

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY  
BOARD OF DIRECTORS ADJOURNED REGULAR MEETING  
MINUTES FOR SEPTEMBER 13, 2018

The Board of Directors of the San Luis & Delta-Mendota Water Authority convened at approximately 9:30 a.m. at 842 6th Street, in Los Banos, California for a regular meeting, with Chair Cannon Michael presiding.

**Directors and Alternate Directors in Attendance**

**Division 1**

Jim McLeod, Director - Dave Weisenberger, Alternate  
Bobby Pierce, Director  
Anthea Hansen, Director - Earl Perez, Alternate  
Rick Gilmore, Director - Vince Lucchesi, Alternate

**Division 2**

Don Peracchi, Director - Dan Pope, Alternate  
William Bourdeau, Alternate  
John Bennett, Director  
William Diedrich, Director

**Division 3**

Chris White, Alternate for James O'Banion  
Jeff Bryant, Alternate for Mike Stearns  
Cannon Michael, Chair/Director

**Division 4**

John Varela, Director  
Gary Kremen, Director - Richard Santos, Alternate  
Jeff Cattaneo, Alternate for John Tobias  
Sara Singleton, Alternate for Joseph Tonascia

**Division 5**

Bill Pucheu, Director  
Tom Birmingham, Director  
Steve Stadler, Director - Tom Chaney, Alternate

**Authority Representatives Present**

Frances Mizuno, Interim Executive Director  
Rebecca Akroyd, Interim General Counsel  
Tom Boardman, Water Resources Engineer  
Joyce Machado, Supervisor of Accounting  
Andrew Garcia, Associate Civil Engineer  
Griffin Hill, Science Intern  
Diane Rathmann, Legal Counsel  
Clair Howard, CivicSpark Fellow

**Others in Attendance**

Don A. Wright, waterwrights.net  
Mike Wade, California Farm Water Coalition

Eric Ruckdaschel, San Luis Canal Company  
Dana Jacobson, Santa Clara Valley Water District  
John Wiersma, Henry Miller Reclamation District  
Danny Wade, Tranquillity Irrigation District  
Sarah Woolf, Water Wise  
David Murillo, Bureau of Reclamation  
Gabe More, Bureau of Reclamation

1. **Pledge of Allegiance**

The Pledge of Allegiance was recited.

2. **Call to Order/Roll Call**

Roll was called.

3. **Board to Consider Corrections or Additions to the Agenda of Items, as authorized by Government Code Section 54950 et seq.**

4. **Opportunity for Public Comment**

No public comments.

**CONSENT ITEMS**

5. **Agenda Items 5-7: Board to Consider: a) Approval of July 12, 2018, and August 16, 2018 Meeting Minutes, b) Acceptance of the Financial & Expenditures Reports, c) Acceptance of the Treasurer's Report for the Quarter Ending June 30, 2016.**

Minor corrections were made to the minutes.

On a motion of Director Rick Gilmore, seconded by Director John Bennett, the Board approved Meeting Minutes, Financial Expenditures Reports, and the Treasurer's Report. The vote on the motions were as follows:

AYES:	McLeod, Pierce, Hansen, Gilmore, Peracchi, Bourdeau, Bennett, Diedrich, White, Bryant, Michael, Varela, Kremen, Cattaneo, Singleton, Pucheu, Birmingham, Stadler
NAYS:	None
ABSTENTIONS:	None

**ACTION ITEMS**

6. **Agenda Item 8: Board of Directors to Consider Resolution Recognizing the Service and Contribution of David Murillo, Regional Director of the Bureau of Reclamation, Mid-Pacific Region from 2010-2018.**

Chair Cannon Michael read the Resolution Recognizing the Service and Contributions of David Murillo. Authority members, and the Board thanked him for his years of service and presented him with a Golden Bucket Award # 31. David Murillo thanked the Authority, and the Board for recognizing him.

On a motion of Director Tom Birmingham, seconded by Director John Bennett, the Board Approved the Resolution Recognizing the Service and Contribution of David Murillo. The vote on the motions were as follows:

AYES:	McLeod, Pierce, Hansen, Gilmore, Peracchi, Bourdeau, Bennett, Diedrich, White, Bryant, Michael, Varela, Kremen, Cattaneo, Singleton, Pucheu, Birmingham, Stadler
NAYS:	None
ABSTENTIONS:	None

**REPORT ITEMS**

7. **Agenda Item 9: Update on Strategic Planning Effort.**

Chair Cannon Michael reported the second Strategic Planning Workshop was held September 6, 2018, and there was a very good turnout with great direction and feedback. Mizuno reported that the Authority will hold the next Strategic Planning workshop following the November 8, 2018 Board meeting, which both will be held at Hotel Mission De Oro.

8. **Agenda Item 10: Update on California WaterFix Project.**

Interim General Counsel Rebecca Akroyd reported that there are two brief updates on the project. First, the Draft Supplemental EIR/EIS regarding proposed modifications, was released July 18, 2018, and DWR is accepting comments through September 17, 2018. Second, DWR submitted its Consistency Determination for the Delta Stewardship Counsel at the end of July. Nine parties have now filed appeals and it is working its way through the Delta Stewardship Counsel, and they will consider the various appeals and decide whether the project may proceed.

9. **Agenda Item 11: Update on State Water Resource Control Board, Update to Water Quality Control Plan for the Bay-Delta.**

Interim General Counsel Rebecca Akroyd reported that comments were submitted by the Authority on Phase 1 at the end of July. The State Water Board held a hearing on Phase 1 documents on August 21 & 22, 2018, and let everybody know that they would not be making a decision during those hearing days. The State Water Board formally continued the meeting to November 7, 2018, after testimony was heard from 150 individuals and groups. The State Water Board will decide on November 7, 2018 if they will adopt the Phase 1 Documents. Akroyd also reported that for Phase 2 the State Water Board has not published the draft documents for comments as of yet, but the Authority can expect those sometime soon.

**10. Agenda Item 12: 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, including National Environmental Policy Act Compliance.**

Interim General Counsel Rebecca Akroyd reported that Reclamation is continuing with both its environmental analysis of Near-Term Actions and Long-Term Actions, and is actively seeking input from CVP contractors. The Authority has been given the opportunity to participate in this process, and to provide input to Reclamation.

**11. Agenda Item 13: Update on California Storage Projects.**

Interim Executive Director Frances Mizuno reported that she sent a letter of support to Regional Director David Murillo regarding the B.F. Sisk Dam Raise/San Luis Reservoir Expansion. Mizuno reported that a Sisk Dam raise for additional storage as a component of the SOD project should be considered and evaluated, and the benefit of increased water storage south of the Delta is an essential component of long-term water supply reliability for Authority members. Mizuno stated that the Authority is willing to consider becoming a non-Federal cost share partner to receive the additional project benefits from this project.

Mizuno also reported that at the last meeting the Board approved funding for the first quarter of the San Joaquin Valley Infrastructure Authority (SJVIA). After the first quarter SJVIA will transition any further work on Temperance Flat from the SJVIA to the MOA group. The MOA group is working on creating a new JPA and Bylaws, which were both included in the packet. The MOA group hopes to have the JPA & Bylaws in place by the end of the year.

**12. Agenda Item 14: Update on Operations Update and Forecasts.**

Water Resources Engineer Tom Boardman reported Jones Pumping Plant has been

pumping at 5 units and maintaining about 4200 cfs since early July. Although the intertie is at capacity, Jones has been unable to utilize the full DMC conveyance capacity of about 4,600 cfs because one of the largest units is out of service until early 2019. Banks export has been about 6,000 cfs; about 1200 cfs less than its permitted capacity due to limited storage in Oroville. Boardman estimated that delta inflow should be sufficient to support 5 units at Jones through at least October.

Shasta and Folsom storage is slightly higher than Reclamation's latest operations projections. Shasta carryover is estimated to be below 2.5 MAF which is considered to be about average.

Boardman also reported that CVP San Luis storage reached its low point for the year at 320 TAF in late August and has since refilled by 40 TAF. Under 90% exceedance conditions, CVP San Luis will fall short of filling by about 100 TAF, but is expected to fill by early 2019 under average hydrology.

**13. Agenda Item 15: Update on WIIN Act Sec. 4011**

Interim Executive Director Frances Mizuno reported that Reclamation has been coordinating with TCCA and the Authority in preparation for contract negotiations for those contractors that have submitted their request under the WIIN Act to convert water service contracts to 9(d) repayment contracts. Mizuno reported that Reclamation has scheduled a CVP-wide Technical Session with Contractors on September 26, 2018 in Sacramento. Mizuno reported that not all Authority water service contractors are listed as having submitted a request for a contract conversion, and if you want to convert your contract, you must send a request to Reclamation in order to be allowed to convert.

**14. Agenda Item 16: Report on State and Federal Affairs**

Dennis Cardoza reported on ESA reforms, the FISH Act, and the Energy & Water bill. Cardoza also reported that thanks to all of the hard work from Rick Gilmore, Byron Bethany Irrigation District, and others AB 747 passed. Cardoza also reported that the Water Tax failed, but the Speaker stated that it will be looked at again next year.

**15. Agenda Item 17: Proposed Changes to Endangered Species Act Regulation.**

Interim General Counsel Rebecca Akroyd reported that on July 19, 2018 the U.S. Fish and Wildlife Service and National Oceanic Atmospheric Administration Fisheries, published proposed revisions to the federal Endangered Species Act in the Federal Register. The proposed revisions

include: (1) Changes to section 4 of the ESA, which deals with procedures for listing species, recovery, and designating critical habitat, and (2) changes to section 7 of the ESA, which deals with consultation to ensure federal agency action is not likely to jeopardize the continued existence of endangered or threatened species or result in destruction or adverse modification of critical habitat. Akroyd reported that public comments on the proposed revisions must be received by September 24, 2018.

**16. Agenda Item 18: Committee Reports.**

**a. Water Resources Committee Activities**

Committee Chair Tom Birmingham reported that the committee did not meet this month.

**b. Finance & Administration Committee Activities**

Committee Chair Rick Gilmore reported that the Finance Committee met just before the Board meeting.

**c. O&M Technical Committee Activities**

Interim Executive Director Frances Mizuno reported that the next O&M Technical Committee meeting is scheduled for October 22, 2018.

**17. Agenda Item 19: Reports on Activities of the Following Agencies that are Outside of the Authority.**

**a. State and Federal Contractors Water Agency (SFCWA)**

No report given.

**b. Family Farm Alliance.**

No report given.

**c. Farm Water Coalition.**

Mike Wade reported that the Farm Water Coalition is three months into the Cultivate California Program, and has received 6700 page views over the last 30 days. Traffic is being driven by paid digital advertising, and over the course of the first three months there has been about 13,500 unique visitors from mostly urban areas.

**d. Association of California Water Agencies.**

Director Bill Diedrich reported that ACWA has selected its new Executive Director, and his name will be made public soon. Diedrich also reported that the Ag Committee met at GCID, and there was an excellent turnout with lots of stimulating discussion. The next meeting will be September 19, 20018 at Kern County Water District.

- e. **San Joaquin Valley Water Infrastructure Authority. (SJVVIA)**  
Chair Cannon Michael reported that the next SJVVIA meeting is scheduled September 14, 2018 at the Fresno Irrigation District.

**18. Agenda Item 20: Monthly Staff Reports.**

- a. **Self-Funding Report.**

No report given.

- b. **Operations & Maintenance Report.**

Assistant Executive Director Frances Mizuno reported there is subsidence on the DMC, and will give a presentation to the Board regarding cost to repair damages. Mizuno also reported that staff is working on the EO&M Budget looking extensively at the long-term plan. The EO&M Budge project costs have gone up considerably.

- c. **Water Transfer/Exchanges/Release Program Update.**

Assistant Executive Director Frances Mizuno reported that DWR is pumping the 2018 Yuba water, and is anticipating it will be able to pump all the Yuba water by the end of September. Mizuno also reported that discussions are starting with Yuba County Water Agency looking at extending the current contract.

- d. **San Luis Transmission Project Update**

No report given.

- e. **Science Program Activity Update**

Science Intern Griffin Hill. Hill reported on several activities he's been working on including supporting preparation for the Reinitiation of Consultation by providing documentation on longer term actions that may be considered under the ROC on LTO process, and worked closely through this process with Interim General Counsel Rebecca Akroyd, SCVWD Project Manager Frances Brewster, and WWD Biologist Sheila Greene. Mizuno informed the Board that this will be Griffin's last attendance at Board meeting as he is resigning at the end of September to pursue a PhD in Marine Biology.

- f. **Westside Integrated Regional Water Management Program**

Senior Civil Engineer Andrew Garcia reported that the \$3.1 million grant application was approved by the Department of Water Resources. Contra Costa Water District has received the final grant agreement and CCWD is preparing a single sub-agreement to act as the mechanism for individual RWMGs to receive grant funds in accordance with the state requirements. The consultant is scheduled to begin work in

October on the Needs Assessment for Disadvantaged Communities in the funding region.

Garcia reported that the administrative draft Westside San Joaquin IRWM Plan will be distributed for public review and comment this coming October.

Garcia concluded reporting that both he and Bob Martin continued participation in Tulare-Kern funding area discussions for both the 2018 Implementation Grant and the DACIP Grant in order to ensure funding opportunities for participating member agencies. The scope of work for the needs assessment has now been finalized and the Work Plan has been submitted to DWR.

**g. Sustainable Groundwater Management Report.**

Andrew Garcia reported that Zachary Roy, Water Resources Coordinator, continues to develop maps for the Delta-Mendota subbasin which indicate the extents of groundwater dependent ecosystems (GDEs). This includes depth to water contour development, truth checking The Nature Conservancy datasets, and working with Grassland Water District staff to incorporate their comments during the refinement process. Garcia reported that the Authority also notified the Management Committee that staff is available to attend individual board meetings to present on SGMA activities and the GSP development status.

Garcia reported that a Delta-Mendota Subbasin Communications Working Group meeting was held on September 11th, led by Stantec, to plan the upcoming October workshops. The workshops are planned to focus on water budget and basin characterization, and promotional materials are currently being developed.

Garcia conclude reporting that the monthly Delta-Mendota Subbasin Coordination Committee meeting was held on September 10th, at 10:00 AM at the Authority Boardroom. Garcia requested this Committee consider recommendations from the technical working group for coordinating water budgets. The Committee also discussed methodologies and timelines for coordinating individual water budgets and projecting future water budgets.

**h. Drainage Activity Report.**

Legal Counsel Diane Rathmann reported that the Regional Board has put out a draft modification of its waste discharge requirements based on changes made to Eastside Order, and the Drainage Authority will provide comments in the near future.

**i. Executive Director's Report.**

No report given.



**19. Agenda Item 21-23: Closed Session Report.**

Chair Cannon Michael adjourned the open session to address the items listed on the Closed Session Agenda at approximately 11:10 a.m. Upon return to open session at approximately 12:10 p.m., Interim Executive Director Frances Mizuno reported that the Board met in closed session to receive advice from counsel. Interim General Counsel Rebecca Akroyd reported that the decision to intervene in an action was taken, reported the vote on that action, and indicated that the particulars would, once formally commenced, be disclosed to any person upon inquiry. No other reportable actions were taken.

**20. Agenda Item 24: Reports Pursuant to Government Code Section 54954.2**

No reports given.

**21. Agenda Item 25: Adjournment.**

The meeting was adjourned at approximately 12:10 p.m.