

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY
MINUTES
REGULAR WATER RESOURCES COMMITTEE MEETING
AND
JOINT REGULAR WATER RESOURCES COMMITTEE MEETING AND
SPECIAL BOARD WORKSHOP
August 7, 2017

The Water Resources Committee and Joint 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, Ex Officio Member

Division 1

Earl Perez, Member - Anthea Hansen, Alternate

Division 2

Bill Diedrich, Member - William Bourdeau, Alternate

Division 3

Chris White, Alternate

Division 4

Absent

Division 5

Tom Birmingham, Chair/Member - Steve Stadler, Alternate

Board of Directors Present

Division 1

Anthea Hansen, Director - Earl Perez, Alternate

Division 2

William Bourdeau, Alternate for Sarah Woolf

William Diedrich, Director - Lon Martin, Alternate

Division 3

Chris White, Alternate for Director James O'Banion

Division 4

Sara Singleton, Alternate for Director Joseph Tonascia

Division 5

Tom Birmingham, Director - Jose Gutierrez, Alternate

Steve Stadler, Director

Authority Representatives Present

Jason Peltier, Executive Director

Tom Boardman, Water Resources Engineer

Ara Azhderian, Water Policy Administrator

Frances Mizuno, Assistant Executive Director (via Teleconference)

Jon Rubin, General Counsel

Others Present

None

Call to Order

Chair Tom Birmingham called the meeting to order and a roll call was held.

1. **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 additions or corrections to the agenda.

2. **Opportunity for Public Comment**

There was no public comment.

3. **Committee to Consider Approval of the June 5, 2017 Meeting Minutes**

The June 5, 2017 meeting minutes of the Water Resources Committee were previously distributed for review. There were no corrections or additions to the meeting minutes. There being no corrections or additions from Committee members, Chair Birmingham pronounced the June 5, 2017 meeting minutes approved as circulated.

4. **Water Resources Committee to Consider Recommending the Board of Directors Approve a New Position – Deputy General Counsel**

Executive Director Jason Peltier gave a brief summary of the recommendation that the Board of Directors create a new position. General Counsel Jon Rubin described “internal” matters in which this position would provide support, which included: 1) California Public Record requests, 2) Brown Act compliance, and 3) contracting. Rubin also identified a Deputy General Counsel could assist with “external” efforts. Rubin explained that the addition of this position would allow the Water Authority to conduct legal work at a cost per hour lower than the cost if performed by outside counsel. Chair Tom Birmingham suggested a fuller proposal be brought to the board next month, particularly on tasks a Deputy General

Counsel would provide. The Committee thus took no action on the staff recommendation.

5. Water Resources Committee to Consider Recommending the Board of Directors Adopt Resolution Amending Dates for Meeting of Committees

General Counsel Jon Rubin gave a brief summary explaining that this Resolution is modifying existing provisions regarding when committees meet to reflect current practice.

After discussion, upon a motion made by Member Bill Diedrich and seconded by Member Earl Perez, the Committee unanimously recommended that the Board adopt resolution amending dates for meeting of committees.

AYES: Michael, Perez, Diedrich, White, Birmingham

NOES: None

ABSTENTIONS: None

6. Water Resources Committee to Recommend Board Accept Invitation for Representation on San Joaquin Valley Water Infrastructure Authority Board of Directors, Nominate Cannon Michael as Director and Jason Peltier as Alternate

Water Policy Administrator Ara Azhderian reported that on January 12, 2017, the Authority Board approved participation in and proportional funding (\$20,000) of the development of a Temperance Flat Prop 1 Water Storage Investment Program grant application to the California Water Commission, which is due August 14, 2017. The application is being submitted to the CWC by the San Joaquin Valley Water Infrastructure Authority. At the time the Board authorized Authority participation in the application development, it also directed staff to explore potential membership in the SJVWIA. Azhderian stated that on April 18, 2017, the SJVWIA Board of Directors took action to invite the Authority to become a member and hold a seat on the Board of Directors. However, Azhderian said, accepting the invitation incurs an “initial obligation” of \$50,000, which was not anticipated at the time the Authority developed the current fiscal-year budget. Azhderian explained that in order to avoid amending the current fiscal-year budget, he had met with SJVWIA staff and had determined they were agreeable to waiting for payment of the initial obligation until the Authority’s next fiscal-year. Given this accommodation, Azhderian suggested the Committee recommend the Board of Directors accept the invitation and propose naming Cannon Michael as Director, and Jason Peltier as Alternate for the SJVWIA Board of Directors.

After a lengthy discussion, upon a motion made by Member Earl Perez and seconded by Alternate Chris White, the Committee unanimously recommended that the Board accept the SJVWIA invitation to become a member, name Cannon Michael as Director and Jason Peltier as Alternate, and that in the Authority’s 2018-2019 FYE budgeting process, the Authority staff include \$50,000 for the initial contribution under the Legislative & CVP Operational Affairs #1 Activity Agreement fund.

AYES: Michael, Perez, Diedrich, White, Birmingham

NOES: None

ABSTENTIONS: None

7. **Update on Temperance Flat**

Covered in Item 6

8. **Update on Strategic Planning Process, Including Draft Objectives and Draft Request for Proposals**

Water Policy Administrator Ara Azhderian reported that the Authority currently envisions a 3-step process: 1) assess satisfaction with the Authority's current scope and scale of services to affirm or adjust future activities, 2) assess, and potentially modify, the Authority's capacity to implement the desired scope and scale of services, and 3) identify and select specific actions to implement to achieve the desired goals and objectives of the strategic plan. Azhderian reported that staff will finalize and distribute a Request for Proposals to find consultant that can offer the most beneficial balance of quality, performance, and price.

9. **Update on California WaterFix Project**

Executive Director Jason Peltier reported that the State has issued their Notice of Determination and certified the CEQA document. Peltier also reported that Reclamation has not released its Record of Decision, and should know by September when it will be released. Peltier reminded the Committee that the Authority is having its third California WaterFix Workshop on August 16, 2017 regarding Financing Strategies.

10. **Update on Reinitiation of Consultation on Biological Opinions Issued by National Marine Fisheries Service and United States Fish and Wildlife Service for Long-Term Operations of the Central Valley Project and State Water Project**

General Counsel Jon Rubin reported that Reclamation invited the Authority to participate as a Designated Non-Federal Representative (DNFR) in the Reinitiation of Consultation on the Coordinated Long-Term Operation of the Central Valley Project and State Water Project and that the Authority had accepted the offer noting Reclamation's acknowledgment that staff members of the Authority have appropriate technical understanding of the projects operations and biological processes in the Central Valley. Rubin reported that being a DNFR allowed the Authority to help prepare portions of the Biological Assessment. Notwithstanding, Rubin explained Authority staff, along with others, are exploring what additional role may exist based on the WINN Act. Rubin concluded by saying that for purposes of coordinating and informing member agencies about the process Authority staff intends to use the Committee.

11. **Update on Effective Delta Smelt Population Size Genetics Study**

Water Policy Administrator Ara Azhderian explained that this proposal builds on work that the

State & Federal Contractors Water Agency had conducted a few years ago, which was recently published. Azhderian reported that there are two critical issues that are being addressed through this Genetics Study: 1) Delta Smelt population is so few that by doing genetic sampling it is possible to determine whether or not the species has enough genetic diversity to avoid extinction, 2) help support necessary changes in monitoring. Azhderian said he is working with the State Water Contractors to evaluate the proposal and will report on progress at a future meeting.

12. **Water Operations Update**

Water Resources Engineer Tom Boardman reported that the C.W. "Bill" Jones and Harvey O. Banks pumping plants have been pumping at capacity for the past month. Boardman stated that San Luis storage is higher compared to the same date in 2011, the last wet year. Operations during the fall were also discussed and how the fall X2 requirement under the Delta Smelt Biological Opinion may affect export pumping.

13. **Update on Fall X2 Operations and Associated Monitoring**

Executive Director Jason Peltier reported that the Delta Smelt Biological Opinion requires in a wet year that X2, an area of a certain salinity level, must be maintained at a distance of 72km from the Golden Gate Bridge, which could cost up to 600,00 acre-feet of water. Peltier reported that there is huge controversy about the scientific basis, and that there is an ongoing series of meetings to develop a plan to try to minimize cost and to create more flexibility.

14. **Closed Session**

There was no closed session.

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

No report given.

16. **Adjournment**

The meeting was adjourned at approximately 11:52 a.m.