



**REVISED AGENDA**  
**Special Board of Directors Meeting**  
**Monday, August 28, 2023, 3:00 p.m.**

Meeting held in-person at  
3050 Beacon Blvd., West Sacramento, CA – Suite #203

**Notice of Teleconference Locations:** One or more Directors will participate in this meeting via remote teleconference at the following locations:

14151 Market St. Walnut Grove, CA 95690

1143 Crane St., Suite 200, Menlo Park, CA 94025

These remote locations are accessible to the public and the public will be given an opportunity to address the Board during all open session items at all locations.

The public and staff may attend the meeting remotely and offer public comments by Zoom or by telephone, using the call-in information provided below.

**Join Zoom Meeting:**

<https://us06web.zoom.us/j/81664272127?pwd=dE1qT00rVINPdjJxZ1dzZS95OU9oZz09>

Meeting ID: 816 6427 2127

Passcode: 914071

**Dial In Only:**

833 548 0282 US Toll-free

877 853 5257 US Toll-free

888 475 4499 US Toll-free

833 548 0276 US Toll-free

Meeting ID: 816 6427 2127

Passcode: 914071

## AGENDA

**\*\*\* Note: Action may be taken on any item listed on this agenda \*\*\***

### 1. Call to Order

*Steve Mello, Chairman*

### 2. Closed Session

#### A. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (one potential case).

### 3. Closed Session Report

*Steve Mello, Chairman*

Reconvene Open Session and provide summary of any action taken by the Board on items discussed with legal counsel in Closed Session.

### 4. Report of NDWA Ad-Hoc Committee on Sites Authority Water Right Application

- A. Ad—Hoc Committee Report - Describe its evaluation of Sites Reservoir Project water right application and recommendation to Board on whether to file a protest with State Water Resources Control Board (SWRCB).
- B. Engineering Report - Presentation by MBK Engineers on Sites Project modeling results and terms/conditions anticipated in water rights and incidental take permits.
- C. Legal Counsel Report - Presentation by NDWA Legal Counsel on SWRCB Water Rights Protest Criteria and Process; and development of proposed MOU.
- D. Public Input – Opportunity for public to provide input on ad-hoc recommendation and proposed MOU.

### 5. Consider Protest of Sites Authority Water Right Application (A025517X01)

- A. ACTION: Board approve ad-hoc committee recommendation to not file a protest against the Sites Authority Water Right Application (A025517X01).
- B. ACTION: Board consider modifications to proposed MOU based on public input.
- C. ACTION: Board approve execution of proposed MOU with Sites Authority, with any amended changes accepted under 5B.

### 6. Public Comment

### 7. Adjournment