

John Cunningham

From: Leland Frayseth <leland.frayseth@gmail.com>
Sent: Sunday, December 12, 2021 6:07 PM
To: Samantha.Arthur@cw.ca.gov; Alexandre.Makler@cw.ca.gov; daniel.curtin@cw.ca.gov; Teresa.Alvarado@cw.ca.gov; Matthew.Swanson@cw.ca.gov; Kimberly.Gallagher@cw.ca.gov; fern.steiner@cw.ca.gov; jose.solorio@cw.ca.gov; cw@water.ca.gov; Shoemaker, Brianna@DWR; amy.young@water.ca.gov; Cambra, Paul@CWC; Yun, Joseph@DWR; Klopfenstein, Rachael@DeltaCouncil; erik.errec@delcouncil.ca.gov; John Cunningham; spalmer@zone7water.com; john@goldenstatesalmon.org; Bob Wright; Obegi, Doug; Daniel Bacher; Scott Anderson; Rachel Murphy; Kennedy, Kellye J; Jennifer Allen; EIR-EIS-Comments@sitesproject.org
Subject: Sites Project is ineligible and unfeasible

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Dear Commissioners, Staff, the Public and readers of Sites Environmental Impact Report (EIR) comments,

This is my 44th letter to the California Water Commission (CWC). Please add this comment to the 15 Dec 2021 CWC meeting agenda item 10 Sites Project Continuing Eligibility and Feasibility Determination.

The West currently has millions of acre feet in unused water surface storage capacity in the Colorado, Sacramento and San Joaquin river basins. Building more off stream reservoirs like Sites is a waste of money and the diesel powered construction and earth moving equipment will just add more carbon to the atmosphere worsening climate change. Sites off stream reservoir is a dumb idea. Los Vaqueros off stream reservoir is a dumb idea. These failed projects degrade my water quality and kill salmon and steelhead.

I know Jerry Brown Sites Executive Director. He used to be the General Manager for Contra Costa Water District (CCWD) that provides nasty, expensive tap water to my home. I have been on the receiving end of Jerry Brown's lies and obfuscation.

In preparation for this comment I was not surprised to read in the Sites board agenda which he dictates that he listed negotiations with Fish and Wildlife followed by his performance evaluation in a Closed Session.

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| 5. | <u>Closed Session:</u> | Approximate sta |
| 5.1 | Negotiations concerning Sites Project construction and of conditions and agreements with the State of California, Depart Wildlife (Govt. Code §§54956.9(c), 54956.9(d)(4)). | |
| 5.2 | Negotiations concerning water rights application, conditions with Sacramento River entities (Govt. Code §§54956.9(c) and 5 | |
| 5.3 | Public Employee Performance Evaluation, Executive Direct §§54957). | |
| 6. | <u>Report from Closed Session</u> | Approximate sta |

The next month Jerry Brown's consulting contract was increased to \$37,275/month, annualized that is 2.6 times what Governor Newsom makes. He is not worth minimum wage in my opinion.

Detailed Description/Background:

A performance evaluation was conducted and determined that Agents and the Executive Director are meeting or exceeding expectations. The RC formed an Ad Hoc Compensation Committee to evaluate compensation adjustments and the AB later added participants making this a joint effort. The Committee looked at various factors and determined that contract modifications should be implemented:

- **Compensation** – It is proposed that monthly amounts be increased effective January 1, 2022 by 5%. New monthly amounts are as follows for each Agent and the Executive Director:
 - Forsythe Group. \$32,130
 - Trappaso Consulting Services \$31,200
 - Spesert Consulting \$22,834
 - Waterology Consulting \$37,275
- **Contract Term** – Establish the term of the agreement through Amendment 3 which is December 31, 2024.
- **Annual Performance Review** – Continue an annual performance review schedule with the possibility of merit and/or inflation adjustments each year of the term.

How are the fish fairing in the Fish and Wildlife negotiations on Sites construction, operation terms, conditions and agreements? I have experienced Jerry Brown's obfuscation so I wasn't going to waste my time sending Sites project information through authority a public records request so I sent a request to Fish and Wildlife.

Public Records Act Request :: R002056-112921

1 message

CALIFORNIADFW Support <californiadfw@govqa.us>
To: "leland.frayseth@gmail.com" <leland.frayseth@gmail.com>

Mon, Nov 29, 2021



Dear Leland Frayseth:

Thank you for your interest in public records of the California Department of Fish and Wildlife (CDFW). Your request has been received and is being processed in accordance with the California Public Records Act, Government Code section 6250 et seq. Your request was received in this office on 11/29/2021 and given the reference R002056-112921 for tracking purposes.

Records Requested: Dear Madam or Sir, This is to request emails, email threads, meeting notes, and rosters with California Department of Fish and Wildlife and Sites Reservoir. It seems odd per the attached that the Sites Project Authority would have a closed session item about their negotiations with Fish and Wildlife for Sacramento river salmon and they have a hard enough time in recent years getting up river to spawn in low water and low flows. Attached is the agenda I reference and Sites early funding agreement with the Commission. Thank you, Leland

Your request will be forwarded to the relevant CDFW regions and/or programs to locate records and estimate volume and any costs associated with satisfying your request. You will be contacted about the availability of records in question. PLEASE NOTE: The Public Records Act does not require a governmental body to conduct legal research, to do legal research, or to answer questions.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed. Again, thank you for using CDFW's Records Center.

To monitor the progress or update this request please log into the [Public Records Center](#)



After some back and forth Fish and Wildlife wrote me they are searching for records and will try to respond within 90 days of my original request.

In scheduling this Sites continuing eligibility determination on the CWC agenda and Sites EIR comments for 15 Dec 2021 you are left with no alternative but to determine Sites ineligible for continued Prop 1 funding and recirculate the Sites EIR when we all have read "Sites Project construction and operation terms, conditions and agreements with the State of California, Department of Fish & Wildlife".

Thank you for reading my comments. I will continue to track and provide comments on this important matter.

Leland Frayseth