

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY BOARD OF
DIRECTORS REGULAR MEETING
MINUTES APRIL 4, 2024

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
Bobby Pierce, Director
Anthea Hansen, Director
Ed Pattison, Director - Lea Emmons, Alternate

Division 2

Ross Franson, Director (arrived during item 4)
Patrick McGowan, Alternate for Beau Correia
Bill Diedrich, Director - Lon Martin, Alternate

Division 3

Chris White, Alternate for Dan McCurdy
Jarrett Martin, Director
Cannon Michael, Chair/Director
Ric Ortega, Director

Division 4

John Varela, Director - Aaron Baker, Alternate
Joe Tonascia, Director - Megan Holland, Alternate

Division 5

Bill Pucheu, Director
Allison Febbo, Director
Manny Amorelli, Director

Authority Representatives Present

Federico Barajas, Executive Director
Pablo Arroyave, Chief Operating Officer (via ZOOM)
Rebecca Akroyd, General Counsel
Scott Petersen, Water Policy Director
Ray Tarka, Director of Finance
Stewart Davis, IT Officer
Eddie Reyes, IS Technician

Others in Attendance

Kristin Olsen, Foley & Lardner, LLP (via ZOOM)
Tom Patton, Bureau of Reclamation (via ZOOM)
Camille Touton, Bureau of Reclamation
Karl Stock, Bureau of Reclamation
Sarah Hadden, Bureau of Reclamation
Ankur Bhattacharya, Bureau of Reclamation

Mike Wade, Farm Water Coalition (via ZOOM)
Vince Lucchesi, Patterson Irrigation District (via ZOOM)
Chase Hurley, Pacheco Water District
Dan O'Hanlon, Kronick, Moskovitz, Tiedemann & Girard
Jim Thoming, Banta Carbona Irrigation District (via ZOOM)
Mitch Partovi, The Water Agency (via ZOOM)
Don Wright, WaterWrights (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.

No additions or corrections.

3. Public Comment

No public comment.

5. Agenda Items 4-5: Closed Session Report.

After allowing an opportunity for public comment, Chair Cannon Michael adjourned the open session to address the items listed on the Closed Session Agenda at approximately 9:34 a.m. Upon return to open session at approximately 10:10 a.m. General Counsel Rebecca Akroyd reported that the Board met with Counsel in closed session regarding items on the agenda, and authorized execution of a settlement agreement to resolve disputes with Friant Water Authority related to allocation of certain OM&R costs associated with the operation of the Intertie, and water deliveries to settlement contractors at Mendota Pool. The vote was as follows:

AYES:	Weisenberger, Pierce, Hansen, Pattison, Franson, McGowan, Diedrich, White, Jarrett Martin, Michael, Ortega, Varela, Tonascia, Pucheu, Febbo, Amorelli
NAYS:	None
ABSTENTIONS:	None

CONSENT ITEMS

6. Agenda Items 6-8: Board to Consider: a) March 7, 2024 Meeting Minutes, b) Acceptance of the Financial & Expenditures Reports, c) Acceptance of Staff Reports.

On a motion of Director Joe Tonascia, seconded by Director Bill Pucheu, the Board accepted the March 7, 2024 Meeting Minutes, Financial & Expenditures Reports, and Staff Reports. The vote on the motion was as follows:

AYES: Weisenberger, Pierce, Hansen, Pattison, Franson, McGowan, Diedrich, White, Jarrett Martin, Michael, Ortega, Varela, Tonascia, Pucheu, Febbo, Amorelli

NAYS: None

ABSTENTIONS: None

ACTION ITEMS

7. **Agenda Item 9: Finance & Administration Committee Recommendation Regarding Adoption of Resolution Authorizing Execution of Contract Between the United States of America and the San Luis & Delta-Mendota Water Authority for the Repayment of Extraordinary Maintenance Costs for the C.W. “Bill” Jones Pumping Plant Excitation Cabinet and Control Panel Refurbishment Project, Making Findings Under the California Environment Quality Act, and Authorizing Actions Related Thereto.**

Chief Operating Officer Pablo Arroyave introduced the item. Arroyave reported that although Reclamation is still reviewing the contract, he is not anticipating any substantial changes and it can be considered final in relation to all major terms of the contract. Arroyave stated that the contract will include a 27-year repayment term. Arroyave reported that the funding for this project will be up front with six separate repayment schedules, one for each unit. Arroyave reported that the Authority is anticipating funding from Reclamation by October and an executed contract with a vendor by November, with a project completion timeline of three years.

On a motion of Director Ric Ortega, seconded by Director John Varela, the Board adopted the resolution authorizing execution of contract between the United States of America and the San Luis & Delta-Mendota Water Authority for the repayment of extraordinary maintenance costs for the C.W. “Bill” Jones Pumping Plant excitation cabinet and control panel refurbishment project, making findings under the California Environment Quality Act, and authorizing actions related thereto. The vote on the motion was as follows:

AYES: Weisenberger, Pierce, Hansen, Pattison, Franson, McGowan, Diedrich, White, Jarrett Martin, Michael, Ortega, Varela, Tonascia, Pucheu, Febbo, Amorelli

NAYS: None

ABSTENTIONS: None

8. **Agenda Item 10: Finance & Administration Committee Recommendation Regarding Adoption of Resolution Authorizing Execution of Second Amended and Restated Memorandum of Understanding with Friant Water Authority Relating to Allocation, Collection and Payment of**

Operation, Maintenance & Replacement Costs for Water Delivered Through Certain Central Valley Project Facilities, and Authorizing Action Related Thereto.

Executive Director Federico Barajas introduced the item, and then referred to General Counsel Rebecca Akroyd to further discuss the proposed resolution authorizing execution of the Second Amended and Restated MOU with Friant Water Authority. Akroyd described changes from the First Amended and Restated MOU, and referred to the table provided to the Board to provide a brief overview of these changes. Akroyd then discussed next steps and how these changes may ultimately be reflected in upcoming rates. Akroyd answered questions throughout the presentation.

On a motion of Alternate Director Joe Tonascia, seconded by Director Bill Diedrich, the Board adopted the resolution authorizing execution of second amended and restated Memorandum of Understanding with Friant Water Authority relating to allocation, collection and payment of operation, maintenance & replacement costs for water delivered through certain Central Valley Project facilities, and authorizing action related thereto. The vote on the motion was as follows:

AYES:	Weisenberger, Pierce, Hansen, Pattison, Franson, McGowan, Diedrich, White, Jarrett Martin, Michael, Ortega, Varela, Tonascia, Pucheu, Febbo, Amorelli
NAYS:	None
ABSTENTIONS:	None

9. Agenda Item II: Finance & Administration Committee Recommendation to Board of Directors to Adopt Resolution Adopting an Indirect Cost Rate Policy for Scientific Activities.

Water Policy Director Scott Petersen reviewed the memo included in the packet. Petersen reported that after the Science Plan was approved for implementation, he began discussing opportunities to engage with the University of California, consistent with the adopted Science Plan. Petersen reported that other organizations have adopted resolutions to set an indirect cost rate policy for scientific activities.

On a motion of Director Ric Ortega, seconded by Director Anthea Hansen, the Board adopted resolution adopting an Indirect Cost Rate Policy for scientific activities. The vote on the motion was as follows:

AYES:	Weisenberger, Pierce, Hansen, Pattison, Franson, McGowan, Diedrich, White, Jarrett Martin, Michael, Ortega, Varela, Tonascia, Pucheu, Febbo, Amorelli
NAYS:	None
ABSTENTIONS:	None

10. **Agenda Item 12: Water Resources Committee Regarding Adoption of Staff Recommendation for Positions on Legislation.**

- a. S. 3830 (Padilla), Low-Income Household Water Assistance Program Establishment Act
- b. AB 2302 (Addis), Open Meeting: local agencies: teleconferences.
- c. AB 2060 (Soria), Lake and Streambed alteration agreements: exemptions.
- d. SB 1156 (Hurtado), Groundwater Sustainability Agencies: financial disclosures.
- e. SB 1390 (Caballero), Groundwater recharge: floodflows: diversion.

Water Policy Director Scott Petersen reviewed the memo included in the packet describing staff recommendations for positions on legislation, and highlighted the Water Resources Committee recommendation regarding the same. Petersen answered Board member questions throughout the presentation.

On a motion of Alternate Director Chris White, seconded by Director John Varela, the Board adopted the Water Resources Committee recommendation to adopt staff recommendation for positions on legislation. The vote on the motion was as follows:

AYES:	Weisenberger, Pierce, Hansen, Pattison, Franson, McGowan, Diedrich, White, Jarrett Martin, Michael, Ortega, Varela, Tonascia, Pucheu, Febbo, Amorelli
NAYS:	None
ABSTENTIONS:	None

REPORT ITEMS

11. **Agenda Item 13: Report on U.S. Bureau of Reclamation Activities.**

Executive Director Federico Barajas and Chair Cannon Michael introduced the Commissioner of the Bureau of Reclamation Camille Touton, and thanked her for her time and partnership. Commissioner Touton introduced Regional Director Karl Stock, Executive Assistant Sarah Hadden, and Regional Liaison Ankur Bhattacharya. Commissioner Touton provided updates on Reclamation activities including water allocations, key priority projects, and Solar Panels Over Canals. Commissioner Touton received comments, from Board members, and answered Board member questions. Board members thanked Commissioner Touton and Reclamation staff for their assistance.

Later in the meeting, Director Bill Diedrich provided comments regarding the 35% ag allocation. Commissioner Touton responded to Director Diedrich's comment. Alternate Director Chris White, Chair Cannon Michael, Director Ross Franson, and Director Allison Febbo, and Director Manny Amorelli added additional comments.

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

Water Policy Director Scott Petersen provided updates related to ESA Regulations/Rule changes, the consultation on Long-Term Operations of the CVP and SWP, potential upcoming listings including

Monarch Butterflies, the state budget, and the Water Resources Development Act. Petersen additionally provided a California legislative update. Petersen answered Board questions throughout his presentation. Additional information was provided by consultant Kristin Olsen.

13. **Agenda Item 15: Executive Director’s Report.**

- a. **South of Delta Drought Plan Memorandum of Understanding (MOU)** – Executive Director Federico Barajas reported that a South of Delta Drought Plan MOU was signed last month, and he thanked all partners involved. Barajas reported that the Authority is now working to develop an implementation plan for the 2024 Pilot Program referenced in the MOU.
- b. **USBR Directives & Standards** - Executive Director Federico Barajas reported that two comment letters were submitted by the Authority regarding the USBR Directives and Standards.
- c. **O’Neill Scheduled Outage** - Executive Director Federico Barajas referred to Chief Operating Officer Pablo Arroyave to provide an update. Arroyave reported that the planned outage has been postponed. Arroyave reported that the Authority will meet with Reclamation to find a time this summer or early fall to schedule the outage.
- d. **Ethics Training** – General Counsel Rebecca Akroyd reported there are upcoming training opportunities, and an email will be sent to all Board members with more information.
- e. **Management Retreat** – Executive Director Federico Barajas reported that the Authority’s Executive staff will conduct a management retreat regarding the Strategic Plan.
- f. **Lunch and Solar Over Canals Event** - Executive Director Federico Barajas provided information regarding a social lunch after the Board meeting and a Solar Over Canals event later in the afternoon.

14. **Agenda Item 16: Chief Operating Officer’s Report**

- a. **Fish Facility** – Chief Operating Office Pablo Arroyave reported that the Bureau will be replacing flap valves at the Tracy Fish Facility April 15-18, 2024. Arroyave reported that there will be zero pumping during certain hours, but with no impact to deliveries.
- b. **Transfer Program** - Chief Operating Officer Pablo Arroyave reported that the Yuba transfer volumes will be around 31,000 acre-feet available to members. Arroyave reported that there will not be any north-to-south transfers due to lack of conveyance capacity.

15. **Agenda Item 17: Update on Water Operations and Forecasts**

Chief Operating Officer Pablo Arroyave introduced Tom Patton from the Central Valley

Operations Office (CVO) of the Bureau of Reclamation. Patton provided updates regarding CVP storage, operations, and the latest forecasts. Additional highlights were provided by Executive Director Federico Barajas, and Regional Director Karl Stock.

16. Agenda Item 18: Committee Reports.

- a. **Water Resources Committee** – No report.
- b. **Finance & Administration Committee** – Chair Anthea Hansen reported that the committee met and addressed agenda items.
- c. **O&M Committee** – No report.

17. Agenda Item 19: Outside Agency/Organization Reports.

- a. **State and Federal Contractors Water Agency (SFCWA)** – No report.
- b. **Family Farm Alliance (FFA)** – Report included in the packet.
- c. **Farm Water Coalition (FWC)** – Mike Wade provided a brief overview of the report included in the packet.
- d. **Association of California Water Agencies (ACWA)** – Director John Varela reported that the ACWA Spring Conference is May 6-9, 2024 in Sacramento. Varela reported that Director Allison Febbo is the newest member of the ACWA Diversity, Equity, and Inclusion Board of Trustees.
- e. **Water Blueprint for the San Joaquin Valley (Blueprint)** - Water Policy Director Scott Petersen reported that included in the packet behind tab 8 is the Water Policy Memo from the Water Resources Committee with detailed information on the Blueprint.
- f. **SJV CAP** - Water Policy Director Scott Petersen reported that included in the packet behind tab 8 is the Water Policy Memo from the Water Resources Committee with detailed information on SJV CAP.
- g. **CVPWA** – Director Anthea Hansen reported that the board meet last month, and the Financial Affairs Committee will be meeting later this month.

18. Agenda Item 20: Board Member Reports.

Director Joe Tonascia reported that San Benito County Water District is looking for a new General Manager.

Director Anthea Hansen reported that the Orestimba Project received a small storage grant.

Director Ric Ortega reported that Grasslands Water District is continuing to pursue local small storage.

19. Agenda Item 21: Reports Pursuant to Government Code Section 54954.2(a)(3)
No report.

20. **Agenda Item 22: Adjournment.**

The meeting was adjourned at approximately 11:59 a.m.