



November 24, 2021

TO: San Luis & Delta-Mendota Water Authority Board of Directors, Alternates, and Interested Parties

RE: SLDMWA Special Telephonic Meeting of the Board of Directors - Monday, November 29, 2021, 2:30 p.m.

NOTICE IS HEREBY GIVEN that a Special Telephonic Meeting of the San Luis & Delta-Mendota Water Authority Board of Directors has been called for **Monday, November 29, 2021, 2:30 p.m., via ZOOM** on items listed on the attached agenda, which is incorporated herein by this reference and made a part hereof.

This Special Telephonic Meeting is being noticed pursuant to the Ralph M. Brown Act (Gov. Code § 54950 et seq.) as a special Board meeting at which action may be taken by the Board of Directors. Any vote will be taken by roll call.



**Notice of San Luis & Delta-Mendota Water Authority Special Telephonic Meeting
of the Board of Directors
Monday November 29, 2021, 2:30 p.m.**

Join Zoom Meeting

<https://us02web.zoom.us/j/88175965448?pwd=VjE5VGZHaUZEd1BITjE5TGsyaXBCZz09>

Meeting ID: 881 7596 5448

Passcode: 623371

One tap mobile

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+12532158782,,88175965448#,,,,*623371# US (Tacoma)

Dial by your location

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+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

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+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 881 7596 5448

Passcode: 623371

Find your local number: <https://us02web.zoom.us/j/88175965448>

In accordance with Government Code section 54953(e) and Resolution 2021-491 adopted by the San Luis & Delta-Mendota Water Authority Board of Directors on November 4, 2021, members of the Board of Directors and Water Authority staff will be participating in this meeting from multiple locations. This meeting will occur exclusively through ZOOM. If members of the public have any problems using the call-in number during the meeting, please contact the Authority office at 209-826-9696.

NOTE: Any member of the public may address the Board concerning any item on the agenda before or during its consideration of that item. For each item, public comment is limited to no more than three minutes per person. For good cause, the Chair of the Board may waive this limitation.

AGENDA

1. Call to Order/Roll Call
2. Board to Consider Additions or Corrections to the Agenda of Items, as authorized by Government Code Section 54950 et seq.
3. Opportunity for Public Comment – Any member of the public may address the Board concerning any matter not on the agenda, but within the Board's jurisdiction. Public comment is limited to no more than three minutes per person. For good cause, the Chair of the Board may waive this limitation.

ACTION ITEMS

4. **Board of Directors to Consider Adopting Resolution Re-Ratifying the Proclamation of a State of Emergency by Governor Gavin Newsom (Mar. 4, 2020), Proclaiming the State of Emergency Continues to Directly Impact the Ability of Members of the Legislative Bodies of the San Luis & Delta-Mendota Water Authority to Meet Safely in Person, and Re-Authorizing Remote Teleconference Meetings for Such Legislative Bodies for the Period November 29, 2021 through December 29, 2021 Pursuant to Brown Act Provisions, Akroyd**

REPORT ITEMS

5. Executive Director's Report, Barajas
(May include reports on activities related to 1) CVP/SWP water operations; 2) California storage projects; 3) regulation of the CVP/SWP; 4) existing or possible new State and Federal policies; 5) Water Authority activities; 6) COVID-19 response)

6. **CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9 – 4 potential cases

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Government Code Section 54956.9 – 2 potential cases

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing Litigation Pursuant to paragraph (1) of Subdivision (d) of Section 54956.9

- A. Natural Resources Defense Council, et al. v. Haaland, et al., U.S. District Court, E.D. Cal., Case No. 1:05-cv-01207-DAD-EPG, 9th Cir. Case No. 21-15163 (2005 DMC Contract Renewals)
 - B. Pacific Coast Federation of Fishermen's Associations, et al. v. Donald R. Glaser and San Luis & Delta-Mendota Water Authority, U.S. District Court, E.D. Cal., Case No. 2:11-CV-02980-KJM-CKD (PCFFA v Glaser or GBP Citizens Suit)
 - C. Delta Stewardship Council Cases, Sacramento County Superior Court, Case No. JCCP 4758 (formerly San Luis & Delta-Mendota Water Authority and Westlands Water District v. Delta Stewardship Council, et al., Sacramento County Superior Court, Case No. 34-2013-80001500) (Delta Plan Litigation)
 - D. City of Fresno, et al. v. United States, U.S. Court of Federal Claims, Case No. 1:16-cv-01276-EDK (2014 Friant Breach of Contract)
 - E. Monterey Coastkeeper, et al. v. Central Valley Regional Water Quality Control Board, et al., Third District Court of Appeal Case No. C093513, Sacramento County Superior Court Case No. 34-2018-80002853; Environmental Law Foundation v. State Water Resources Control Board, Third District Court of Appeal Case No. C093513, Sacramento County Superior Court Case No. 34-2018-80002851; Protectores del Agua Subterranea v. State Water Resources Control Board, Third District Court of Appeal Case No. C093513, Sacramento Superior Court Case No. 34-2018-80002852 (Waste Discharge Requirement Cases)
 - F. North Coast Rivers Alliance v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002898; Central Delta Water Agency v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002900; Friends of the River v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002901; California Water Impact Network v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002904 (Delta Plan Amendment Cases)
 - G. North Coast Rivers Alliance, et al. v. San Luis & Delta-Mendota Water Authority, et al., Merced County Superior Court, Case No. 19CV-04989 (GBP Long-Term Storm Water Management Plan)
 - H. Pacific Coast Federation of Fishermen's Associations, et al. v. Raimondo, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00431-DAD-EPG (ROC on LTO BiOps)
 - I. California Natural Resources Agency, et al. v. Raimondo, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00426-DAD-EPG (ROC on LTO BiOps)
 - J. CDWR Water Operation Cases, Sacramento County Superior Court, Case No. JCCP 5117 (formerly Tehama-Colusa Canal Authority et al. v. California Department of Water Resources et al., Fresno County Superior Court, Case No. 20CECG01303) (SWP EIR Challenge)
 - K. AquAlliance et al. v. U.S. Bureau of Reclamation, et al., U.S. District Court, E.D. Cal., Case No. 1:20-cv-00878-DAD-EPG (Long-Term Water Transfers EIS/EIR)
 - L. Winnemem Wintu Tribe et al. v. State Water Resources Control Board et al., Merced County Superior Court, Case No. 19CV-04989 (GBP Waste Discharge Requirements)
 - M. SWRCB Administrative Hearing Office: County of San Joaquin Application for Permit to Appropriate Water from the South Fork American River at the Freeport Regional Water Authority Facility on the Sacramento River, Pending Application A029657 (SJC Permit Application Protest)
 - N. AquAlliance et al. v. San Luis & Delta-Mendota Water Authority, Merced County Superior Court, Case No. 21-CV-03487 (Long-Term Water Transfers EIS/EIR Addendum)
7. Return to Open Session
 8. Report from Closed Session, if any Required by Government Code Section 54957.1
 9. Reports Pursuant to Government Code Section 54954.2(a)(3)
 10. ADJOURNMENT

Persons with a disability may request disability-related modification or accommodation by contacting Cheri Worthy or Felicia Luna at the San Luis & Delta-Mendota Water Authority Office via telephone (209) 826-9696 or email [cheri.worthy@sldmwa.org or felicia.luna@sldmwa.org] at least 3 days before a regular meeting or 1 day before a special meeting/workshop.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Section 54950 et seq. and has not been prepared with a view to informing an investment decision in any of the Authority's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of the Authority's bonds, notes or other obligations and investors and potential investors should rely only on information filed by the Authority on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures, maintained on the World Wide Web at <https://emma.msrb.org/>.