

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY BOARD OF
DIRECTORS REGULAR MEETING
MINUTES JULY 13, 2023

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, with Chair Cannon Michael presiding.

Directors and Alternate Directors in Attendance

Division 1

David Weisenberger, Director
Anthea Hansen, Director
Lea Emmons, Alternate for Ed Pattison

Division 2

Ross Franson, Director
William Bourdeau, Director
Beau Correia, Director

Division 3

Chris White, Alternate for Dan McCurdy
Jarrett Martin, Director
Cannon Michael, Director

Division 4

John Varela, Director
Richard Santos, Director
Steve Wittry, Director
Joe Tonascia, Director - Joyce Machado, Alternate

Division 5

Bill Pucheu, Director
Kirk Teixeira, Director
Manny Amorelli, Director

Authority Representatives Present

Federico Barajas, Executive Director
Pablo Arroyave, Chief Operating Officer
Rebecca Akroyd, General Counsel
Rebecca Harms, Deputy General Counsel
Scott Petersen, Water Policy Director
Ray Tarka, Director of Finance
Lauren Viers, Accountant III
Stewart Davis, IT Officer

Others in Attendance

Dana Jacobson, Valley Water
Vince Gin, Valley Water
Mitch Partovi, Water Agency
Allison Febbo, Westlands Water District

Ellen Wehr, Grasslands Water District (via ZOOM)
Chase Hurley, Pacheco Water District
Mike Wade, Farm Water Coalition (via ZOOM)
Dennis Cardoza, Foley & Lardner, LLP (via ZOOM)
Bill Ball, Foley, Foley & Lardner, LLP (via ZOOM)
Kristin Olsen, Calstrat (via ZOOM)
Liz Kiteck, Bureau of Reclamation (via ZOOM)

1. Call to Order/Roll Call

The meeting was called to order by Chair Cannon Michael and roll was called.

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

General Counsel Rebecca Akroyd noted a slight modification to agenda item 9. Akroyd reported that they will be seeking authorization of execution of an agreement subject to ratification by the SGMA Coordination Committee, and will not be seeking a budget increase.

CONSENT ITEMS

3. Agenda Items 4-6: Board to Consider: a) June 8, 2023 Meeting Minutes, b) June 21, 2023 Workshop Minutes c) Acceptance of the Financial & Expenditures Reports, d) Staff Reports.

On a motion of Director Dave Weisenberger, seconded by Director Bill Pucheu, the Board accepted the June 8, 2023 Meeting Minutes, June 21, 2023 Workshop Minutes, Financial Expenditures Reports, and Staff Reports. The vote on the motion was as follows:

AYES: Weisenberger, Hansen, Emmons, Franson, Bourdeau, Correia, White, Michael, Varela, Santos, Wittry, Tonascia, Pucheu, Teixeira, Amorelli
NAYS: None
ABSTENTIONS: None

ACTION ITEMS

4. Agenda Item 7: Board of Directors to Consider Authorizing Los Vaqueros Reservoir Expansion Project Activity Agreement Expenditure of up to \$1,239,000 in FY24 to Fund Amendment No. 5 to the Cost Share Agreement for Los Vaqueros Reservoir Expansion Project Planning.

Chief Operating Officer Pablo Arroyave reported the proposed Amendment No. 5 would continue to fund three major tasks: project management, environmental planning and engineering feasibility. Arroyave reported that the total cost associated with Amendment No. 5 is \$8,673,000, with each of the 7 local agency partners paying \$1,239,000. Arroyave reported that because the Water Authority's share is divided equally among its Activity Agreement members, each Activity Agreement member's cost share

will be \$247,800. Arroyave reported that the amount due will be invoiced in August 2023, in the current FY24, and the Water Authority will invoice each Activity Agreement member their allocated share of the funding required prior to making payment. Arroyave reported that since the funds necessary to support Amendment No. 5 were not included in the FY24 Activity Budget, it is necessary to have the Board authorize the additional expenditure of up to \$1,239,000.

Chief Operating Officer Pablo Arroyave and General Counsel Rebecca Akroyd provided a brief status update of the Los Vaqueros Reservoir Expansion Project.

On a motion of Director Richard Santos, seconded by Director Dave Weisenberger, the Board authorized Los Vaqueros Reservoir Expansion Project Activity Agreement expenditure of up to \$1,239,000 in FY24 to Fund Amendment No. 5 to the Cost Share Agreement for Los Vaqueros Reservoir Expansion Project Planning. The vote on the motion was as follows:

- AYES: Weisenberger, Hansen, Emmons, Franson, Bourdeau, Correia, White, Martin, Michael, Varela, Santos, Wittry, Tonascia, Pucheu, Teixeira, Amorelli
- NAYS: None
- ABSTENTIONS: None

5. Agenda Item 9: Board of Directors to Consider Adopting Resolution Authorizing Execution of Letter of Agreement for Cost Share of Final Design and Construction Activities for the B.F. Sisk Dam Raise Project.

Chief Operating Officer Pablo Arroyave reported that as the Water Authority partners with Reclamation to complete additional planning and design activities in advance of construction, the parties would like to execute a letter of agreement (LOA) to document cost sharing of total project costs.

General Counsel Rebecca Akroyd reported that the LOA addresses recent and current Water Authority expenditures and how Reclamation intends to consider those expenditures under a future Construction Cost Share Agreement and any additional Contributed Funds Agreement for final design and construction activities of the Project. Akroyd reported that adopting the Resolution and executing the LOA would allow the Water Authority, on behalf of Activity Agreement Members, to seek credit for certain Water Authority expenditures related to the Project. Akroyd reported that the LOA also identifies various commitments by the parties as they work toward Project construction.

Executive Director Federico Barajas highlighted various milestones for the Project.

On a motion of Director John Varela, seconded by Director Richard Santos, the Board adopted the Resolution authorizing execution of the Letter of Agreement for Cost Share of Final Design and Construction Activities for the B.F. Sisk Dam Raise Project. The vote on the motion was as follows:

AYES: Weisenberger, Hansen, Emmons, Franson, Bourdeau, Correia, White, Martin, Michael, Varela, Santos, Wittry, Tonascia, Pucheu, Teixeira, Amorelli

NAYS: None

ABSTENTIONS: None

6. Agenda Item 10: Board of Directors to Consider Authorizing Execution of Agreement with EKI Environment & Water, Inc. for SGMA Support Services Subject to Ratification by the Coordination Committee.

Water Policy Director Scott Petersen reported DWR reviewed the revisions made by groundwater sustainability agencies (GSAs) on March 2, 2023 and issued a final determination of “inadequate” for the Delta-Mendota Subbasin’s Groundwater Sustainability Plans (GSPs). Petersen reported that the determination transfers oversight of the Subbasin to the State Water Resources Control Board (SWRCB) as the GSAs work toward amending the GSPs to reach “approved” status. Petersen reported that the Subbasin Coordination Committee engaged EKI under its existing Task Order (F24-AA63-001-EKI) to begin the process of amending the GSPs, with a preliminary scope of work that focuses on revising the sustainable management criteria and development of a Subbasin-wide water budget utilizing a numeric model. Petersen reported that since then, the Coordination Committee issued a request for proposals to create a single GSP for the Subbasin, and selected EKI as the consultant to complete the work, which includes addressing the requirements under SGMA for a Periodic Review of the GSP. Petersen reported that the target is to address DWR’s identified deficiencies and to have a single GSP submitted to SWRCB July 2024 in advance of an anticipated September 2024 probationary hearing.

On a motion of Director Jarrett Martin, seconded by Director Richard Santos, the Board authorized execution of agreement with EKI Environment & Water, Inc. for SGMA Support Services, subject to ratification by the Coordination Committee. The vote on the motion was as follows:

AYES: Weisenberger, Hansen, Emmons, Franson, Bourdeau, Correia, White, Martin, Michael, Varela, Santos, Wittry, Tonascia, Pucheu, Teixeira, Amorelli

NAYS: None

ABSTENTIONS: None

REPORT ITEMS

7. Agenda Item 11: Report on State and Federal Affairs.

Water Policy Director Scott Petersen reported that Water Authority staff had a successful trip to Washington, DC, where they met with administration officials, Members of Congress, and staff to educate them about the need for improved funding options for the DMC Subsidence Correction Project

and the B.F. Sisk Dam Raise and Reservoir Expansion Project.

Petersen provided administrative and legislative updates related to administrative staffing, the reinitiation of consultation on the long-term operations of the Central Valley Project and State Water Project, ESA rulemakings, the Farm bill, legislation support letters, the B.F. Sisk Dam Raise and Reservoir Expansion Project, water rights bills, state budget, and State Water Resources Control Board actions. Additional information was provided by Dennis Cardoza, Bill Ball, and Kristin Olsen. Petersen thanked Calstrat for their substantial effort and success regarding movement on various water rights bills.

8. Agenda Item 12: Executive Director’s Report.

- a. **Strategic Plan Process** – Executive Director Federico Barajas reported that staff is looking for feedback on Strategic Plan information that was distributed by email to the Board members. Barajas reported that the last Strategic Plan Workshop is scheduled next month after the August Board meeting.
- b. **Water Rates Survey** – Executive Director Federico Barajas reported that a survey request went out in order to get the latest information to assist staff with development of a 3rd potential water rate adjustment.
- c. **Yuba Water Agency Tour of SLDMWA Facilities** - Executive Director Federico Barajas reported that Water Policy Director Scott Petersen is in the process of finalizing logistics to schedule a tour with Yuba Water Agency.

Director Richard Santos thanked Executive Director Federico Barajas for attending the recent Valley Water’s Board meeting.

9. Agenda Item 13: Chief Operating Officer’s Report

- a. **Water Rates Survey** – Chief Operating Officer Pablo Arroyave reminded the Board that updates to estimated deliveries are due back by July 17.
- b. **Water Year 2021 Final Accounting** – Chief Operating Officer Pablo Arroyave reported that the finalized Water Year 2021 Final Accounting should be completed the end of this week.
- c. **Jones Pumping Plant** – Chief Operating Officer Pablo Arroyave reported that the final unit rewind has been completed, and is currently being reassembled.

10. Agenda Item 14: Update on Water Operations and Forecasts

Chief Operating Officer Pablo Arroyave introduced Liz Kiteck from the Central Valley Operations Office (CVO) of the Bureau of Reclamation to provide an overview of CVP water operations and the latest forecasts. Kiteck reviewed storage levels for various CVP facilities. Kiteck further reported on excess conditions in the Delta, contractor demands, and projected San Luis Reservoir drawdown.

11. **Agenda Item 15: Committee Reports.**

- a. **Water Resources Committee** – Chief Operating Officer Pablo Arroyave reported that DWR presented a presentation regarding South Delta Permanent Operable Gates Project.
- b. **Finance & Administration Committee** – Chair Anthea Hansen reported that the committee met and addressed agenda items.
- c. **O&M Committee** – No report.

12. **Agenda Item 16: Outside Agency/Organization Reports.**

- a. **State and Federal Contractors Water Agency (SFCWA)** – Executive Director Federico Barajas reported that there is a Board meeting scheduled next week.
- b. **Family Farm Alliance (FFA)** – Report included in the packet.
- c. **Farm Water Coalition** – Mike Wade provided an update on the Cultivate California Program.
- d. **Association of California Water Agencies (ACWA)** – Director John Varela reported that ACWA is currently in search of nominations for President/Vice-President, and they will be introduced at the Fall conference in Indian Wells.
- e. **Water Blueprint for the San Joaquin Valley (WBSJV)** - Water Policy Director Scott Petersen reported that Hallmark began its management/executive services. Petersen reported that the Board placed an initial cap on expenditures until a progress report is provided and additional approval for the Tasks are voted on. Petersen reported that Hallmark has requested the Board identify three specific priorities to be pursued and accomplished.
- f. **SJV CAP** - Water Policy Director Scott Petersen that there are three new additions to the Plenary Group: (1) Mike Lynes, Director of Public Policy for Audubon California, the state office of the National Audubon Society, (2) Sandi Matsumoto, Nature Conservancy's Director of the California Water Program, (3) Christy McKinnon, Water Resources Manager in the Groundwater Division of the Stanislaus County Department of Environmental Resources
- g. **CVPWA** – Director Anthea Hansen reported that the Financial Affairs Committee is scheduled Friday, August 4.

13. **Agenda Item 17: Board Member Reports.**

Chair Cannon Michael announced the passing of Alternate Director Randy Houk in the beginning of July, and that the family is asking for donations be made to Hinds Hospice or Community Food Banks.

14. Agenda Items 18-19: Closed Session Report.

Vice-Chair William Bourdeau adjourned the open session to address the items listed on the Closed Session Agenda at approximately 11:23 a.m. Upon return to open session at approximately 12:36 p.m., Vice-Chair William Bourdeau stated that no reportable actions were taken.

15. Opportunity for Public Comment

No public comment.

16. Agenda Item 20: Reports Pursuant to Government Code Section 54954.2(a)(3)

No report.

17. Agenda Item 21: Adjournment.

The meeting was adjourned at approximately 12:37 p.m.