



**Notice of Regular Water Resources Committee Meeting and
Joint Regular Water Resources Committee Meeting-Special Board / Finance &
Administration Committee Workshop**

Monday, November 4, 2019 10:00 a.m.

SLDMWA Boardroom
842 6th Street, Los Banos
[telephonic participation locations identified below]

Agenda

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

NOTE FURTHER: Because the notice provides for a regular meeting of the Water Resources Committee and a joint regular Water Resources Committee/special Board workshop, Board Directors/Alternates may discuss items listed on the agenda; however, only Water Resource Committee Members/Alternates may correct or add to the agenda or vote on action items.

1. Call to Order/Roll Call
2. Water Resources Committee to Consider Corrections or Additions 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 Water Resource Committee concerning any matter not on the agenda, but within the Committee's jurisdiction. Public comment is limited to no more than three minutes per person. For good cause, the Chair may waive this limitation.

ACTION ITEMS

4. **Water Resources Committee to Consider Approval of the September 9, 2019, Meeting Minutes**
5. **Water Resources Committee to Consider Recommendation to the Board of Directors to Authorize Executive Director to Execute Agreement with CDM Smith for Professional Engineering Services for Alternatives Formulation for the B.F. Sisk Dam Raise Project**
6. **Water Resources Committee to Consider Recommendation to the Board of Directors to Authorize Executive Director to Execute Contributed Funds Agreement with U.S. Bureau of Reclamation to Perform Activities Related to the B.F. Sisk Dam Raise Project**

REPORT ITEMS

7. Briefing on Potential B.F. Sisk Dam Raise Project Operational Scenarios, Barajas
8. Report on State and Federal Affairs, Petersen
9. Update on Water Policy/Resources Activities, Petersen
(May include reports on activities related to 1) Reinitiation of Consultation on Long-Term Operations of the Central Valley Project and State Water Project, including environmental compliance; 2) State Water Resources Control Board action; 3) San Joaquin River Restoration Program; 4) Delta conveyance; 5) Reclamation action; 6) Delta Stewardship Council action; 7) San Joaquin Valley Water Blueprint)
10. Update on California Storage Projects, Barajas

(May include reports on activities related to 1) Sites Reservoir; 2) Temperance Flat Reservoir; 3) Los Vaqueros Reservoir; 4) Shasta Reservoir; 5) San Luis Reservoir; 6) Pacheco Reservoir; 7) Del Puerto Canyon Reservoir)

11. Update on Infrastructure Projects, Mizuno
(May include reports on activities related to 1) San Luis Transmission Project; 2) Delta-Mendota Canal Subsidence; 3) Jones Pumping Plant Unit Motor Rewind Project)
12. Update on Water Transfer/Exchanges/Release Program, Mizuno
13. Update on Water Operations and Forecasts, Tom Boardman
14. Executive Director's Report, Barajas
(May include reports on activities within the Water Resources Committee's jurisdiction related to 1) CVP/SWP water operations; 2) regulation of the CVP/SWP; 3) existing or possible new State and Federal policies; 4) Water Authority activities)
15. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9 – 5 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 – 4 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. Bernhardt et al., U.S. District Court, E.D. Cal., Case No. 1:05-cv-01207, LJO-BAM (Old FWS – OCAP BO/Contracts)
- B. Modesto Irrigation District, et al. v. State Water Resources Control Board & Woods Irrigation Company, Sacramento County Superior Court Case No. 34-2011-80000803 (Complaint for Declaratory Relief re Woods Irrigation Company)
- C. SWRCB Water Rights Complaints: Modesto Irrigation District, State Water Contractors, San Luis & Delta- Mendota Water Authority, Interested Persons in SWRCB CDO Enforcement Proceedings and/or Petitions for Reconsideration: Pak & Young; Mussi et al; George Speckman Testamentary Trust (Water Rights Complaints)
- D. Pacific Coast Federation of Fishermen's Associations, California Sportfishing Protection Alliance, Friends of the River, San Francisco Crab Boat Owners Association, Inc., The Institute for Fisheries Resources, and Felix Smith 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, Appeal No. 17-17130 ("PCFFA v Glaser" or "GBP Citizens Suit")
- E. 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). Appeals in Delta Plan Litigation:
State Water Contractors, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082944); California Water Impact Network, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994); Central Delta Water Agency, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994); North Coast Rivers Alliance, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994); Save the California Delta Alliance v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994)
- F. California Sportfishing Protection Alliance, et al. vs. California State Water Resources Control Board, et al., Alameda County Superior Court Case No. RG15780498 (State WQCP/TUCP)
- G. City of Fresno, et al. v. United States, U.S. Court of Federal Claims, Case No. 16-1276L (Friant Takings Suit)
- H. Monterey Coastkeeper, et al. v. Central Valley Regional Water Quality Control Board, et al., Sacramento County Superior Court Case No. 34-2018-80002853; Environmental Law Foundation v. State Water Resources Control Board, Sacramento County Superior Court Case No. 34-2018-80002851; Protectores del Agua Subterranea v. State Water Resources Control Board, Sacramento Superior Court Case No. 34-2018-80002852 ("Waste Discharge Requirement Cases")
- I. 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")

16. Return to Open Session
17. Report from Closed Session, if any, Required by Government Code Section 54957.1
18. Reports Pursuant to Government Code Section 54954.2(a)(3)

19. 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, 842 6th Street, P.O. Box 2157, Los Banos, California, telephone: 209/826-9696 at least 3 days before a regular meeting or 1 day before a special meeting/workshop.

Telephonic Participation Locations:

San Benito County Water District
30 Mansfield Road
Hollister, CA 95023

Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118

¹ Attention telephonic participants: This Notice and Agenda must be posted at the telephonic participation location, which must be accessible to the public.

**SAN LUIS & DELTA-MENDOTA WATER AUTHORITY
ADJOURNED REGULAR WATER RESOURCES COMMITTEE MEETING
AND JOINT ADJOURNED REGULAR WATER RESOURCES COMMITTEE
MEETING - SPECIAL BOARD WORKSHOP MINUTES
SEPTEMBER 9, 2019**

The Adjourned Regular Water Resources Committee Meeting and Joint Adjourned Regular Water Resources Committee Meeting and Special Board Workshop of the San Luis & Delta-Mendota Water Authority convened at approximately 10:00 a.m. at 842 6th Street in Los Banos, California with Chair Tom Birmingham presiding.

Water Resources Committee Members Present

Ex-Officio

Cannon Michael

Division 1

Anthea Hansen, Alternate for Earl Perez

Division 2

Bill Diedrich, Member - William Bourdeau, Alternate

Division 3

Chris White, Alternate

Division 4

Jeff Cattaneo, Alternate for Cindy Kao (via Teleconference)

Division 5

Tom Birmingham, Member - Steve Stadler, Alternate

Board of Directors Present

Division 1

Anthea Hansen, Director

Rick Gilmore, Director

Division 2

William Bourdeau, Director

Bill Diedrich, Director - Lon Martin, Alternate

Division 3

Chris White, Alternate for James O'Banion (arrived during item 6)

Cannon Michael, Director

Division 4

Jeff Cattaneo, Director (via teleconference)

Sara Singleton, Alternate for Joseph Tonascia

Division 5

Tom Birmingham, Director

Steve Stadler, Director

Authority Representatives Present

Federico Barajas, Executive Director

Frances Mizuno, Assistant Executive Director

Scott Petersen, Water Policy Director

Rebecca Akroyd, General Counsel

Others Present

Tom Boardman, Westlands Water District

Dana Jacobson, Valley Water

Austin Ewell, Ewell Group

Jason Philips, Friant Water Authority

Russ Freeman, Westlands Water District

Jennifer Pierre, State Water Contractors

Frances Brewster, Valley Water

1. Call to Order

Chair Tom Birmingham called the meeting to order at 10:00 a.m.

2. The Water Resources Committee Will Consider Corrections or Additions to the Agenda of Items, as authorized by Government Code Section 54950 et seq.

There were no corrections or additions to the agenda.

3. Opportunity for Public Comment

There was no public comment.

4. Water Resources Committee to Consider Approval of the August 5, 2019 Meeting Minutes

With a few minor edits, Chair Tom Birmingham pronounced the August 5, 2019 meeting minutes approved.

5. Water Resources Committee to Consider Recommendation to the Board of Directors to Authorize Execution of Agreement with State Water Contractors and Expenditure of up to \$125,000 from the Technical Budget to Jointly Fund CAMT Facilitation

Water Policy Director Scott Petersen referenced Bruce DiGennaro's presentation at the August Water Resources Committee meeting explaining that the 2019 Workplan identifies a \$1.7 million budget for 2019, with a current funding shortfall of \$125,000 for management and facilitation costs. Petersen reported that staff recommends the Water Resources Committee recommend to the Board of Directors to authorize execution of an agreement with the State Water Contractors and expenditure of up to \$125,000 from the Technical Budget to jointly fund CAMT/CSAMP facilitation costs.

Member Tom Birmingham made a motion that the committee recommend the Board of Directors authorize execution of an agreement with State Water Contractors and expenditure of up to \$125,000 from the Technical Budget to jointly fund CAMT Facilitation. The motion was seconded by Alternate Member Anthea Hansen and passed unanimously. The Committee action is reported as follows:

AYES: Michael, Hansen, Diedrich, Cattaneo, Birmingham
NOES: None
ABSTENTIONS: None

6. Briefing on Voluntary Agreements

Water Policy Director Scott Petersen gave a brief status update on Voluntary Agreements relating to the Water Quality Control Plan update. Petersen reported that the various workgroups are updating documents for a key October determination as to the legal and scientific adequacy of the proposed Voluntary Agreements. Petersen then reported on proposed timelines, should the adequacy determination be positive and the agreements signed.

7. Briefing on CSAMP/CAMT Funding

Chair Tom Birmingham introduced Jennifer Pierre from the State Water Contractors and Frances Brewster from Valley Water. Water Policy Director Scott Petersen reported that the annual cost of CSAMP/CAMPT is about \$1.6 million, and currently State Water Contractors and the Authority have jointly funded expenditures including facilitation costs. Petersen reported that there is a need for a more equitable funding model to spread the cost among the participants and to ease contracting requirements from state and federal agency contracting procedures in order to have a more flexible annual science program.

Jennifer Pierre explained that more flexibility is needed, for example, with respect to 1) the ability of CSAMP/CAMP to contract with a particular consultant or study, and 2) the administration of the contract and management of deliverables. Frances Brewster explained the need for more consistent and reliable funding to help fund studies. Chair Tom Birmingham suggested that Water Policy Director Scott Petersen, Jennifer Pierre, and Frances Brewster work on a proposed budget for the next fiscal year, and bring it back to the Committee.

8. Briefing on San Joaquin Valley Water Blueprint

Water Policy Director Scott Petersen introduced Austin Ewell, who provided a brief update on the San Joaquin Valley Water Blueprint. Ewell updated the Committee on the status, funding, socio-economic report, and the Governor's Water Resiliency Plan.

9. Update on Water Policies Activities

Water Policy Director Scott Petersen provided a brief ROC on LTO update, reporting that a strike team continues to work on ensuring consistency and that the best available science is represented in the Biological Opinions.

10. Update on California Storage Projects

Assistant Executive Director Frances Mizuno provided a brief update on Los Vaqueros Reservoir Expansion project, reporting that the General Managers had a meeting, and are working through comments on term sheets for a new Joint Powers Authority (JPA). Mizuno also reported that a legal group prepared a Request for Proposals that had gone out for selection of counsel for the new JPA that will be established. Mizuno concluded reporting that the Bureau is completing a feasibility report for the project, which shows project benefits for Level 4 Refuge Water and CVP flexibility.

Executive Director Federico Barajas gave a brief update on the San Luis Reservoir project, reporting that discussion on operational scenarios is underway. Barajas reported that Reclamation received the concurrence letter from the Commissioner to initiate feasibility study for Additional Project Benefits in Conjunction with Safety of Dams Modification on B.F. Sisk Dam.

11. Report on State and Federal Affairs, including Proposed 2019 Legislative Objectives

Water Policy Director Scott Petersen reported that the SBI filing deadline is today, September 9, 2019. Petersen reported that Congress is back in session this week, and that the Authority staff are travelling to Washington DC next week.

12. Update on Water Operations and Forecasts

Westlands Water District's Tom Boardman reported that Jones is pumping at capacity, but Banks is reduced by about 15% as the SWP meets its share of the fall X2 requirement that began September 1. The unofficial plan by the Projects is for the SWP to meet the fall X2 RPA as written in the 2008 delta smelt BiOp while the CVP will target its operations to meet a modified X2 objective during September and October. The modified X2 operation will help avoid significant Jones pumping restrictions during October. Boardman responded to a few questions as to how the Projects will operate to two different X2 objectives.

Both Shasta and Folsom storage is about 30% above the 15-year average. Shasta has about 3.6 MAF in storage and will have to release 400 TAF over the next three months to meet flood requirements that go into effect December 1.

Boardman concluded his report with a brief review of 3 charts showing 1) a comparison of USBR April 90% exceedance forecast to actual conditions-cumulative demands and CVP San Luis Reservoir storage and 2) the 90% and 50% exceedance hydrology for 2019-2020 San Luis storage refill projections.

13. Update on Infrastructure Projects

Assistant Executive Director Frances Mizuno reported that the Bureau has indicated that they will be able to fund the third and last unit of the Jones Pumping Plant unit rewind project, and that Authority staff will be negotiating a new repayment contract with the goal to complete schedule executed by February, 2020.

14. Executive Director's Report

Executive Director Federico Barajas reported that Authority staff is continuing to work on the San Joaquin Valley Water Infrastructure Authority issues that were raised last month.

Barajas reported that the Bureau announced Kristin White will serve as acting Central Valley Operations Office Manager upon Jeff Rieker's departure this Friday, September 13th.

15. Closed Session

Chair Tom Birmingham adjourned the open session to address the items listed on the Closed Session Agenda at approximately 11:30 a.m. Upon return to open session at approximately 11:45 a.m., General Counsel Rebecca Akroyd reported that there were no reportable actions taken in

closed session.

16. Reports Pursuant to Government Code Section 54954.2

Committee Alternate William Bourdeau reported that he had participated in the Municipal Water District of Orange County's 2019 Water Policy Forum & Dinner on September 5, and provided a handout regarding the event.

17. Adjournment

The meeting was adjourned at approximately 11:45 a.m.