

Meeting: **Sites Reservoir Committee Meeting**

July 22, 2022

9:00 AM – 12:00 PM

Location: **Maxwell Project Office, 122 Old Highway 99**

Reservoir Committee Chair: Thad Bettner (Glenn-Colusa Irrigation District)

Reservoir Committee Vice-Chair: Valerie Pryor (Zone 7 Water Agency)

Treasurer: Jamie Traynham (Davis Water District)

MINUTES

CALL TO ORDER/PLEDGE OF ALLEGIANCE:

Chair Bettner called to order the Reservoir Committee Meeting at the hour of 9:00 a.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 80% 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 Mr. Vanderwaal, seconded by Ms. Pryor to approve the July 22, 2022 Reservoir Committee Meeting Agenda. **Motion carried unanimously.**

ANNOUNCEMENT OF CLOSED SESSION:

Counsel Doud announced the Reservoir Committee would consider the following Closed Session matter:

5. Closed Session:

5.1 Conference with Real Property Negotiators (Gov. Code § 54956.8)
Property: [Glenn County] APNs 014-240-004-000, 014-210-005-000, 014-220-001-000, 014-240-003-000, 014-220-001-000, 014240-005-000 and 014-240-006-000

Agency negotiators: Jerry Brown, Kevin Spesert

Negotiating parties: Bill Owens Ranch

Under negotiation: Price and terms of payment

5.2 Conference with Real Property Negotiators (Gov. Code § 54956.8)
Property: [Colusa County] APNs 011-150-021-000 and 011-150-022-000
Agency negotiators: Jerry Brown, Kevin Spesert
Negotiating parties: Banyan Transport Systems
Under negotiation: Price and terms of payment

- 5.3 Negotiations concerning Sites Project operation terms, conditions, and agreements with the Department of Interior, Bureau of Reclamation (Gov. Code 54956.6(c)).
- 5.4 Conference with legal counsel regarding significant exposure to litigation or adjudicatory proceedings (Gov. Code §§54956.9(d)(2) and (4)).

PERIOD FOR PUBLIC COMMENT:

Chair Bettner called for a period for public comment. Hearing none, he closed the period for public comment.

1. Consent Agenda:

It was moved by Mr. Azevedo, seconded by Mr. Cheng to approve Consent Agenda Item Numbers 1.1 through 1.5 as follows:

- 1.1 Approve the June 17, 2022 Joint Reservoir Committee & Authority Board Meeting Minutes.
- 1.2 Accept the Sites Project Authority Treasurer's Report.
- 1.3 Approve the Payment of Claims.
- 1.4 Authorize a total contract authority for Real Property Appraisal Services to support Amendment 3 real estate actions, not to exceed \$100,000, from prequalified firms.
- 1.5 Approve the forming of the ad hoc Governance Joint Committee and ad hoc WIFIA Joint Subcommittee charters. **Motion carried unanimously.**

2. Action Items:

- 2.1 Authorize the Executive Director to (1) submit the Biological Assessment (BA) to Reclamation for consultation under the Federal Endangered Species Act covering construction and operations and (2) submit the Operations Incidental Take Permit (ITP) application to the California Department of Fish and Wildlife (CDFW) and pay the associated application fee.

Ms. Forsythe provided a presentation on the Federal BA and State Operations ITP Application and spoke to the following:

- Longfin smelt included in BA for conference opinion.
- Exact take numbers for aquatic species will be developed during BA and ITP consultation process.
- Mitigation for aquatic species tends to have more negotiation, Generally, no established or precedential ratios like terrestrial.

- Adaptive Management Plan: Framework and process for addressing uncertainty with current scientific understanding of listed species and the effects of Project operations.
- Terms and Changes: Biological Opinions, Operations ITP, Changes, if any, in the future would be mutually agreed upon.

Brief discussion followed.

ACTION:

It was moved by Mr. Cheng, seconded by Mr. Vanderwaal to recommend to the Authority Board to authorize the Executive Director to (1) submit the Biological Assessment to Reclamation for consultation under the Federal Endangered Species Act covering construction and operations and (2) submit the Operations Incidental Take Permit application to the California Department of Fish and Wildlife and pay the associated application fee. **Motion carried unanimously.**

- 2.2 Recommend the following Authority Board actions for the 2022-2024 Sites Reservoir Geologic, Geophysical and Geotechnical Investigations ("Project"): (1) adoption of the CEQA Initial Study/Mitigated Negative Declaration; (2) adoption of the Mitigation Monitoring and Reporting Program; (3) approval of the Project; and (4) authorize the Executive Director to file all related notices and pay all related fees.

Ms. Forsythe provided a presentation on 2022-2024 Geologic, Geophysical, and Geotechnical Investigations and spoke to the following:

- Support engineering, design, and cost estimates.
- Geologic mapping, Surface mapping, noninvasive, Geotechnical investigations, subsurface drilling, invasive, Surface geophysical surveys, Surface mapping, non or minimally invasive.
- Mitigation Monitoring and Reporting Program, Mitigation Measures.
- Resource Area: General, Biological Resources, Paleontological Resources, Cultural Resources, Tribal Cultural Resources.
- Permits and Schedule: Anticipate permits by end of 2022 with permits only needed for a few locations, Work scheduled to begin September 1, 2022 and end by December 2024.

Mr. Weghorst spoke to the geophysical survey areas and Mr. Vanderwaal spoke to the CA Dept. of Fish and Wildlife, Regional Water Quality Control Board, and Central Valley Flood Protection Board areas.

Ms. Forsythe explained the geophysical surveys are concentrated in the borrow and dam areas. There are four permit locations for CDFW and RWQCB. Three of the four locations are inside Funks Reservoir, one location is in a seasonal wetland. The Central Valley Flood permit areas are within the outfall

structure of the Colusa Basin Drain, which falls within the state plan of flood control and needs approval from the flood protection board.

ACTION:

It was moved by Ms. Pryor, seconded by Mr. Weghorst to recommend the following Authority Board actions for the 2022-2024 Sites Reservoir Geologic, Geophysical and Geotechnical Investigations ("Project"): (1) adoption of the CEQA Initial Study/Mitigated Negative Declaration; (2) adoption of the Mitigation Monitoring and Reporting Program; (3) approval of the Project; and (4) authorize the Executive Director to file all related notices and pay all related fees. **Motion carried unanimously.**

- 2.3 Adopt a new Accounting Policy to guide staff preparation of the Sites Project Authority's financial statements.

Mr. Trapasso spoke to the adoption of a new Accounting Policy and noted the following:

- Development of the Accounting Policy was a recommendation of the Authority's financial audit.
- Policy gives the auditors a reference for evaluating the financial cost accounting practices being implemented.
- Accounting foundations will be used to provide consistency and inform Staff level decision-making in day-to-day accounting.
- The Policy addresses multiple financial areas including accounting, revenues, invoicing, accounts receivable, cash, bank accounts, credit cards, liabilities, general ledger, audit practices and reporting.
- The Policy acknowledges that as the project progresses, the accounting policy will need to be amended to reflect the accounting practices used by the Authority.

Brief discussion followed.

ACTION:

It was moved by Ms. Traynham, seconded by Ms. Pryor to Adopt the new Sites Project Authority Accounting Policy to guide staff preparation of the Sites Project Authority's financial statements. **Motion carried unanimously.**

- 2.4 Approve the Contracting Strategy for the purpose of developing an overall project construction schedule which will establish a baseline to efficiently advance final design, coordinate with agencies, and establish a procurement approach. Authorize staff to:

1. Evaluate adjustments to the Amendment 3 work plan and current task orders to reflect the packaging, delivery method, and overall schedule criticality.

2. Make changes to the initial Contracting Strategy as needed throughout the Amendment 3 work period while maintaining consistency with the evaluation considerations.

Mr. Robinette provided a presentation on Contracting Strategy and spoke to the following:

- Process for Developing Contract Strategy Recommendation.
- Contract Strategy Values: Oversight, Construction Contracts, Project Costs, Project Schedule and Project Risks.
- Evaluation Considerations: Facilitate system-wide testing and commissioning, logistical planning, early engagement of operator and community perspectives, provide opportunities for local contractors.
- Market Outreach Takeaways, Contract Procurement: Surface Storage Projects receiving State funding.
- Procurement Strategy Considerations: Values, Timing, Guidelines, Market outreach, Authority representation.
- Construction Manager at Risk Overview and Contract Strategy Risk Summary.

Mr. Kunde noted the Contracting Strategy was reviewed at the last Engineering & Operations Workgroup. This Workgroup voted to recommend this action item to the RC and JPA for approval and there was no opposition.

ACTION:

It was moved by Mr. Azevedo, seconded by Mr. Vanderwaal to recommend to the Authority Board to approve the Contracting Strategy for the purpose of developing an overall project construction schedule which will establish a baseline to efficiently advance final design, coordinate with agencies, and establish a procurement approach. Authorize staff to:

1. Evaluate adjustments to the Amendment 3 work plan and current task orders to reflect the packaging, delivery method, and overall schedule criticality.
2. Make changes to the initial Contracting Strategy as needed throughout the Amendment 3 work period while maintaining consistency with the evaluation considerations. **Motion carried unanimously.**

3. Discussion and Information Items:

- 3.1 Review and comment on the process for the development, content, and schedule for the Sites Project's Proposition 1 benefit agreements.

Ms. Heydinger provided a presentation on the Overview of Proposition 1 Benefit Agreement Process & Contract Contents and spoke to the following:

- Purpose of Prop 1 Benefit Agreements; Determine how the benefits will be administered and how to receive construction funds from the State.
- Key Sections of the benefit agreements: Implementation, Reporting and Adaptive management.
- Sections that are expected to be primarily standard contract language:
 - Recitals, Definitions, Authority, Term, Right of Entry, Effect of contract agreement, Breach of contract, General terms and conditions and process for amending and modifying contract.
 - Public Benefit Agreements are anticipated to be completed around Summer of 2023.

Brief discussion followed.

4. **Reports:**

4.1 **Chairpersons' Report:**

Vice Chair Pryor gave an update on the Federal Legislative Days.

4.2 **Workgroup Chairpersons' Report:**

Operations & Engineering Workgroup

Mr. Kunde spoke to the O&E meeting held on July 12, 2022.

4.3 **Reservoir Committee Participant Reports:**

Mr. Vanderwaal noted he met with Mr. Bair and Yolo County Supervisor Angel Barajas, and they discussed Sites Reservoir and Dunnigan Pipeline.

Ms. Traynham announced Secretary of CDFG, Karen Ross, will be in Colusa on Wednesday, July 27 for a town discussion and encouraged Sites Participants to attend.

4.4 **Executive Director's Reports:**

Executive Director Brown provided an update on the following:

- Expressed Interest in re/new Participation.
- Monthly status report, Work Plan Key Deliverables Report, Changes to the schedule, Meetings Action Items Summary.
- Records Management Policy.

Chairman Bettner declared a recess at 10:57 a.m. and convened into Closed Session to consider Closed Session matters 5.1 through 5.4.

5. **Closed Session:**

Chairman Bettner adjourned Closed Session at 11:58 a.m. and reconvened into Open Session.

6. **Report from Closed Session**

Counsel Doud stated as to Closed Session there was no reportable action taken.

7. **Recap:**

7.1 **Suggested Future Agenda Items.**

None.

7.2 **Upcoming Meetings:**

Authority Board

Wednesday, July 27, 2022 - 1:30 to 4:00 PM
Maxwell Project Office, 122 Old Highway 99

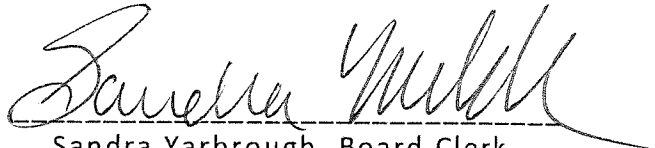
Reservoir Committee

Friday, August 19, 2022 - 9:00 AM to 12:00 PM
Maxwell Project Office, 122 Old Highway 99

Chairman Bettner adjourned the Reservoir Committee Meeting at the hour of 12:00 p.m.



Thad Bettner, Chairman



Sandra Yarbrough, Board Clerk

Meeting: **Reservoir Committee**

July 22, 2022

Subject: **Roll Call**

9:00 AM – 12:00 PM

Current Voting Committee Participants (22):

<i>Pct</i>	<i>Participant</i>	
<input checked="" type="checkbox"/>	3.47 American Canyon, City	
<input type="checkbox"/>	2.42 Antelope Valley-East Kern WA	
<input checked="" type="checkbox"/>	5.28 Coachella Valley WD	
<input checked="" type="checkbox"/>	5.28 Colusa County	
<input checked="" type="checkbox"/>	5.05 Colusa Co. WD	
<input checked="" type="checkbox"/>	2.41 Cortina WD	(1)
<input checked="" type="checkbox"/>	2.87 Davis WD	
<input checked="" type="checkbox"/>	0.00 Department of Water Resources (non-voting)	
<input checked="" type="checkbox"/>	4.22 Desert WA	
<input checked="" type="checkbox"/>	3.17 Dunnigan WD	
<input checked="" type="checkbox"/>	3.77 Glenn-Colusa ID	
<input checked="" type="checkbox"/>	2.57 Irvine Ranch WD	
<input checked="" type="checkbox"/>	2.57 LaGrande WD	(1)
<input type="checkbox"/>	17.29 Metropolitan WD	
<input checked="" type="checkbox"/>	3.47 Reclamation District 108	
<input checked="" type="checkbox"/>	2.42 Rosedale-Rio Bravo WSD	
<input checked="" type="checkbox"/>	8.70 San Bernardino Valley MWD	
<input checked="" type="checkbox"/>	6.48 San Geronio Pass WA	
<input checked="" type="checkbox"/>	2.42 Santa Clara Valley WD	
<input checked="" type="checkbox"/>	3.77 Santa Clarita Valley WA	
<input checked="" type="checkbox"/>	3.89 Westside WD	
<input checked="" type="checkbox"/>	3.19 Wheeler Ridge-Maricopa WSD	
<input checked="" type="checkbox"/>	.00 US Bureau of Reclamation (non-voting)	
<input checked="" type="checkbox"/>	5.28 Zone 7 WA	
	100.00 Total	

20 Voting members represented at Meeting start

80% Represented participation percentage

Representation has been delegated as follows:

(1) To Jamie Traynham, Davis WD

(+) Not present after _____

Meeting: Reservoir Committee

July 22, 2022

Subject: Attendance

9:00 AM – 12:00 PM

Current Voting Reservoir Committee Participants (22):

<i>Participant</i>	<input checked="" type="checkbox"/> <i>Representative</i>	<input checked="" type="checkbox"/> <i>Alternate/Delegate</i>
American Canyon	<input checked="" type="checkbox"/> Felix Hernandez	<input type="checkbox"/> Jason Holley
Antelope Valley-East Kern	<input type="checkbox"/> Dwayne Chisam	<input type="checkbox"/> Dan Flory
Coachella Valley	<input checked="" 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 County Water District	<input checked="" type="checkbox"/> Halbert Charter	<input checked="" type="checkbox"/> Shelly Murphy
Cortina Water District	<input type="checkbox"/> Jim Peterson	<input type="checkbox"/> Chuck Grimmer <input checked="" type="checkbox"/> Jamie Traynham
Davis Water District	<input checked="" type="checkbox"/> Jamie Traynham	<input type="checkbox"/> Tom Charter
Desert Water Agency	<input checked="" type="checkbox"/> Mark Krause	<input type="checkbox"/> Steve Johnson
Dunnigan Water District	<input checked="" type="checkbox"/> Bill Vanderwaal	<input type="checkbox"/> Jake Spooner
Glenn-Colusa Irrigation District	<input checked="" type="checkbox"/> Thad Bettner	<input checked="" type="checkbox"/> Holley Dawley
Irvine Ranch	<input checked="" type="checkbox"/> Paul Weghorst	<input type="checkbox"/> Kellie Welch
LaGrande Water District	<input type="checkbox"/> Zach Dennis	<input type="checkbox"/> Ken LaGrande <input checked="" type="checkbox"/> Jamie Traynham
Metropolitan Water District	<input type="checkbox"/> Randall Neudeck	<input type="checkbox"/> Nina Hawk
RD 108	<input checked="" type="checkbox"/> Bill Vanderwaal	<input type="checkbox"/> Lewis Bair
Rosedale-Rio Bravo	<input checked="" type="checkbox"/> Trent Taylor	<input type="checkbox"/> Dan Bartel
San Bernardino Valley	<input checked="" type="checkbox"/> Bob Tincher	<input type="checkbox"/> Heather Dyer
San Geronio Pass	<input checked="" type="checkbox"/> Lance Eckhart	<input checked="" type="checkbox"/> Thomas Todd
Santa Clara Valley	<input type="checkbox"/> Cindy Kao	<input checked="" type="checkbox"/> Katherine Maher
Santa Clarita Valley	<input checked="" type="checkbox"/> Dirk Marks	<input type="checkbox"/> Steve Cole
Westside Water District	<input checked="" type="checkbox"/> Allan Myers	<input checked="" type="checkbox"/> Dan Ruiz
Wheeler Ridge-Maricopa	<input checked="" type="checkbox"/> Rob Kunde	<input type="checkbox"/> Sheridan Nicholas
Zone 7	<input checked="" type="checkbox"/> Valerie Pryor	<input checked="" type="checkbox"/> Amparo Flores

Reservoir Committee Attendance

July 22, 2022

Non-Voting Committee Participants (2):

<i>Participant</i>	<input type="checkbox"/> <i>Other</i>	<i>Representative/</i>	<input type="checkbox"/> <i>/Other</i>	
Dept of Water Resources	<input checked="" type="checkbox"/>	Rob Cooke	<input checked="" type="checkbox"/>	David Sandino
	<input checked="" type="checkbox"/>	Jagruti Maroney	<input checked="" type="checkbox"/>	Alex Vdovichenko
Bureau of Reclamation	<input type="checkbox"/>	Ajay Goyal	<input type="checkbox"/>	Jim Wieking
	<input type="checkbox"/>	Richard Welsh	<input type="checkbox"/>	Don Bader
	<input checked="" type="checkbox"/>	Allison Jacobson	<input type="checkbox"/>	Derya Sumer
	<input checked="" type="checkbox"/>	Natalie Taylor	<input type="checkbox"/>	Kevin Jacobs
			<input type="checkbox"/>	Dave Arrate
			<input type="checkbox"/>	Chris Duke
			<input type="checkbox"/>	Jessica Boyt
			<input type="checkbox"/>	Shana Kaplan

Authority, Non-Signatory (6):

<i>Participant</i>	<input type="checkbox"/> <i>Representative</i>	<i>Alternate</i>	<input type="checkbox"/> <i>Alternate</i>	<i>Alternate</i>		
PCWA	<input type="checkbox"/>	Ed Horton	<input type="checkbox"/>	Ben Barker	<input type="checkbox"/>	Darin Reintjes
Roseville	<input type="checkbox"/>	Sean Bigley	<input checked="" type="checkbox"/>	Trevor Joseph	<input type="checkbox"/>	Jason Marks
Sacramento County WA	<input type="checkbox"/>	Jeff Harris	<input type="checkbox"/>	Brett Ewart	<input type="checkbox"/>	Ann Sanger

Staff:

<input type="checkbox"/> <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Brown, Jerry	Sites Project Authority
<input checked="" type="checkbox"/> Forsythe, Ali	Sites Project Authority
<input checked="" type="checkbox"/> Robinette, JP	Sites Project Authority
<input checked="" type="checkbox"/> Spesert, Kevin	Sites Project Authority

<input type="checkbox"/> <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Trapasso, Joe	Sites Project Authority
<input checked="" type="checkbox"/> Tirado, Yolanda	Sites Project Authority
<input checked="" type="checkbox"/> Yarbrough, Sandra	Sites Project Authority

Consultants:

<input type="checkbox"/> <i>Name</i>	<i>Representing</i>
<input checked="" type="checkbox"/> Alexander, Jeriann	Fugro
<input checked="" type="checkbox"/> Grace, Lui	
<input type="checkbox"/> Boling, Robert	HDR
<input type="checkbox"/> Briard, Monique	ICF
<input type="checkbox"/> Brown, Doug	Stradling
<input checked="" type="checkbox"/> Brown, Scott	LWA

<input type="checkbox"/> <i>Name</i>	<i>Representing</i>
<input type="checkbox"/> Bruner, Marc	Perkins Coie
<input type="checkbox"/> Forrest, Mike	AECOM
<input type="checkbox"/> Floyd, Kim	Floyd
<input checked="" type="checkbox"/> Harris, Cheyanne	Brown & Caldwell
<input checked="" type="checkbox"/> Herrin, Jeff	AECOM

Reservoir Committee Attendance

July 22, 2022

<input type="checkbox"/> Name	Representing
<input checked="" type="checkbox"/> Heydinger, Erin	HDR
<input checked="" type="checkbox"/> Katz, Sara	Katz & Associates
<input checked="" type="checkbox"/> Kivett, Marcia	Brown & Caldwell
<input checked="" type="checkbox"/> Doud, Alan	Young Wooldridge
<input type="checkbox"/> Leaf, Robert	Ch2m
<input checked="" type="checkbox"/> Luu, Henry	HDR
<input checked="" type="checkbox"/> McDonald C	CMD West
<input type="checkbox"/> Micko, Steve	Ch2m

<input type="checkbox"/> Name	Representing
<input checked="" type="checkbox"/> Maltby, Marcus	Brown & Caldwell
<input type="checkbox"/> Montague, Doug	Montague DeRose Assoc.
<input type="checkbox"/> Rude, Peter	Ch2m
<input checked="" type="checkbox"/> Spranza, John	HDR
<input checked="" type="checkbox"/> Traynham, Hailey	Brown & Caldwell
<input type="checkbox"/> Van Camp, Marc	MBK
<input checked="" type="checkbox"/> Warner Herson, Laurie	Phenix

Other Attendees: (Check box to have email address added to the distribution list)

Name	Representing	Contact (Phone & E-mail)
Dee Bradshaw	Metropolitan Water District	
Pat Tangora	Brown & Caldwell	
Caitlin Nielsen	HDR	
Margie Namba	Granite Construction	
Brad Kuhn	Nossaman	
Travis Millwee	Pacific Resources LLC	
Michael Cadei	HDR	
Guy Voss	HDR	
Ashley Metzger	Desert Water Agency	
Marc Wheeler	Kiewit	
Emmett Campbell	Mojav Water Agency	
Jeff Kivett	Brown & Caldwell	
Amy Aguer	Valley Water	