

WESTLANDS WATER DISTRICT

NOTICE AND AGENDA OF SPECIAL MEETING AND HEARING

NOTICE

Notice is hereby given that a special meeting of the Board of Directors of Westlands Water District and a hearing will be held on January 8, 2020 at 1:00 p.m. at the District's Fresno Office, 3130 N. Fresno Street, Fresno, California 93703.

Public Comment - Any member of the public may address the Board concerning any matter on the agenda before or, for open session items, during its consideration of that matter. Public comment is limited to three minutes per person and no more than fifteen minutes per topic. For good cause, the Board President may waive these limitations.

AGENDA

1. **Call to Order**
2. **Public Hearing:** The Board of Directors of Westlands Water District, serving as the Groundwater Sustainability Agency of the Westside Subbasin, will Conduct a Hearing Prior to Consideration of Resolution No. GSA-101-20, Adopting the Westside Subbasin Groundwater Sustainability Plan, and Authorizing Submission of the Westside Subbasin Groundwater Sustainability Plan to the California Department of Water Resources and Related Actions.
 - a. **Staff presentation**
 - b. **Public Comment**
3. **The Board of Directors of Westlands Water District, serving as the Groundwater Sustainability Agency of the Westside Subbasin, to Consider Resolution No. GSA-101-20, Adopting the Westside Subbasin Groundwater Sustainability Plan and Authorizing Submission of the Westside Subbasin Groundwater Sustainability Plan to the California Department of Water Resources and Related Actions.**
4. **Public Comment** - Any member of the public may address the Board of Directors concerning any matter not on the Agenda within the Board's jurisdiction. Public comment is limited to three minutes per person and no more than fifteen minutes per topic. For good cause, the Board President may waive these limitations.
5. **Closed Session** - The Board will meet in closed session pursuant to the Government Code sections noted to discuss the following:
 - a. **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
 - b. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 – 3 potential cases

WESTLANDS WATER DISTRICT

January 8, 2020 at 1:00 p.m.

Public Comment - Any member of the public may address the Board concerning any matter on the agenda before or, for open session items, during its consideration of that matter. Public comment is limited to three minutes per person and no more than fifteen minutes per topic. For good cause, the Board President may waive these limitations.

c. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION

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

- 1) Firebaugh Canal Water District et al. v. United States of America et al., United States District Court, Eastern District of California, Case Nos. 1:88-cv-634-LJO/SKO, 1:91-cv-048-LJO/SKO
- 2) Westlands Water District v. United States, United States Court of Appeal for the Federal Circuit, Case No. 13-5069
- 3) 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)

- 4) 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) (2015 TUCP Orders)
- 5) North Coast Rivers Alliance et al. v. U.S. Department of the Interior et al., United States District Court, Eastern District of California, Case No. 1:16-cv-00307-LJO-MJS (2016-2018 Interim Renewal Contract EA)
- 6) Natural Resources Defense Council et al. v. Bernhardt et al., United States District Court, Eastern District of California, Case No. 1:05-cv-01207-LJO-EPG (2005 DMC Contract Renewals Litigation)
- 7) City of Fresno, et al. v. United States, United States Court of Federal Claims, Case No. 16-1276L (Friant Takings Suit)

WESTLANDS WATER DISTRICT

January 8, 2020 at 1:00 p.m.

Public Comment - Any member of the public may address the Board concerning any matter on the agenda before or, for open session items, during its consideration of that matter. Public comment is limited to three minutes per person and no more than fifteen minutes per topic. For good cause, the Board President may waive these limitations.

- 8) 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 Court, Case No. 34-2018-80002901; California Water Impact Network v. Delta Stewardship Council, Sacramento County Superior Court, Case No. 34-2018-80002904 (Delta Plan Amendment Litigation)
- 9) Westlands Water District v. State Water Resources Control Board, Fresno County Superior Court, Case No. 19CECG00165 (WQCP Phase 1 Litigation)
- 10) North Coast Rivers Alliance et al. v. Department of Water Resources, Sacramento Superior Court Case No. 34-2019-80003057 (COA Addendum-WaterFix No Harm Litigation)
- 11) People of the State of California v. Westlands Water District, Shasta Superior Court, Case No. 192487 (Public Resources Code Section 5093.542)
- 12) Friends of the River et al. v. Westlands Water District, Shasta Superior Court, Case No. 192490 (Public Resources Code Section 5093.542)
- 13) North Coast Rivers Alliance et al. v. Westlands Water District, Shasta Superior Court, Case No. 192958 (Public Resources Code Section 5093.542)
- 14) Westlands Water District v. All Persons Interested in the Matter of the Contract Between the United States and Westlands Water District Providing Project Water Service, San Luis Unit and Delta Division and Facilities Repayment, Fresno Superior Court, Case No. 19CECG03887 (Validation Action)
- 15) Pacific Coast Federation of Fishermen's Association et al. v. Ross et al., United States District Court, Northern District of California, Case No. 3:19-cv-07897 (2019 ROC on LTO BiOps Litigation)

6. Report from Closed Session, if any, Required by Government Code Section 54957.1

7. Adjournment

I, Original Signed by District Secretary, declare that the foregoing agenda for the January 8, 2020 special meeting of the Westlands Water District Board of Directors was posted on January 3, 2020, at the District's Fresno Office, 3130 N. Fresno Street, Fresno, CA 93703, at the District's Five Points Field Office, 23050 W. Mt. Whitney Avenue, Five Points, CA 93624, and on the District's website, at <https://wwd.ca.gov> and was available for public inspection.

WESTLANDS WATER DISTRICT

January 8, 2020 at 1:00 p.m.

Public Comment - Any member of the public may address the Board concerning any matter on the agenda before or, for open session items, during its consideration of that matter. Public comment is limited to three minutes per person and no more than fifteen minutes per topic. For good cause, the Board President may waive these limitations.

Written materials related to an item on this agenda to be considered in open session that are public records and that are distributed less than 24 hours prior to the meeting will be made available for public inspection, (1) when distributed if said materials were prepared by the District or a member of the Board of Directors or (2) after the meeting if said materials were prepared by others, at the District's Fresno office, 3130 N. Fresno St., Fresno, California during normal business hours.

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the District provide a disability-related modification or accommodation in order to participate in any public meeting of the District. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the District. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, facsimile, or written correspondence.