followed.

**ACTION:** It was moved by Azevedo, seconded by Bettner to recommend to the Authority Board to authorize the release of the Revised Draft EIR/Supplemental Draft EIS, and further, authorize the Executive Director to file a Notice of Completion with the State Clearinghouse and complete other noticing requirements to initiate the public review process, with the caveat the Executive Director confer with the Executive Committee, if, the release date is significantly delayed from August 26, 2021. Motion carried unanimously.

Ms. Forsythe expressed her appreciation to the team for their efforts on this project (Draft EIR/Supplemental Draft EIS).

- 2.2 Approve a new Budget Policy to provide budget approval requirements for the Sites Reservoir Project in line with governing board expectations. **(Attachment A)**

Mr. Trapasso provided an overview of the proposed new Budget Policy which would become effective January 1, 2022.

Ms. Traynham expressed concern regarding language in "Unused and unaccrued funds." Discussion followed.

**ACTION:** It was moved by Traynham, seconded by Leitterman to recommend to the Authority Board to approve a new Budget Policy to provide budget approval requirements for the Sites Reservoir Project in line with governing board expectations, as corrected. Motion carried unanimously.

- 2.3 Recognizing the Governor's June 11, 2021 action rescinding the COVID-19 stay at home orders related to public meetings and the Brown Act, direct staff to reinstate Reservoir Committee and Authority Board meetings under standard statutory requirements starting in September 2021.

Executive Director Brown spoke to the Governor's June 11, 2021 action rescinding the COVID-19 stay at home orders related to public meetings and the Brown Act and reinstating in-person meetings starting in September 2021. Discussion followed regarding requirements to attend meetings virtually.

Mr. Nuedeck requested further review of the Executive Order language by Legal Counsel vs Brown Act language as regards a quorum/physical attendance of members at the meetings. Further, discussion followed.

**ACTION:** It was moved by Weghorst to table the matter rescinding the COVID-19 stay at home orders related to public meeting and the Brown Act and reinstating in-person meetings in September 2021.

Further discussion followed. Following discussion, Mr. Weghorst withdrew his motion.

**ACTION ITEM:** It was moved by Vanderwaal, seconded by Marks to recommend to the Authority Board to recognize the Governor's June 11, 2021 order rescinding the COVID-19 stay at home orders related to public meetings and the Brown Act, direct staff to reinstate Reservoir Committee and Authority Board meetings under standard statutory requirement starting with the September 22, 2021 Joint RC and AB meeting. Motion carried unanimously.

3. **Discussion and information Items:**

- 3.1 Receive progress update and comment on technical considerations for Operations Coordination with Department of Water Resources and Bureau of Reclamation.

Executive Director Brown expressed his appreciation to the team of participants who took time to work on this matter.

Ms. Heydinger provided an overview of the technical considerations for Operations Coordination with the Department of Water Resources and the

Bureau of Reclamation and spoke to the following:

- Staff and small group of participants engaged in frequent and well attended discussions with Reclamation and DWR since November 2020.
- Discussions have revolved around coordinated operations with Sites and the CVP/SWP:
  - Seasonal operations focus.
  - Process for exchanges.
  - Issue specific discussions water rights, power, carriage water, COA.

#### Discussion Focus Areas

- Ensuring “No Harm” to CVP and SWP:
  - No harm issues have been identified thus far.
  - In general, discussion have revolved around mutual benefit and recognize that operations could change to achieve these benefits.
- Financial Considerations:
  - Federal investment assumed to be between 7 and 25 percent, nothing more specific has been determined.
  - O&M Cost – Feds and State are aware of Sites beneficiary pays approach, but no clear funding source has been identified yet.
  - SWP contract modification discussions underway separate from the technical discussions.
- Operational Considerations:
  - Annual operations of Sites diversions and releases have been reviewed.
  - Movement of Sites water through Delta would be in the transfer window.
  - and would be “non-project water.”
  - A Sites proposal for analyzing carriage water is being discussed.
- Use of Facilities and Power:
  - Power use at each facility was analyzed with Reclamation.
  - No direct impacts on CVP power identified, but exchanging water needs case by case review for potential power generation effects.
  - Sites will procure its own energy source for all non-Federal uses.
  - Warren Act contract and land entitlements appear feasible.
- Water Rights and Permitting:
  - Water Rights staff have reviewed draft parameters for the Authority’s water rights application.
  - No unseizable water rights issues have been identified.
  - Coordination will continue during the development of the application.
  - Operations permitting is an outstanding discussion topic.

- COA considerations were reviewed, and no significant issues have been identified. Use of existing COA accounting methods appear workable
- Next Steps:
  - Commitments or decisions, especially by Reclamation, are contingent on final analysis and issuance of a ROD.
  - Technical discussion will continue.
  - An operating agreement would be between the Authority, DWR and Reclamation.
  - Final agreement to be executed following ROD (summer 2022).
- Authority staff's focus for coming months:
  - Prepare Authority's Operations Plan consistent with technical discussions (continued input from DWR and Reclamation).
  - Continue focused discussions on specific technical areas, e.g., operations permitting, carriage water, water rights, ensuring "no harm."

Discussion followed, with no action taken.

- 3.2 Receive an update and provide feedback on the materials developed to further illustrate and analyze operations scenarios for participants use and value creation from owning a storage allocation in Sites Reservoir.

Ms. Heydinger provided an update on the materials for allocating Reservoir storage and spoke to the following:

#### Storage Benefits

- Benefits of Investing in Storage
  - Reliable
  - Certain
  - Flexible
  - Local Control
  - Equitable
- Storage Partner Benefits-Reliable – Certain:
  - Known storage space and diversions to storage.
  - Improved ability to deliver in dry years.
  - Certainty in availability.
- Storage Partner Benefits-Flexible – Local Control:
  - Hold Water.
  - Take Water.
  - Sell Water.
  - Lease Storage.
  - Combination to Hold Water; Lease Storage; Take Water; Sell Water or combinations.
- Storage Partner Benefits – Equitable:

- Storage space does not define operations/options.
- Unit price for storage same for all.
- Current participation level translates directly to amount of storage space.
- Beneficiary pays.
- Provided examples of 2021 anticipated storage using TCCA & San Bernardino Valley Municipal Water District.
- How much storage do I needed?
- How Much Storage is Right for my Agency?
  - Some considerations:
    - Multiple dry years.
    - Assume limited or no diversion in a drought.
    - Consider selling and leasing.
    - Resiliency against future uncertainties.
    - Use existing modeling to see storage level fluctuations.

Summary:

- Benefits of Storage:
  - Reliable and certain.
  - Flexible, local control.
  - Equitable.
- How much do I need?
  - Consider multiple dry years.
  - Consider sale/lease of water and storage.
  - Future uncertainty.
  - Climate variability.
  - CVP/SWP Reliability.
  - Regulatory.
  - Economic.

Mr. Robinette briefly spoke to the Joint Affordability Workshop to be held on July 23, 2021.

Discussion followed with no action taken.

**4. Reports:**

**4.1 Member's Reports:**

**4.1.1 Chairpersons' Report:**

This time is set aside to allow the Chair/Co-Chair an opportunity to disclose/discuss items related to the Sites Project.

Vice-Chair Vanderwaal expressed his appreciation to Mr. Robinette for attending the Dunnigan Investor's meeting and for his presentation at the meeting.

Chair Davis provided a brief update on a meeting held earlier this week with Secretary Crowfoot regarding the Sites Project and its progress. He stated they are supposed to meet again in six weeks. Brief discussion followed.

4.1.2 Workgroup Chairpersons' Report:

This time is set aside to allow the Workgroup Chairpersons' an opportunity to disclose/discuss items related to the Sites Project.

Reservoir Ops & Engineering Workgroup

Mr. Kunde stated the Res. Ops & Engineering Workgroup met once since the last Reservoir Committee meeting and provided a brief update stating the Workgroup focused on information staff purposed to include in the Feasibility Report that will be submitted to the California Water Commission later this year.

Environmental & Permitting Workgroup

Chair Davis provided a brief update regarding activities of the Environmental & Permitting Workgroup.

Budget & Finance Workgroup

None.

Communications and Outreach

None.

Land Management Committee

Executive Director Brown provided a brief update on various Land Management matters as follows:

- Geotechnical evaluations for next phase of work and progress being made to identify locations
- Potential mechanisms for pursuing land rights (options agreements)
- Mitigation and cost estimates

Director Evans expressed his appreciation to Mr. Conner and Mr. Luu for their work on these matters and the map they are developing on the areas that are more vital early on.

4.1.3 Reservoir Committee Participant Reports:

This time is set aside to allow Representatives or their Alternates an opportunity to disclose/discuss items related to the Sites Project.



None.

4.2 Executive Director's Reports:

Executive Director Brown spoke to the following:

- Monthly status report. **(Attachment A)**
- Work Plan Key Deliverables Report. **(Attachment B)**
  - Biological Assessment.
  - WIFIA Application with the due date to submit of July 23, 2021.
  - Final Feasibility Report and the Plan of Finance.
- Meetings Action Items Summary. **(Attachment C)**
- Update on Legislative activity (infrastructure package) as follows:
  - Senate Energy Committee passed an energy infrastructure act that includes \$1.15 Billion for western water storage.

5. Recap:

5.1 Suggested Future Agenda Items.

None.

5.2 Upcoming Meetings:

**Authority Board:**

Wednesday, July 21, 2021 – 1:30 to 4:00 PM

**Affordability Joint Workshop:**

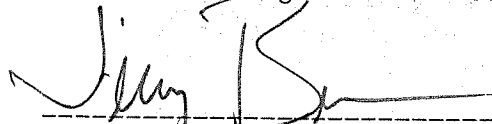
Friday, July 23, 2021, 9:00 AM – 12:00 PM

**Reservoir Committee:**

Friday, August 20, 2021, 9:00 AM – 12:00 PM

Chairman Davis adjourned the Reservoir Committee Meeting at the hour of 3:55 p.m.

  
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Jeff Davis, Chairman

  
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Jerry Brown, Executive Director

**Current Voting Committee Participants (23):**

<i>Pct</i>	<i>Participant</i>	
<input type="checkbox"/>	3.37 American Canyon, City	
<input type="checkbox"/>	2.32 Antelope Valley-East Kern WA	
<input checked="" type="checkbox"/>	2.26 Carter MWC	
<input checked="" type="checkbox"/>	5.16 Coachella Valley WD	
<input checked="" type="checkbox"/>	5.16 Colusa County	
<input checked="" type="checkbox"/>	5.18 Colusa Co. WD	
<input checked="" type="checkbox"/>	2.31 Cortina WD	(1)
<input checked="" type="checkbox"/>	2.77 Davis WD	
<input checked="" type="checkbox"/>	0.00 Department of Water Resources (non-voting)	
<input checked="" type="checkbox"/>	4.11 Desert WA	
<input checked="" type="checkbox"/>	3.06 Dunnigan WD	
<input checked="" type="checkbox"/>	3.67 Glenn-Colusa ID	
<input checked="" type="checkbox"/>	2.47 Irvine Ranch WD	
<input checked="" type="checkbox"/>	2.47 LaGrande WD	(1)
<input checked="" type="checkbox"/>	17.09 Metropolitan WD	
<input checked="" type="checkbox"/>	3.37 Reclamation District 108	
<input checked="" type="checkbox"/>	2.32 Rosedale-Rio Bravo WSD	
<input checked="" type="checkbox"/>	8.56 San Bernardino Valley MWD	
<input type="checkbox"/>	6.35 San Gorgonio Pass WA	
<input checked="" type="checkbox"/>	2.32 Santa Clara Valley WD	
<input checked="" type="checkbox"/>	3.67 Santa Clarita Valley WA	
<input checked="" type="checkbox"/>	3.78 Westside WD	
<input checked="" type="checkbox"/>	3.08 Wheeler Ridge-Maricopa WSD	
<input checked="" type="checkbox"/>	.00 US Bureau of Reclamation (non-voting)	
<input checked="" type="checkbox"/>	5.16 Zone 7 WA	
100.00	Total	

**20 Voting members represented at Meeting start**

**85.76%** Represented participation percentage

Representation has been delegated as follows:

(1) To Jamie Traynham, Davis WD

(+) Not present after \_\_\_\_\_

**Current Voting Reservoir Committee Participants (23):**

<i>Participant</i>	<input type="checkbox"/> <i>Representative</i>	<input type="checkbox"/> <i>Alternate</i>	<i>Others</i>
American Canyon, City	<input type="checkbox"/> Felix Hernandez III	<input type="checkbox"/> Jason Holley	
AVEK WA	<input type="checkbox"/> Dwayne Chisam	<input type="checkbox"/> Dan Flory	
Carter MWC	<input checked="" type="checkbox"/> Ben Carter	<input type="checkbox"/> Ann Carter <input type="checkbox"/> Charlie Palmer <input type="checkbox"/> Kendra Carter	
Coachella Valley WD	<input type="checkbox"/> Robert Cheng	<input checked="" type="checkbox"/> Petya Vasileva	
Colusa County.	<input checked="" type="checkbox"/> Mike Azevedo	<input checked="" type="checkbox"/> Gary Evans	
Colusa Co. WD	<input checked="" type="checkbox"/> Shelley Murphy	<input type="checkbox"/> Joe Marsh	
Cortina WD	<input type="checkbox"/> Jim Peterson	<input type="checkbox"/> Chuck Grimmer	<input checked="" type="checkbox"/> Jamie Traynham
Davis WD	<input checked="" type="checkbox"/> Jamie Traynham	<input type="checkbox"/> Tom Charter	
Desert WA	<input checked="" type="checkbox"/> Mark Krause	<input checked="" type="checkbox"/> Steve Johnson	
Dunnigan WD	<input checked="" type="checkbox"/> Bill Vanderwaal	<input type="checkbox"/>	
Glenn-Colusa ID	<input checked="" type="checkbox"/> Thad Bettner	<input checked="" type="checkbox"/> Holley Dawley	
Irvine Ranch WD	<input checked="" type="checkbox"/> Paul Weghorst	<input type="checkbox"/> Kellie Welch	
LaGrande WD	<input type="checkbox"/> Zach Dennis	<input type="checkbox"/> Ken LaGrande	<input checked="" type="checkbox"/> Jaime Traynham
Metropolitan WD	<input checked="" type="checkbox"/> Randall Neudeck	<input type="checkbox"/> Nina Hawk	
RD 108	<input checked="" type="checkbox"/> Bill Vanderwaal	<input type="checkbox"/> Blair Lewis	
Rosedale-Rio Bravo WD	<input checked="" type="checkbox"/> Dan Bartel	<input type="checkbox"/>	
San Bernardino V MWD	<input type="checkbox"/> Bob Tincher	<input type="checkbox"/> Heather Dyer	<input type="checkbox"/> Cindy Saks
San Geronio Pass WA	<input checked="" type="checkbox"/> Jeff Davis	<input checked="" type="checkbox"/> Lance Eckhart	
Santa Clara Valley WD	<input type="checkbox"/> Cindy Kao	<input checked="" type="checkbox"/> Eric Leitnerman	<input type="checkbox"/> Katrina Jessop
Santa Clarita Valley WA	<input checked="" type="checkbox"/> Dirk Marks	<input type="checkbox"/> Steve Cole	
Westside WD	<input checked="" type="checkbox"/> Allan Myers	<input checked="" type="checkbox"/> Dan Ruiz	
Wheeler Ridge-Maricopa WSD	<input checked="" type="checkbox"/> Rob Kunde	<input type="checkbox"/>	

**Reservoir Committee Meeting**

**2021 July 15**

<i>Participant</i>	<input type="checkbox"/> <i>Representative</i>	<input type="checkbox"/> <i>Alternate</i>	<i>Others</i>
Zone 7 WA	<input checked="" type="checkbox"/> Amparo Flores	<input type="checkbox"/> Carol Mahoney <input type="checkbox"/> Jarnail Chahal <input checked="" type="checkbox"/> Valerie Pryor	<input type="checkbox"/> Dee Bradshaw <input checked="" type="checkbox"/> Lillian Xie

**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"/> David Sandino	<input type="checkbox"/> Alex Vdovichenko
	<input type="checkbox"/> Ajay Goyal	<input type="checkbox"/> Jim Wieking	<input type="checkbox"/> Jessica Boyt
Bureau of Reclamation	<input type="checkbox"/> Richard Welsh	<input type="checkbox"/> Don Bader	<input type="checkbox"/> Chris Duke
	<input checked="" type="checkbox"/> Vanessa King	<input type="checkbox"/> Derya Sumer	<input type="checkbox"/> Shana Kaplan
	<input checked="" type="checkbox"/> Natalie Wolder	<input type="checkbox"/> Mike Mosley	

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

<i>Participant</i>	<input type="checkbox"/> <i>Representative</i>	<input type="checkbox"/> <i>Alternate</i>
Glenn County	<input type="checkbox"/> Ken Hahn	<input type="checkbox"/> Grant Carmon
PCWA	<input type="checkbox"/> Ed Horton	<input type="checkbox"/> Ben Barker
		<input type="checkbox"/> Darin Reintjes
Roseville	<input type="checkbox"/> Sean Bigley	<input type="checkbox"/> Trevor Joseph
		<input type="checkbox"/> Jason Marks
Sacramento, City of	<input type="checkbox"/> Jeff Harris	<input type="checkbox"/> Anne Sanger
Sacramento County WA	<input type="checkbox"/> Kerry Schmitz	<input type="checkbox"/> Michael Peterson
Tehama-Colusa Canal Authority	<input type="checkbox"/> Jeff Sutton	<input type="checkbox"/> Halbert Charter

**Staff:**

<input type="checkbox"/> <i>Name</i>	<i>Representing</i>	<input type="checkbox"/> <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Jerry Brown	Executive Director	<input checked="" type="checkbox"/> Joe Trapasso	Sites Project Authority
<input checked="" type="checkbox"/> Ali Forsythe	Sites Project Authority	<input checked="" type="checkbox"/> Yolanda Tirado	Board Clerk
<input checked="" type="checkbox"/> Kevin Spesert	Sites Project Authority	<input checked="" type="checkbox"/> Marcia Kivett	Admin

**Consultants:**

<input type="checkbox"/> <i>Name</i>	<i>Representing</i>	<input type="checkbox"/> <i>Name</i>	<i>Representing</i>
<input type="checkbox"/> Jeriann Alexander	Fugro	<input checked="" type="checkbox"/> Erin Heydinger	HDR
<input checked="" type="checkbox"/> Robert Boling	HDR	<input type="checkbox"/> Sara Katz	Katz & Associates
<input checked="" type="checkbox"/> Monique Briard	ICF	<input checked="" type="checkbox"/> Brett Stroud	Young Wooldridge
<input type="checkbox"/> Kim Floyd	Floyd	<input checked="" type="checkbox"/> Henry Luu	HDR
<input type="checkbox"/> Jeff Herrin	AECOM	<input checked="" type="checkbox"/> Connor McDonald	CMD West

**Reservoir Committee Meeting**

**2021 July 15**

<input type="checkbox"/> Name	Representing	<input type="checkbox"/> Name	Representing
<input checked="" type="checkbox"/> JP Robinette	Brown & Caldwell	<input checked="" type="checkbox"/> Hailey Traynham	Brown & Caldwell
<input type="checkbox"/> Peter Rude	Ch2m	<input checked="" type="checkbox"/> Laurie Warner Herson	Phenix
<input checked="" type="checkbox"/> John Spranza	HDR		

**Other Attendees:**

Name	Representing	Contact (Phone & E-mail)
Laura Nicholson	Office of Senator Nielsen	
Juleah Cordi	Office of Assemblyman Gallagher	
Marc Bruner	Perkins Coie	
Marcus Maltby	Brown & Caldwell	
Marc Wheeler	?	
Keith Dunn	Dunn	
Justin Davis	Brown and Caldwell	
Scott Brown		
Doug Montague	Montague DeRose	
Cathy Westcot	HDR	