

# Water Wrights



Friant Water Authority December 11, 2020

By Don A. Wright

**T**he **Friant Water Authority** held its board of directors meeting on Friday, December 11, 2020 remotely from home or wherever on WebEx. December's meeting has been moved up to avoid a conflict with Christmas. Closed session was scheduled to begin at 8:30am and featured three cases of existing litigation, a discussion about initiating three lawsuits, a real estate negotiation and performance evaluation of the Chief Executive Office. The meeting was then scheduled to start back in open session at 10:00am. Some of the items on slate for open session are: nominations for board officers and committee members. Past experience tells me this is an important item to pay attention to. I once fell asleep at a California Women for Ag meeting and awoke chapter secretary. True story. The board held a retreat last month and that will be discussed and considered. Of course the repairs to the Friant Kern Canal will be a topic of great interest.



## It Begins

Chairman **Chris Tantau** called the open meeting to order at 10:55pm. Attorney **Don Davis** announced FWA has reached a plan to deal with the entities in the area of the subsidence along the FKC. That sounds like the Eastern Tule GSA will be helping to pay for the repairs. As Davis said this is a milestone and more details will be released. Orange Cove Irrigation voted no and Lindsay Strathmore ID abstained.

Tantau waived the usual invocation to save time but did request God send us rain. He asked for public participation and there was none. He asked Executive Officer **Jason Phillips** if he had anything to say before things got going. Phillips reminded us everyone was working from home and to be little more careful with the audio.

Tantau also said there is a long consent calendar and asked for a vote. This included non-FWA Friant contractors. Secretary Toni Marie led the roll call and the consent calendar was passed.

## Action Items

This is Tantau's last meeting as Chair. It is time to elect new officers. Davis said the current slate is **Cliff Loeffler** Lindsey Strathmore ID Chair, **Edwin Camp** Arvin Edison Water Storage

District Vice Chair and **Jim Erickson** Madera ID Secretary. There were no further nominations and the roll call vote of the proposed slate passed. Tantau thanked everyone for the opportunity to serve and looks forward to the new officers taking the helm.

Next the Executive Committee membership was put to a vote. The officers are automatically on that committee, Tantau will be seated as past chairman, **Rick Borges** and **Steve Kisling** terms continue and I guess the only open seat is at large and Lower Tule River ID's **Josh Pitigliano** was the only nomination, so he won. I'd like to be this guy's campaign manager. The Finance/HR Committee and the O&M Committee (certain to be a hot seat) also had to be nominated and voted on. Davis commented that at the retreat one of the topics agreed on was to get more new blood on the committees so alternate directors are eligible to serve. The bylaws of the FWA JPA don't preclude this and **Jeffery Giumarra** of Arvin Edison ended upon the Finance/HR Committee. Good for him.

### **Temp Flat**

The San Joaquin Valley Water Infrastructure Authority was formed to help promote the construction of Temperance Flat Dam. Davis explained since Temp Flat is on the back burner the SJVWIA JPA wants to change its JPA by amending the membership. Many members have fallen off including the San Luis Delta Mendota WA which leaves FWA and the Exchange Contractors holding the remaining flame. **Brock Buche** of City of Fresno said the city attorney is reviewing these changes and has yet to offer an opinion. Fresno abstained from the vote. Davis also said there is an off ramp for FWA if this becomes an expensive albatross. The board agreed to the amendments which triggered the rewrite of 51 pages of legalese.

The next item was presented by COO **Doug DeFlicht** the proposed second amendment to Stantec Engineering services agreement. If passed it will raise the compensation from \$12 million to \$14.5 million. This involves a history or task orders, project phases and modifications to a rather complex project of designing pump stations and a 10-mile segment of a new parallel canal as part of the capacity correction of the existing FKC. Stantec's **Janet Atkinson** said the USBR is the contracting entity and this item reflects the agreement for continuing professional services in the form of consultation. There was more conversation and questioning from the directors. Which makes sense when you ask for a couple of million bucks here and there. The roll was called and the board agreed unanimously to continue with Stantec. Good for them.

### **Reports**

The first item under reports was the board retreat. Tantau thanked everyone for attending and singled out the staff for the great job in putting together an excellent event. Phillips said he misses seeing everyone's faces while meeting remotely.

There were several non-FWA members who attended and Phillips thanked **Eric Quinley**, GM Delano Earlimart ID for his input. Quinley is pretty sharp and is also the former FWA engineer. Phillips put out some dates for next year but I didn't catch it. The point being he wants to get as much calendaring out of the way as possible as early as possible to promote attendance. Camp gave Phillips a Jason Phillips bobblehead doll and Phillips said his wife is slowly finding it less creepy.

The first thing to come out of the retreat was that Friant water supplies are job one. Also the need for collaboration and partnerships was very high on the list. Relationships are important. Communication is important. Phillips listed all different ways Friant reaches out but there is some room for improvement and he asked the public to weigh in on this.

The strategic plan portion was one of the most engaging parts of the retreat. The board asked to limit the number of workshops and make sure they are necessary. The San Joaquin Valley Water Blueprint has strong support in the FWA membership and there was some caution expressed that involvement with the Blueprint doesn't mix negatively with Friant members' situation. Director of

External Affairs **Johnny Amaral** thanked those who attended for some valuable feedback and Phillips said next year's target date will be November 15<sup>th</sup> through 18<sup>th</sup> 2021.

### **FKC Repairs**

Atkinson gave a thorough update of the work completed, underway and pending for the FKC middle reach repairs. There is a long way to go but a lot has been accomplished setting things up for further progress. Securing easements and property was of particular concern to some. It was said part of the massive costs overruns of High Speed Rail came from delays of getting the real estate package together. This caused contractors to up their share. By the way I didn't even come close to relating all that Atkinson had to say. There is a good written report in the packet.

That brought up the topic of how do you pay for this half a billion dollar project? **Brian Thomas** of some outfit spoke about cost share and repayment agreements. Phillips said by law the cost share agreement has to be in place or the USBR won't start. He said FWA needs to budget \$50 million OM&R funds. He said if there is any three alarm heartburn over this you need to speak up now. There is some anticipated WIIN Act funding. Some of this money is already there but Congress has to be shown how it will be spent by the Department of Interior. There are funds coming from the ETGSA but again that amount wasn't disclosed today. Zone Three funding is on pause for the moment. There were a lot of strong feelings shown at the retreat. Once the ETGSA agreement is finalized the Zone Three discussion should be able to move along. He said the cash flow will determine to a great deal when the \$50 million will be requested. Phillips said that pot of gold has always been considered the last amount. He said in addition to the GSA negotiation there needs to be word back from the feds. There needs to be more talk about Zone Three becoming a "family plan" so more than just the southern, downstream members can participate and share the burden a little. He sees an early January meeting with the Bureau to make sure the work on the turnouts can be completed in time. There are some districts that will have to have new turnouts as the FKC is repaired.

Chief Financial Officer **Don Willard** reported on the San Luis Delta Mendota Authority saying the bond financing actions have passed. He said since FWA chose to self-fund its portion of the pump rewinding cost obligations FWA won't be impacted. SLDMWA's Executive Director Federico Barajas had announced there will be a budget workshop for FY 2022 on December 11, 2020 directors may want to tune in to. Phillips pointed out one of the retreat items was becoming more diligent on keeping track of SLDMWA as Friant funds a good portion of that entity's budget. He said the subject will be on the FWA executive committee agenda as a standing item.

### **Government Affairs**

Amaral and **Alex Biering**, Government Affairs & Communications Manager reported on state, federal and communication affairs. Biering said there hasn't been much coming out of Sacramento. The legislation took up again on December 7<sup>th</sup> (wasn't that the day that will live in infamy?) A trash can full of bills were dumped and then folks when home for Christmas. Biering said state Senator **Melissa Hurtado** is still excited about getting a bill in play to help with the FKC. She said Hurtado has been very good to work with.

Biering said there have been some staff shuffles from Governor **Gavin Newsom's** administration. There's been poaching from Washington DC and the silver lining I see is a new state attorney general.

Amaral spoke on federal affairs saying there has been a short term continuing resolution passed to keep the government running another 10-days which allowed some WIIN Act activity that will place some funding in an omnibus bill. The omnibus bill will also include funding of almost a trillion dollars to fight the itis.

Valley Congressman **Jim Costa** made a run at becoming the ag committee chair but a fellow from Georgia got the seat. He's had some talks with the state about working together on canal health. Health, my words not his. That's a way to get a larger partnership under way. He also asked everyone to write the congress, not just the friendly ones but the leadership to urge the WIIN Act funds for FKC repairs.

### **SJVW Blueprint**

**Austin Ewell** gave the San Joaquin Valley Water Blueprint update and thanked everyone with the feedback from the retreat. The messages from the retreat were heard. He said there will be a meeting soon with the Blueprint and the USBR to talk about how some of the proposed infrastructure can come about.

Ewell said the San Joaquin Valley Water Collaborative Action that took place at Stanford University has helped to increase the fold. A planning group of 15 participants has been created.

### **Water Report**

FWA Water Resource Manager **Ian Buck-Macleod** said it's dry out there with averages below 30 percent. He said there is a good looking storm moving in that could really help the Valley and Northern California. I hope it will be enough to put out any remaining wildfires.

Buck Macleod said preliminary allocations have been issued but it is still very early in the season.

Temperature management outreach on Lake Shasta has been set up between the Bureau and the State Board. The Exchange Contractors allocation depends on water in Shasta and that in turn impacts Friant's San Joaquin River supply. He said a call on Friant isn't likely but it is early. He's keeping a close eye on it and he said he's also keeping a close eye on the COA dance between the state and the feds.



Friant allocations from Millerton Lake is at 65 percent. Not much coming in and not much going out of that reservoir. The Creek Fire burnt more than a third of the SJR watershed and an aerial snow survey is planned to set a new base for this part of the world. Speaking of ASO FWA is negotiating an agreement with the ASO Inc. Some non-FWA contractors are talking about pitching in but there hasn't been any checks in the mail yet. The bare minimum of three flights is considered a start. He asked for questions and there were none. Phillips told him he'd been on mute the entire time and start over. That was pretty good.

After changing the topic to Temp Flat Buck-Macleod continued saying the Temperance Flat Reservoir Authority gave back \$171 million to the California Water Commission in Prop One funds. The CWC can redistribute this money to other Prop One applicants or there is hope that money can be spent on storage in the Valley such as water banking. There are other projects with eco-system and refuge benefit components that could also become eligible for this money. There's a few more hopes but it was determined Temp Flat couldn't jump through them. He said the CWC is meeting next week and things will become clearer then. He asked for questions and there were none and expected Phillips to tell him he was on mute but he didn't.

## 2020 Almost but Not Quite Over

The O&M report was presented as is in the packet. Phillips said there was a question about insurance on the FKC repair. Davis said there is the option to purchase subsidence insurance coverage from ACWA JPIA. That is not a well fleshed out proposal at this point but does scratch an itch. DeFlitch said the dewatering related repairs are coming along ahead of schedule. Phillips said Aaron Fukuda has been serving as the Temp Flat leader and has passed that baton off to Tal Eslick. Phillips said there may be a few more special meetings before the end of the year. One of the attorneys had to split so there will be no further closed session.

Tantau thanked everyone for their good company as he chaired FWA for the past two-years. Each chairman has left their mark on the organization and I think it's fair to say Tantau will be remembered as a peace maker, which is apt for this time of year and something we all could use more of. Good for him. Well, that was that.

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The Friant Water Authority is a Joint Powers Agreement with 17 districts to operate and maintain the Friant Division of the Central Valley Water Project. Water from the San Joaquin River is diverted at Friant Dam at Millerton Lake to the Madera/Chowchilla Canal to the north and the Friant/Kern Canal to the south. More than one million acres of mostly family farms and numerous communities get their surface supplies from the Friant Division.

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