

MINUTES OF REGULAR MEETING

Reclamation District No. 341
Sherman Island

9:00 a.m.
Wednesday, October 8, 2024

306 Second Street
Isleton, California

The Board proceedings are also available via tele-conference, and you may participate in Public Comment in this manner. If you wish to comment, please speak and your comments will be considered. Members of the public are encouraged to observe and participate in the teleconference. District directors and members of the public may participate in the meeting using the telephone conference line listed below. Conference Line Number: 1-877-336-1829
Access Code: 3653607

CALL MEETING TO ORDER

Trustee Rob Black called the meeting to order at 9:02 a.m. Jesse Barton conducted the meeting. In an effort to control the discussion, the Board will speak, followed by District staff and employees, and the public will have the final opportunity. He called roll call. Present: Trustees: Jas Gill, Mark Icanberry, and Rob Black; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Martin Berber; District Manager: Morgan Johnson; District Superintendent: Joel McElroy; DWR: David Julian; UC Davis Researcher: Kyra Gmoser-Daskalakis; Landowner(s): Ceci Giacomina. District Secretary: Cindy Hill

PUBLIC COMMENTS

There were no public comments.

DISTRICT MANAGER'S REPORT

Morgan said there is nothing to report that is not already an agenda item.

APPROVAL OF MINUTES

The Board reviewed the minutes of the special meeting on September 25, 2024. It was MSP (Rob Black/Jas Gill) to approve the special meeting minutes of September 25, 2024, as submitted. This passed 3-0.

ACCOUNTS PAYABLE AND RECEIVABLE

Perla Tzintzun-Garibay reported the accounts payable for October 8, 2024. A transfer of \$138,000 from the general fund is recommended to cover the current month's cash disbursements pending approval of \$152,441.61. Financial statements reflect an ending balance of \$70,811.16 after the above-mentioned transactions are approved.

Notes:

- 10/02 EFT to Kludt Oil for \$3,380.93
- 9/06 EFT to PERS for \$3,365.15
- 10/08 Payroll E-check to Mark Icanberry: Gross \$350, Net \$319.37

Balance in general fund account \$61,109.86

Perla reported the District will need to register two warrants this month totaling \$50,000. These will be in \$25,000 increments (warrants 4370 – 4371). Perla stated she anticipated a large PG&E bill that will be coming to the District soon. David Julian said he will be sending an advance request for SMFA. Mark Icanberry asked about the payment to Gornto under SMFA – this was a part of the warranty work, but additional improvements were made. Martin said they installed new fences. Perla sent the financials to the Board prior to the meeting for their review and Rob Black signed off on the invoices. It was MSP (Jas Gill/Mark Icanberry) to approve the October 8, 2024, accounts payable, transfers, invoices, and warrants. This passed 3-0.

ASSESSMENT CALL NO 28

Perla reported DWR paid their assessment. There is \$8,613.10 in outstanding assessments. It was recommended that Perla try to contact the landowners by phone and if that does not work, Jesse will send notices in November. The Board agreed.

NEW ASSESSMENT PROP 218

Jesse Barton recommends the Board approve hiring a benefit assessment firm, SCI, to prepare documentation for Prop 218. He distributed the proposal from SCI to perform a benefit assessment. If approved by the Board, Jesse stated every landowner will get a ballot to vote. If there is a 51% protest – the new benefit assessment will fail and the Board will have to reevaluate the District's financial situation. Morgan said he would like more details of the cost of the acreage for Ag land. Jesse said the habitat land may change as this property is more valuable. The utility and gas lands are currently assessed at the highest rate; however, this portion of assessment will go away. Jesse said each district is reviewed independently depending on the needs of the district. Jesse said he does not see any way around this District raising rates as it is highly in debt. Jas said we are in the red, and as a trustee he is concerned with the ongoing financial situation of the District. It was MSP (Jas Gill/Mark Icanberry) to hire engineer firm, SCI, to develop a new District-wide assessment consistent with Prop 218. This passed 3-0.

OUTRIGGER MARINA DAMAGE AND REMEDIATION

Martin reported there are no updates at this time.

PG&E BIRDS LANDING

Martin reported we will be going out to bid for the standby barge after the October regular meeting. Bids will be presented to the Board at the November 12th regular meeting. Morgan said there is 25,000 yards of gravel that will be available for the District's use. Jesse said we do not need Board approval if it is free or if the cost is within Morgan's authority. They will move the grindings to where we want them. Morgan and Joel will work out where they want to put the grindings. Ceci said the driveways that were affected by the District's last San Joaquin project are now too steep and it would be nice to have materials placed on these driveways to help reduce their steepness.

SHERMAN ISLAND CROSS ROAD

Mark Icanberry reported he has done some investigation into easements along Sherman Island Cross Road due to County inquiries. He said there should be a shoulder on the road before the ditch. He said right now the ditch lies along the road in the County easement. Martin said they are in the process of relocating 2 ditches along Sherman Island Cross Road; the new ditches will be outside of the County's easement. Mark said that they are trying to fix the asphalt but he thinks they need to remove asphalt as there is too much weight on the road. Mark asked if we could use the old grindings to make repairs to help reduce the costs as we all use that road, and it is in bad shape. He is hoping that this will incentivize them to start making the repairs in increments if the District takes their grindings. Ceci asked if the County is complaining that the ditch is encroaching on the road. Martin said "yes" but that they will not formalize the complaint. Morgan said they will not get the shoulder back as the area is subsiding. Jesse asked if a solution would be to leave the grindings in place and push them down to build up a shoulder. Joel said that the District maintains the Old Highway once a year. He said the contracts that the county has to fix the roads should include them fixing the damaged roads. Morgan said there is a history of the District taking the spoils for use. Jas said the District needs to determine if we want to take the grindings. He asked if this would affect the drainage. Mark asked about the area that has a huge drop. Joel said this is Jaime's area and it is an irrigation ditch. Jas said the County should do a survey and determine if DWR is encroaching on their land – if DWR is encroaching on their easement they need to address their issues with DWR. Martin said the easiest thing is for the County to send a letter to DWR informing them of a violation. Jesse said that we would like to focus on proposed solutions to fix the situation as it is difficult to determine a resolution on a County problem. Martin said he could contact the County and advise them that the District would be willing to accept the grindings but require it to be spread. Martin did take pre and post photos of the ditch and he can provide them to the County.

ENCROACHMENT PERMIT NO 2022-4 (PG&E D-1262 GAS TRANSMISSION DIG)

Martin reported PG&E discovered that the anomaly is mostly corrosion, less than 20% corrosion of pipe thickness, meaning they will most likely not have to replace the section of pipe. PG&E began backfilling the pipe with sand on October 7, 2024. The sand will then be capped with fill material compacted to District specifications.

ENCROACHMENT PERMIT NO 2023-5 (PG&E IDLE LINE REMOVAL)

Martin reported the tower at Threemile Slough and Mayberry Slough have been removed. We are waiting on a schedule from PG&E on foundation removal and backfill.

ENCROACHMENT PERMIT NO 2024-6 (CALTRANS HIGHWAY 160 REPAVING)

Martin reported that Caltrans informed us that their project will be completed next week with striping of the Highway.

CAMPOS DUMPING

Jesse said he did not send Campos a notice of the fines; he asked what the current status is – if the area has been cleaned up. Martin said that Vincent informed him that he talked to Campos yesterday. Vincent requested Campos complete a boundary survey and that he

needs to quit dumping on DWR property. Martin said that Campos dumped in the back of his property which is where the District's interests exist. Mr. Campos has been told not to dump and he continues to dump. Martin said that Sacramento County is sending out a Code Enforcement Officer to ensure there are no violations on the Cross Road property. They have requested photos of the asphalt grindings from W&B.

MAYBERRY SLOUGH SETBACK LEVEE HABITAT

Jesse reported the Indemnity Agreement signed last month only included Yolo RCD but should have also included Solano County RCD. This agreement assigns responsibility and will protect the District. The Agreement is the same but is changed to Solano County and not Yolo – so that the District is covered in both RCD's. It was MSP (Jas Gill/Rob Black) to sign the Indemnity Agreement with Solano County. This passed 3-0.

DWR “SUBSIDENCE MITIGATION FUNDING AGREEMENT” – AGREEMENT TO BUILD SEVERAL HUNDRED ACRES OF WETLAND IN THE WESTERN AND CENTRAL PORTION OF THE ISLAND IN AN EFFORT TO REVERSE SUBSIDENCE, SEQUESTER CARBON, AND REDUCE GREENHOUSE GASES.

Jesse introduced Kyra Gmoser Daskalakis, a UCD researcher that is working on her dissertation and researching case studies. She would like to speak to someone with the District regarding their experiences with the SMFA project. Kyra is conducting interviews on 10 restoration projects and would like to understand the benefits and challenges that were realized on the projects. She said the interviewees will be anonymous. Jas asked if the questions are particular to the wetland themselves or is it personal as to how the people feel about it. She said that she would like to understand the interviewees' experiences – she said this would be all their experience. She said she is looking for District's perspective and not necessarily policy. The Board agreed to have Joel and Morgan work with her.

Martin reported:

- **Whale's Belly**
 - **Warranty Work**
 - W&B instructed Gornto to resume canal widening later this week once the new cattle fence is installed. Gornto will also be replacing 24-inch crossings with 48-inch equivalents.
 - Gornto submitted an invoice for the 2 risers that were reconstructed. We are currently reviewing the invoice, however Gornto is still not done with the risers since they must furnish and install stainless steel hardware.
 - Kathy asked if the mobilization work could be billed as they had to have an excavator to complete the work. Morgan said if it were done right the first time, they would not have had to hire a truck to haul the excavator. The Board will not cover this cost.
 - **Remediation Work**
 - Work is ongoing on relocating ditches along Sherman Island Cross Road, modifying PVC siphons, installing new crossings along the Pump No. 3

Canal, and grading the perimeter of the wetland to drain away from the perimeter berm.

- Change Orders to date include the following:
 - No. 1: Cattle fence relocation and corresponding clearing/grubbing.
 - No. 2: Track walking perimeter berm exterior after grading.
 - No. 3: Clearing blackberries from County road ditches and hauling to District burn pit.
 - No. 4: Hauling spoils from canal widening to backfill crossings/ditches.
- Dutra completed grubbing the cattle fence relocation area; fence installation is planned to begin Wednesday. Once the new fence is installed, the old one will be torn out.
- With the assumption that the work window will not be extended beyond October 31st, Dutra is working weekends to complete all contract and change order work before then. Martin said that David was ok with paying overtime.
- **Recirculation Pump**
 - No Update.
- **Whale's Mouth**
 - **Perimeter Ditch PG&E Crossing**
 - Work will not begin until Dutra is done with Whale's Belly Construction Remediation since there are no work window restrictions on Whale's Mouth.
 - Once Dutra mobilizes, we will be issuing Change Orders for the following:
 - Cleaning of the perimeter ditch from the Pump No. 3 Canal up to the PG&E gas line crossing.
 - Removal of a redundant riser within the perimeter ditch.
 - Riser Vegetation Maintenance
 - Morgan said that the pothole should be measured to determine how much cover is needed.
 - **Siphon No. 2 Replacement**
 - No update.
 - **Maintenance Agreement**
 - After discussing with David Julian, it was determined that it would be more beneficial to have the District hire an additional employee to help with siphon maintenance. Additionally, we discussed possibly purchasing additional District equipment through SMFA for wetland maintenance.
 - David said Gornto Maintenance contract will be expiring. He said that Antonio is knowledgeable, but he is dedicated to Gornto – he said

depending on the future of Gornto, he would like to continue with their contract.

- CC asked why DWR is not handling their own maintenance. Jesse said it is State owned. David said that is why we have a subsidence funding agreement in place to pay for maintenance.
- Martin said Gornto's license expires November 7.

Jesse said that it may make more sense for Twitchell to hire Antonio if he is available, and in the meantime Joel and his team may have to do additional work. Mark thinks that we need a full time person. David said once Whale's Belly gets going, we probably will need someone fulltime, and we will also need someone for pipes and siphons. The siphon replacement will be paid for by the SMFA; he has asked Martin to help him on the replacement. David said that he is working with Morgan and Joel on the fish screen on Siphon 1. Jesse said if Gornto license has expired, we will need a new contractor to install the fish screen. Jas asked if we would go through the levee on Siphon #2. Martin said yes and it will be similar repairs and costs. Morgan said the repair should last 100 years. Jesse asked David and Martin to come to the Board with a solution at the November meeting if Gornto does not have their contractor's license in place.

PUBLIC ENTITY AGREEMENT WITH DWR (SHERMAN LAKE RSP)

David Julian said this has been signed; he will be meeting with his budget analysis group to review the process.

PROJECT FUNDING AGREEMENT SH 17-1.1 SP - PHASE 1 OF SAN JOAQUIN SETBACK LEVEE/HABITAT BENCH MULTI-BENEFIT PROJECT (STATIONS 175-199)

Martin Berber reported:

PG&E Overhead Utility Easements – The complete DWR EP Application package ready for execution, application fee is \$1,500. Once submitted, they are expecting comments from DWR in 45-90 days.

PG&E Contract – The contract will expire September 20, 2025

Scope of Work – Martin reported they are updating the waterside habitat bench design to satisfy CDFW requirements and protect special status species. Once design is complete, W&B will coordinate with CDFW and DWR to confirm the new design is satisfactory.

PROJECT FUNDING AGREEMENT SH 24-1.0 SP (MULTI-BENEFIT PROJECT ON SHERMAN ISLAND).

Martin reported they sent 100' cross sections and a centerline profile to Shannon & Wilson (Geotech). They are still waiting for the final report of the results and recommendations for design. He said the finalizing of the grading design is still in progress.

ENGINEERS REPORT

FY 2023-24 Subventions Claim

- Final claims are due by November 1, 2024.
- Final Claim Amount: \$739,500.55
- Estimated Reimbursement: \$540,000.41

Zaragoza illegal importing of material and grading (APN 158-0020-037-0000)

- JJ Cortes with Sacramento County Engineering notified the District on September 27 that he has not been able to contact Mr. Zaragoza.
- Mr. Cortes said that the County Council is preparing a draft letter template that would allow their department to execute fees for unresponsiveness or request a hearing with the property owner. Once finalized, a letter will be sent to Mr. Zaragoza.

SUPERINTENDENT REPORT

Joel reported they have been mowing. He said the DWR did not show up for the levee inspection planned for 10/3/24. Joel said there are currently no issues with pumps. He is going to run pump #1 for a few days.

There being no further business to come before the Board, the public meeting was adjourned at 11:03 A.M.

X _____

The presiding Trustee of the October 8, 2024, meeting hereby certifies that the above minutes were approved as read.