

**SAN LUIS & DELTA-MENDOTA WATER AUTHORITY  
WATER RESOURCES COMMITTEE REGULAR TELEPHONIC MEETING  
AND JOINT WATER RESOURCES COMMITTEE REGULAR  
TELEPHONIC MEETING - SPECIAL BOARD WORKSHOP MINUTES**

**November 1, 2021**

The Water Resources Committee and Joint Water Resources Committee Regular Telephonic Meeting and Special Board Workshop of the San Luis & Delta-Mendota Water Authority convened at approximately 10:00 a.m. at 842 6<sup>th</sup> Street, Los Banos, California, and via teleconference in accordance with the Governor's Executive Order (N-08-21) and Resolution No. 2021-490 adopted by the Board of Directors on October 7, 2021, with Committee Chair Tom Birmingham presiding.

**Water Resources Committee Members Present**

**Ex-Officio**

Cannon Michael

William Bourdeau (via Teleconference)

**Division 1**

Zach Maring, Member (via Teleconference) - Anthea Hansen, Alternate

**Division 2**

Bill Diedrich, Member

**Division 3**

Chris White, Member - Ric Ortega, Alternate (both via Teleconference)

**Division 4**

Vincent Gin, Member - Jeff Cattaneo, Alternate

**Division 5**

Tom Birmingham, Member - Manny Amorelli, Alternate (both via Teleconference)

**Board of Directors Present**

**Division 1**

Anthea Hansen, Director

**Division 2**

William Bourdeau, Director (via Teleconference)

Bill Diedrich, Director

**Division 3**

Chris White, Director (via Teleconference)

Cannon Michael, Director  
Ric Ortega, Director (via Teleconference)

**Division 4**

Jeff Cattaneo, Director

**Division 5**

Tom Birmingham, Director  
Manny Amorelli, Director

**Authority Representatives Present**

Federico Barajas, Executive Director  
Pablo Arroyave, Chief Operating Officer  
Scott Petersen, Water Policy Director  
Rebecca Akroyd, General Counsel  
Joyce Machado, Director of Finance  
Jerry Robbins, Special Programs Manager  
Stewart Davis, IT Officer

**Others Present**

Tom Boardman, Westlands Water District  
Russ Freeman, Westlands Water District  
Dana Jacobson, Valley Water  
Chris Park, CDM Smith  
Kristi Robinson, WaterWise  
Shelley Cartwright, Westlands Water District  
Cindy Kao, Valley Water  
Ian Buck-McLeod  
Kaho Kong  
John Harris  
Steve Stadler, San Luis Water District

**1. Call to Order/Roll Call**

Committee Chair Tom Birmingham called the meeting to order and roll was called.

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

General Counsel Rebecca Akroyd reported that agenda item 7a should read DMC Subsidence Correction Project.

3. **Opportunity for Public Comment**  
No public comment.

4. **Water Resources Committee to Consider Approval of the September 13, 2021 Meeting Minutes.**

Chair Tom Birmingham pronounced the September 13, 2021 meeting minutes approved with corrections provided orally during the meeting.

5. **Water Resources Committee to Consider Recommendation to Board of Directors to Select Non-Federal Investment Option for B.F. Sisk Dam Raise and Expansion Project.**

Chief Operating Officer Pablo Arroyave provided a brief overview of the staff memo included in the packet. Arroyave reported that there are two questions for the Committee, 1) What non-federal investment option (e.g. 50% CVP-only and 50% investor-directed or 30% CVP-only and 70% investor-directed) should be adopted for the project, and 2) Whether the Authority should select one of the three specific operational configurations identified, or an alternative configuration. Arroyave reported that in accordance with the WIIN Act, prior to commencement of construction, a cost share agreement for any reimbursable federal benefits must be developed and executed. Arroyave reported that due to questions and concerns regarding the Emergency Water Supply assumptions and analysis developed for the Feasibility Study, for the addendum, the Delta facility outage duration has been changed from 1-year to 2-years. Arroyave reported that this 2-year outage evaluation approach is currently under review by Reclamation economists

After a brief discussion Chair Tom Birmingham made the motion to select the 78% Ag/7%M&I/15%Refuge configuration, and maintain the 50/50 cost split with the understanding that it can be modified prior to construction. The motion was seconded by Member Bill Diedrich. After further discussion Member Bill Diedrich withdrew his second. A revised motion was made by Chair Tom Birmingham to select the 70%AG/15%M&I/15%Refuge configuration. The motion was seconded by Member Bill Diedrich. The Committee action is reported as follows:

AYES: Michael, Bourdeau, Maring, Diedrich, White, Gin, Birmingham  
NOES: None  
ABSTENTIONS: None

6. **Water Resources Committee to Consider Recommendation to Board of Directors to Authorize Execution of Second Amendment to Agreement for Professional Services with**

**CDM Smith and Related Increase in Expenditure of \$300,000.00 for B.F. Sisk Dam Raise and Expansion Project Support within the FY22 Leg Ops Budget**

Chief Operating Officer Pablo Arroyave provided a brief overview of the staff memo included in the packet. Arroyave reported that staff recommends authorization to execute an amendment to the Agreement for Professional Services with CDM Smith and related increase in expenditure of \$300,000, accomplished by a realignment of remaining FY 22 Leg Ops budget funds.

Ex Officio Member Cannon Michael made the motion to authorize execution of second amendment to Agreement for Professional Services with CDM Smith and related increase in expenditure of \$300,000.00 for B.F. Sisk Dam Raise and Expansion Project support within the FY22 Leg Ops Budget. The motion was seconded by Alternate Member Bill Diedrich and passed unanimously. The Committee action is reported as follows:

- AYES: Michael, Bourdeau, Maring, Diedrich, White, Gin, Birmingham
- NOES: None
- ABSTENTIONS: None

**7. Executive Director’s Report.**

A. **DMC Subsidence Correction Project** – Executive Director Federico Barajas reported that the state has \$100 million that they have identified in this year’s state budget to initiate efforts to restore conveyance to key portions of the California Aqueduct, the San Luis Canal, the Delta-Mendota Canal and the Friant-Kern Canal that have been lost due to subsidence. DWR has been assigned as the agency in charge of determining criteria for distribution of those funds. Barajas reported that staff has been working directly with DWR as it relates to the DMC.

B. **SLTP – WAPA** provided an updated cost estimate of \$307 million for the project. Barajas reported that a more detailed update will be provided to the Finance & Administration Committee and the Board of Directors.

**8. Update on Water Policy/Resources Activities.**

Water Policy Director Scott Petersen provided a brief summary of his report included in the packet. Petersen reported that Reclamation requested reinitiation of consultation on September 30, 2021. Petersen reported that in response to this action, on October 20, 2021, the Authority sent a letter to Reclamation Regional Director Ernest Conant requesting participation in the reinitiation of consultation pursuant to Section 4004 of the WIIN Act and in the NEPA process as either a Cooperating Agency or Participating Agency.

Petersen reported that the Council on Environmental Quality (CEQ) is proposing to modify certain aspects of its regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA) to generally restore regulatory provisions that were in effect for decades before being modified in 2020. Petersen reported that the proposed rule would restore provisions addressing the purpose and need of a proposed action, agency NEPA procedures for implementing CEQ's NEPA regulations, and the definition of "effects." CEQ invites comments on the proposed revisions. Petersen reported that comments must be received by November 22, 2021.

Petersen reported that on October 27, the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NOAA Fisheries) published in the federal register two proposed rules to rescind two critical habitat regulations finalized in December 2020. Petersen reported that the proposals would rescind the Services' regulatory definition of "habitat" and the FWS regulations that govern critical habitat exclusions under 4(b)(2) of the ESA. Petersen reported that the proposed rules are open for a 30-day public comment period through Friday November 26th.

Petersen reported that Reclamation has made a number of proposed changes to the Reclamation Manual.

#### **9. Agenda Item II: Update on Water Operations and Forecasts**

Westlands Water District's Tom Boardman reported that Shasta and Folsom are refilling thanks to the recent storms. Reservoir inflow rates, release operations and refill amounts were explained for both reservoirs. Delta conditions were described to be very good such that CVP and SWP pumping plants are now at capacity following a slight delay late last week due to problems at the Tracy fish facility trash rack.

Boardman reported on current storage in San Luis while mentioning that the CVP has yet to return 100 TAF of storage to the SWP that was exchanged during late summer. A San Luis projection chart under 50% exceedance condition was briefly explained.

Responding to a question from Ex Officio Member Bourdeau, Boardman explained that it may be too early to estimate if the strength and duration of the recent storms will be sufficient enough to reduce the amount of carriage water that will be charged against wheeling transfer water across the Delta.

#### **10. Agenda Item 12: Committee Member Reports.**

Member Bill Diedrich reported that Tanya Trujillo will be giving a presentation at the ACWA Conference.

**11. Agenda Item 13: Closed Session**

Committee 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 11:50 a.m., Chair Tom Birmingham reported that there were no reportable actions taken in closed session.

**12. Reports Pursuant to Government Code Section 54954.2**

None.

**13. Adjournment**

The meeting was adjourned at approximately 11:51 a.m.