

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

**JULY 12, 2021**

The Telephonic Water Resources Committee and Joint Telephonic Water Resources Committee Regular Meeting and Special Board Workshop of the San Luis & Delta-Mendota Water Authority convened at approximately 10:00 a.m. This meeting was held via teleconference/ZOOM in accordance with the Governor's Executive Order (N-29-20) and the declared State of Emergency as a result of the threat of COVID-19, with Committee Chair Tom Birmingham presiding.

**Water Resources Committee Members Present**

**Ex-Officio**

Cannon Michael

William Bourdeau

**Division 1**

Zach Maring, Member - Anthea Hansen, Alternate

**Division 2**

Bill Diedrich, Member

**Division 3**

Chris White, Member

**Division 4**

Vincent Gin, Member - Jeff Cattaneo, Alternate

**Division 5**

Tom Birmingham, Member - Manny Amorelli, Alternate

**Board of Directors Present**

**Division 1**

Anthea Hansen, Director

Lea Emmons, Alternate

**Division 2**

William Bourdeau, Director

Bill Diedrich, Director

**Division 3**

Chris White, Director - Jarrett Martin, Alternate

Cannon Michael, Director

**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

Frances Mizuno, Special Projects Administrator

Joyce Machado, Director of Finance

Gerald Robbins, Special Programs Manager

Jaime Bowker, Summer Clerk

Stewart Davis, IT Officer

**Others Present**

Tom Boardman, Westlands 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.**

No additions or corrections.

**3. Opportunity for Public Comment**

No public comment.

**4. Water Resources Committee to Consider Approval of the June 7, 2021 Meeting Minutes.**

Chair Tom Birmingham pronounced the June 7, 2021 meeting minutes approved without correction.

**5. Water Resources Committee to Consider Recommendation to Board of Directors to Authorize Execution of Master Science Coordination Agreement with State Water Contractors.**

Water Policy Director Scott Petersen reported that historically, the Authority and State Water Contractors have jointly funded a number of science activities, including facilitation and participation in forums, direct funding of studies, among other activities, associated with reducing uncertainty and improving the effectiveness of and minimizing the water supply impacts of species recovery efforts. Petersen reported that these efforts have been performed under individual agreements, some informal, and each action was taken to the Board for approval and execution, therefore taking up staff time and meeting time with the Board. Petersen reported that with the adoption of a revised procurement policy for the Authority, staff is proposing to transition existing agreements and to authorize future science efforts that are jointly funded with the State Water Contractors pursuant to a Master Science Coordination Agreement, with individual project orders to be issued for specific activities. Petersen reported that the attached Master Science Coordination Agreement outlines the terms and includes a template project order form that includes the information that will be incorporated into each subsequent individual project agreement. Chair Tom Birmingham recommended an amendment to item 6 on the agreement allowing termination by either party with 30-days' notice

Member Bill Diedrich made a motion, seconded by Ex Officio Member Cannon Michael to authorize execution of Master Science Coordination Agreement with State Water Contractors as amended. The vote on the motion was as follows:

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

**6. Water Resources Committee to Consider Recommendation to Board of Directors to Adopt Staff Recommendation for Positions on Legislation.**

A. S. 2185 (Barrasso) – Western Water Infrastructure Act of 2021 – Water Policy Director Scott Petersen reported that staff is recommending that the Water Resources Committee recommend that the Board adopt the staff recommended position of “Support and Amend” on S. 2185, the Western Water Infrastructure Act of 2021. Petersen reported that S. 2185 would reauthorize the WIIN Act funding accounts, authorize funding to eliminate Reclamation’s

maintenance backlog, and restore storage capacity at Reclamation and Corps of Engineers facilities by establishing a sediment management program. Petersen reported that would grandfather the B.F. Sisk Dam Raise and San Luis Reservoir Expansion projects and authorize an additional \$1.6 billion in funding for the WIIN Act Section 4007 water storage funding account, and \$500 million for desalination and water recycling projects pursuant to WIIN Act Section 4009. Petersen reported that it does contain a provision that would require that projects be transmitted to Congress and approved by both authorizing and appropriations committees prior to funding, which is a change from current practice that only requires that projects be named in appropriations legislation. Petersen reported that projects that had a transmitted feasibility study by January 1, 2021 would be grandfathered under the prior process. Petersen reported that additionally, the legislation authorizes \$300 million for the WaterSMART program, \$50 million in non-reimbursable funds for inspections of aging infrastructure in Reclamation states, \$5 billion for maintenance backlog projects contained in Asset Management Reports, and \$100 million for reservoir sediment management. Petersen reported that staff is recommending a “Support and Amend” position, and is recommending that the Authority support the underlying legislation while working to add a WIIN Act Operations extension to the legislation.

Chair Birmingham made a motion, seconded by Ex Officio Member William Bourdeau, to adopt staff recommendation for positions on legislation. The vote on the motion was as follows:

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

**7. Executive Director’s Report.**

A. **Update on Water Transfers** – Special Projects Administrator Frances Mizuno provided an update on four items: 1) Yuba Transfer: Mizuno reported that the TUCP order issued by the State Water Resources Control Board (SWRCB) requires Reclamation to submit a 5-day notice of any pending transfers. Mizuno reported that as of Friday, July 9<sup>th</sup>, Reclamation did submit the notice for the Yuba transfer, and informed the SWRCB that pumping may start as early as July 15; 2) North of the Delta Water Transfer Update: Mizuno reported that all the available transfer water will be released and pumped in the month of October, and the final amount is still being finalized; 3) Stockton East: Mizuno reported that this transfer is being processed by Reclamation, and they are working on the Environmental Assessment. Mizuno reported that Reclamation hopes to have the Environmental Assessment completed by the end of the week, and then it will be put out for public

comment. Mizuno reported that Stockton East has indicated that they will make up to 7,500 af available. Mizuno reported that the water will most likely be released in September; and, 4) OID/SSJID: Mizuno reported OID/SSJID indicated that up to 100,000 af of water will be made available. Mizuno provided a brief update on OID/SSJID negotiations with Reclamation to approve this transfer, and reported that progress is being made. Mizuno reported that Reclamation approved moving forward on the NEPA document, and the Authority is going to contract with CDM Smith to prepare the document as quickly as possible.

B. **DMC Subsidence Mitigation Project** – Chief Operating Officer Pablo Arroyave reported that the geotechnical work has been completed, and the focus right now is working with Reclamation on developing a cooperative agreement and hope to bring it to the Board in September.

C. **B.F. Sisk** – Executive Director Federico Barajas reported that geotechnical work will be taking place on State Route 152. Chief Operating Officer Pablo Arroyave reported that drilling starts tonight, and will go from 9 p.m-6 a.m. thru Friday July 16th, and will start back up on Monday July 19, and finish up on Wednesday July 21. Arroyave reported that during that time period one lane in each direction will be closed.

D. **In-Person Meeting** – Executive Director Federico Barajas reported that staff is in the process of transitioning to in-person meetings starting next month, and are also working on virtual options.

Special Projects Administrator Frances Mizuno reported that she just received an update that Reclamation is currently not meeting the 3-mile slough water quality requirement so the July 15<sup>th</sup> is doubtful for beginning pumping of the Yuba transfer water. Chair Birmingham noted that modeling showed that Reclamation and DWR would likely come into compliance early this week. Mizuno reported that if they come into compliance they will be able to begin movement of the Yuba transfer water.

## 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 on June 9, 2021, US EPA and the Army Corps announced their intent to once again revise the definition of “waters of the United States”, in a continuation of the changes to this policy as federal administration’s change. Petersen reported that this action reflects the agencies’ intent to initiate a new rulemaking process that restores the protections in place prior to the 2015 WOTUS implementation, and anticipates developing a new rule that defines WOTUS and is informed by a robust engagement process as well as the experience of implementing the pre-2015

rule, the Obama-era Clean Water Rule, and the Trump-era Navigable Waters Protection Rule. Petersen reported that the agencies did indicate that the new regulatory effort will be guided by the following considerations: 1) Protecting water resources and our communities consistent with the Clean Water Act, 2) The latest science and the effects of climate change on our waters, 3) Emphasizing a rule with a practical implementation approach for state and Tribal partners, and 4) Reflecting the experience of and input received from landowners, the agricultural community that fuels and feeds the world, states, tribes, local governments, community organizations, environmental groups, and disadvantaged communities with environmental justice concerns. Petersen reported that staff will keep the committee members, the Board, and member agencies updated on future developments.

Petersen reported that the State Water Board will be considering a proposed General Order and draft Programmatic EIR to establish a streamlined permit authorization process for specific types of restoration activities. Petersen reported that this proposed General Order, and Programmatic EIR could have the potential to streamline permit authorizations for restoration work that would be done under a number of different programs. Petersen reported that the State Water Board will accept written comments on the Proposed General Order and draft PEIR until noon on August 13, 2021, and Authority staff anticipates providing comments on the documents and will coordinate with member agencies and other key parties.

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

Westlands Water District's Tom Boardman reported that Shasta storage is 1.67 MAF which is trending about 100 TAF lower than projected. Current releases are nearly 2,000 cfs higher than shown in Reclamation's conservative forecast to meet Sacramento River temperature objectives and Delta needs. Folsom storage is also trending below Reclamation's projection, but reduced releases to 1,000 cfs may help to achieve the targeted carryover storage of 210 TAF. Boardman briefly explained the relaxed Delta standards and how compliance with the standards may delay the pumping of the Yuba County Water Agency transfer water to late July or early August.

Boardman reported that the CVP share of San Luis is about 50 TAF from reaching the CVP share of dead storage. The expectation of low CVP pumping through at least July may result in the CVP share of storage dropping to -130 TAF by the end of September. CVP and SWP operators are generally in agreement with CVP borrowing storage with the condition that the storage debt be paid back by the end of December.

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

Ex Officio Member Cannon Michael announced that he appointed Member Zach Maring for the Division I representative.

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

No closed session.

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

None.

13. **Adjournment**

The meeting was adjourned at approximately 10:50 a.m.