



Notice of Regular Water Resources Committee Meeting and Joint Regular Water Resources Committee Meeting-Special Board Workshop

Monday, February 4, 2019 10:00 a.m.

SLDMWA Boardroom
842 6th Street, Los Banos
[telephonic participation locations identified below]

Agenda

NOTE: Any member of the public may address the Water Resource Committee/Board concerning any item on the agenda before or during its consideration of that matter. Public comment is limited to no more than three minutes per person per item. For good cause, the Chair may waive this limitation.

NOTE FURTHER: Because the notice provides for an adjourned regular meeting of the Water Resources Committee and a joint adjourned regular Water Resources Committee/special Board workshop, Board Directors/Alternates may discuss items listed on the agenda; however, only Water Resource Committee Members/Alternates may correct or add to the agenda or vote on action items.

1. Call to Order
2. Water Resources Committee to Consider Corrections or Additions to the Agenda of Items, as authorized by Government Code Section 54950 *et seq.*
3. Opportunity for Public Comment – Any member of the public may address the Water Resource Committee concerning any matter not on the agenda, but within the Committee's jurisdiction. Public comment is limited to no more than three minutes per person. For good cause, the Chair may waive this limitation.

ACTION ITEMS

4. **Water Resources Committee to Consider Approval of the November 5, 2018, Meeting Minutes**
5. **Water Resources Committee to Consider Recommendation to the Board of Directors to Approve the Activity Budget for FY 2020, Barajas**

REPORT ITEMS

6. Presentation on Friant Water Authority's San Joaquin Valley Blue Print Effort, Jason Phillips/Jeff Payne
7. Review Proposed Westside-San Joaquin Integrated Regional Water Management Activity Agreement, Akroyd/Garcia
8. Update on Water Policy Activities, Petersen/Akroyd

(May include reports on activities related to 1) Reinitiation of Consultation on Long-Term Operations of the Central Valley Project and State Water Project, including environmental compliance; 2) State Water Resources Control Board Update to Water Quality Control Plan for the Bay-Delta; 3) Addendum to the Agreement between the United States of America and the State of California for Coordinated Operation of the Central Valley Project; 4) San Joaquin River Restoration Program; 5) California

9. Update on California Storage Projects, Mizuno

(May include reports on activities related to 1) development of Sites Reservoir, 2) development of Temperance Flat Reservoir, 3) enlarging Los Vaqueros Reservoir, 4) enlarging Shasta Reservoir, 5) improvements to/enlarging San Luis Reservoir, 6) development of Pacheco Reservoir)

10. Report on State and Federal Affairs, including Proposed 2019 Legislative Objectives, Petersen/Dennis Cardoza

11. Closed Session

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9 – 8 potential cases

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Government Code Section 54956.9 – 2 potential cases

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing Litigation Pursuant to paragraph (1) of Subdivision (d) of Section 54956.9

- A. Natural Resources Defense Council, et al. v. Salazar et al., U.S. Court of Appeals, 9th Cir., Appeal Case No. 09- 17661; Natural Resources Defense Council et al. v. Zinke et al., U.S. District Court, E.D. Cal., Case No. 1:05-cv-01207, LJO-BAM (Old FWS – OCAP BO/Contracts)
- B. Modesto Irrigation District, et al. v. State Water Resources Control Board & Woods Irrigation Company, Sacramento County Superior Court Case No. 34-2011-80000803 (Complaint for Declaratory Relief re Woods Irrigation Company)
- C. SWRCB Water Rights Complaints: Modesto Irrigation District, State Water Contractors, San Luis & Delta- Mendota Water Authority, Interested Persons in SWRCB CDO Enforcement Proceedings and/or Petitions for Reconsideration: Pak & Young; Mussi et al; George Speckman Testamentary Trust (Water Rights Complaints)
- D. Pacific Coast Federation of Fishermen’s Associations, California Sportfishing Protection Alliance, Friends of the River, San Francisco Crab Boat Owners Association, Inc., The Institute for Fisheries Resources, and Felix Smith v. Donald R. Glaser and San Luis & Delta-Mendota Water Authority, U.S. District Court, E.D. Cal., Case No. 2:11-CV-02980-KJM-CKD, Appeal No. 17-17130 (“PCFFA v Glaser” or “GBP Citizens Suit”)
- E. San Luis & Delta-Mendota Water Authority and Westlands Water District v. Delta Stewardship Council, et al., Sacramento County Superior Court Case No. 34-2013-80001500 (Delta Plan Litigation). Appeals in Delta Plan Litigation:

City of Stockton v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758)(Third District Court of Appeal Case No. C082994); State Water Contractors, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082944); California Water Impact Network, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994); Central Delta Water Agency, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994); North Coast Rivers Alliance, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No.C082994); San Luis & Delta-Mendota Water Agency, et al. v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994); Save the California Delta Alliance v. Delta Stewardship Council, et al. (Sacramento County Superior Court JCCP No. 4758) (Third District Court of Appeal Case No. C082994)
- F. AquAlliance, et. al., v. U.S. Bureau of Reclamation, et. al., U.S. District Court, E.D. Cal., Case No. 1:15- CV-00754 LJO BAM (Challenge to Long-Term Transfer EIR/EIS)
- G. California Sportfishing Protection Alliance, et al. vs. California State Water Resources Control Board, et al., Alameda County Superior Court Case No. RG15780498 (State WQCP/TUCP)
- H. In re State Water Resources Control Board Petition Requesting Changes in Water Rights of the Department of Water Resources and U.S. Bureau of Reclamation for the California WaterFix Project (WaterFix Change Petition)
- I. Oakdale Groundwater Alliance et al. v. Oakdale Irrigation District, Fifth District Court of Appeal Case No. F076288, appeal from Stanislaus County Superior Court, Case No. 2019380 (OID On Farm Conservation-Transfer)
- J. City of Fresno, et al. v. United States, U.S. Court of Federal Claims, Case No. 16-1276L (Friant Takings Suit)
- K. California Department of Water Resources v. All Persons Interested in the Matter of [DWR Financing for California WaterFix], Sacramento Superior Court Case No. 34-2017-00215965 (DWR Validation Action)
- L. Monterey Coastkeeper, et al. v. Central Valley Regional Water Quality Control Board, et al., Sacramento County Superior Court Case No. 34-2018-80002853; Environmental Law Foundation v. State Water Resources Control Board, Sacramento County Superior Court Case No. 34-2018-80002851; Protectores del Agua Subterranea v. State Water Resources Control Board, Sacramento Superior Court Case No. 34-2018-80002852 (“Waste Discharge Requirement Cases”)
- M. North Coast Rivers Alliance v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002898; Central Delta Water Agency v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002900; Friends of the River v. Delta Stewardship Council, Sacramento County Superior

12. Return to Open Session
13. Report from Closed Session, if any, Required by Government Code Section 54957.1
14. Reports Pursuant to Government Code Section 54954.2
15. ADJOURNMENT

Persons with a disability may request disability-related modification or accommodation by contacting Cheri Worthy or Felicia Luna at the San Luis & Delta-Mendota Water Authority Office, 842 6th Street, P.O. Box 2157, Los Banos, California, telephone: 209/826-9696 at least 3 days before a regular meeting or 1 day before a special meeting/workshop.

Telephonic Participation Location:

San Benito County Water District
30 Mansfield Road
Hollister, CA 95023

Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118

¹ Attention telephonic participants: This Notice and Agenda must be posted at the telephonic participation location, which must be accessible to the public.

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

November 5, 2018

The Regular Water Resources Committee and Joint Regular 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 Ex-Officio Cannon Michael presiding.

Water Resources Committee Members Present

Ex-Officio

Cannon Michael

Division 1

Earl Perez, Member - Anthea Hansen, Alternate

Division 2

William Bourdeau, Alternate

Division 3

Chris White, Alternate

Division 4

Jeff Cattaneo, Alternate

Division 5

Steve Stadler, Alternate for Tom Birmingham

Board of Directors Present

Division 1

Anthea Hansen, Director - Earl Perez, Alternate

Rick Gilmore, Director

Division 2

William Bourdeau, Alternate

Division 3

Chris White, Alternate for Director James O'Banion

Cannon Michael, Director

Division 4

Jeff Cattaneo, Alternate for John Tobias

Sara Singleton, Alternate for Joseph Tonascia

Division 5

Steve Stadler, Director

Authority Representatives Present

Tom Boardman, Water Resources Engineer
Frances Mizuno, Interim Executive Director
Rebecca Akroyd, Interim General Counsel

Others Present

Russ Freeman, Westlands Water District
Dana Jacobson, Santa Clara Valley Water District
John Wiersma, Henry Miller Reclamation District

1. Call to Order

Ex-Officio Cannon Michael called the meeting to order and a roll call was held.

2. 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 corrections or additions to the agenda.

3. Opportunity for Public Comment

There was no public comment.

4. Committee to Consider Approval of the May 14, 2018, and the June 4, 2018 Meeting Minutes

The July 2, 2018 meeting minutes of the Water Resources Committee were previously distributed for review. Alternate Member William Bourdeau made a motion that the Committee approve the July 2, 2018 meeting minutes. The motion was seconded by Alternate Member Steve Stadler and passed unanimously. The Committee action is reported as follows:

AYES: Michael, Perez, Bourdeau, White, Cattaneo, Stadler
NOES: None
ABSTENTIONS: None

5. Update on Strategic Planning

Interim Executive Director Frances Mizuno reported that the Strategic Planning Workshop scheduled November 8, 2018 has been rescheduled for December 6, 2018 following the Board meeting.

6. Update on Los Vaqueros Reservoir Expansion Project

Interim Executive Director Frances Mizuno reported that the Authority entered into a MOU December 12, 2011 regarding CalFed Bay-Delta Program Studies on the expansion of Los Vaqueros Reservoir with Contra Costa Water District (CCWD) amongst other Water Agencies. The participation in the MOU required a payment of \$100,000, which was included in FY17 Leg Ops I budget, and paid October 31, 2016. Since

the Authority's participation in the MOU, individual member agencies (Byron Bethany I.D., Del Puerto W.D., Grasslands W.D., San Luis W.D., Santa Clara Valley W.D., and Westlands W.D.) also entered into the MOU to seek potential direct storage/conveyance benefits for their respective districts. Mizuno reported that the MOU participants have determined potential benefits from the project and have drafted a proposed CCWD Cost Share Agreement for Los Vaqueros Reservoir Expansion Project Planning. Mizuno reported that the total cost under this draft Cost Share Agreement is \$2,833,036. The proposal is to share the cost equally amongst all Local Agency Partners (LAP's), and there is a total of 14 MOU participants that are potential LAP's.

Mizuno explained that the Authority has 4 relevant considerations: 1) Whether individual Members will participate in the Cost Share Agreement on their own, through the Authority via an Activity Agreement, or both, 2) Whether the benefits are worthwhile to continue participation, 3) Whether participation for south-of-Delta CVP-wide benefits should be through Reclamation rather than the Authority, and 4) Whether Reclamation is also participating to provide Level IV refuge water supply. It is anticipated that Reclamation will fund up to 25% of the construction cost (WIIN Act limitation) through a negotiated Agreement with the new JPA for cost share and use of the facilities. Mizuno described the next step as identifying cost share partners by early next year.

7. 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

Interim General Counsel Rebecca Akroyd reported that the President issued a presidential memorandum to promote reliable water supply in the West, which affects the timeline of the ongoing Reinitiation of Consultation (ROC) on Long-Term Operations (LTO). Akroyd reported that the final Biological Assessments are due January 31, 2019, and final BiOps for ROC on LTO are due June 15, 2019.

8. California WaterFix Project Update

Interim General Counsel Rebecca Akroyd reported that the Change Petition Hearing is essentially done, and the parties are waiting for the hearing officers to set a schedule for closing briefs. Akroyd also reported that the draft Supplemental EIR/EIS was published in July, and comments are being excepted through today, and should soon be finalized.

Akroyd also reported that appeals were filed challenging DWR's Consistency Determination to the Delta Stewardship Council. Nine parties filed appeals, and the hearings occurred October 24-26, 2018. The Delta Stewardship Council is considering all the evidence during those days of hearing, and is expected to release draft findings, and then have Workshop on those draft findings November 15 & 16, 2018. The Delta Stewardship Council is expected to take action in its December 20-21, 2018 meeting.

9. Update on State Water Resources Control Board Update to Water Quality Control Plan for

the Bay-Delta

Interim General Counsel Rebecca Akroyd reported that the Water Board is scheduled to vote on the Phase I Amendments November 7, 2018. Some parties are pushing the State Board to delay taking action, but it's unclear whether they will, so Phase I Amendments may be adopted as early as this Wednesday. Akroyd also reported that Phase II draft Amendments are expected by the end of this year.

10. Update on Activities Related to Temperance Flat Reservoir

Interim Executive Director Frances Mizuno gave a brief update on Temperance Flat Reservoir. Mizuno reported that there is now a Temperance Flat Reservoir JPA. The Exchange Contractors and Friant Water Authority have entered into the JPA. They are still waiting to see if the Authority, Westlands Water District, and/or the City of Fresno will be entering as well. Mizuno reported that the Authority entering into the JPA would be determined by interest of Member Agencies in an Activity Agreement to enter into the JPA and invest in the Temperance Flat Reservoir.

11. Update on San Joaquin River Restoration Program Activities.

Interim Executive Director Frances Mizuno reported that Reclamation is working on several parts of the Restoration Program particularly on the Recapture and Recirculation Plan. Mizuno reported that Reclamation has environmental documents that they are finalizing as well as a separate group that is working on drafting the plan itself. The Authority has provided comments on the draft environmental documents. Mizuno reported that the Authority has met with Reclamation regarding their development of an accounting tool, and has participated in meetings on developing the plan itself to make sure this plan does not impact the water supply for contractors.

12. State and Federal Affairs Advocacy Update

Interim Executive Director Frances Mizuno reported that Dennis Cardoza will join the Board meeting on Thursday to report on the election results.

13. Update on Water Operations

Water Resources Engineer Tom Boardman reported Jones is pumping at 4 units while a unit is out of service for maintenance. Absent the maintenance, however, pumping would be near the current rate as upstream releases are reduced and delta outflow requirements are higher during November. The COA accounting shows the SWP owes the CVP about 160 TAF because Banks was capturing unused CVP water in the delta during late September and early October. In the past during similar years, the COA accounting is usually suspended to avoid the accumulation of SWP debt, but delaying the suspension of COA accounting until late October this year reduced the impact of sustained CVP releases for fish amidst limited pumping capacity at Jones.

Boardman also reported that the filling of CVP San Luis has slowed due to dry conditions and increased demands. A review of San Luis storage projection charts show that CVP San Luis will fill in early 2019 under normal hydrology, but may fall short of filling by nearly 200 TAF under 90% exceedance conditions.

Reclamation expects to release its Rescheduling guidelines by early December. It is yet unclear if the rescheduling cap will be limited to 150 TAF cap or 10% of contract entitlement. It was requested that Jeff Rieker be contacted to ensure that the 10% cap criteria be used in the Final Guidelines.

14. Closed Session

Ex-Officio 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 11:50 a.m., Interim General Counsel Rebecca Akroyd reported that there were no reportable actions taken in closed session.

15. Reports Pursuant to Government Code Section 54954.2

No report given.

16. Adjournment

The meeting was adjourned at approximately 11:50 a.m.