

MINUTES OF REGULAR MEETING

Reclamation District No. 341
Sherman Island

9:00 a.m.
Tuesday, May 9, 2023

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, Rob Black, and Mark Icanberry; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Neil Favor and Martin Berber; District Manager: Morgan Johnson; District Superintendent: Joel McElroy; Yolo County RCD: Amy Williams; Rio Vista Windsurf Association: Don Ross and Chris Kraft; Landowner(s): Rey Campos and Ceci Giacomia; District Secretary: Cindy Hill

PUBLIC COMMENTS

Don Ross reported they are planning a safety meeting for mid-June at the county park. Chris Kraft reported the Rio Vista Windsurf Association had a successful annual spring cleanup on April 22, 2023 which was coordinated to occur on Earth Day. He said there were 35 participants, and they removed several tons of debris. Ceci Giacomia sate there are a lot of property changes happening on the island; she did not give specifics.

DISTRICT MANAGER'S REPORT

Morgan Johnson reported the pesticide training is complete. The agricultural commissioner inspection will be on June 12. He said that Tim Nix has been operating the siphon on Mayberry with the intent of getting rid of the salt water. Morgan said it came to a point that the levels were too low. Morgan felt there was a risk to the siphons in the ability prime due to the water levels. He felt the risk of removing the salt was not as impactful as the loss of the siphons with the possibility of them sucking air. Morgan had Brad prime them. He does not believe this is an issue as the salt water will rest on the bottom. The pump should pump from the bottom. David Julian said that we need to work together to develop a plan as their intent is to reduce the salinity.

ISLAND SECURITY

Neil Favor reported on the cameras and Eddos solar panel. He said that the cameras located at S County Park, NE County Park, Station 160+00, and Eddo's solar panel need to be replaced. He said the cameras have been ungraded from what we currently have. Neil said they are proposing the following replacements to make our camera's fully operational:

- The Arlo Go 1 camera has been discontinued and replaced with the Arlo Go 2.
- S County Park, NE County Park, Station 160+00, and West Sherman Island Road cameras will be replaced with the Arlo Go 2 and require the Go 2 Solar Panel.
- Eddos broken solar panel will be replaced with a salvaged Go 1 Solar Panel.
- Average costs:
 - Go 2 Camera: \$250
 - Go 2 Solar Panel: \$60
 - Go 2 Outdoor Mount: \$20
 - Go 1 Solar Panel: \$80
 - Total cost: \$1,550 (includes shipping and taxes)

Mark Icanberry asked if they were 4K. Neil said no that we access the footage from Arlo.com. Morgan asked about the condensation in the lens. Neil said they do not know why this happened. The warranty has expired. Rob Black stated with the weather and environment, it is complicated but agreed they are useful. The solar panels are mounted on a 14–16-foot pole. They have installed bird spikes on the top of the poles. The quality is good, but we cannot capture the license plates or faces very well. Rob asked if the cameras are useful. Neil said law enforcement has requested to see our footage and have been able to place times of when issues occurred. Ceci said that she thinks Twitchell Island (RD 1601) has a system that shows clear photos. Neil said he will follow up with RD 1601 to see what types of cameras they have. Neil said that we have stayed with Arlo because all of our information is stored in the cloud, while 4K cameras require storage. Mark said he would like us to look into cameras with better resolution. Rob asked if the cameras are serving the District as initially intended; he is concerned with spending extra money if do not need to. Jas recommended that Neil speak with RD 1601 and compare the systems.

APPROVAL OF MINUTES

The Board reviewed minutes of the regular meeting of April 11, 2023. It was MSP (Mark Icanberry/Rob Black) to approve the regular meeting minutes of April 11, 2023 with correction. This passed 3-0.

ACCOUNTS PAYABLE AND RECEIVABLE

Perla Tzintzun-Garibay reported the accounts payable for May 9, 2023. The transfer of \$152,500 from the general fund is required to cover current month cash disbursements pending approval of \$110,668.69 plus 5/20/23 and 6/05/23 payroll checks and related liabilities. Financial statements reflect an ending balance of \$50,087.52 after the before mentioned transactions are approved.

Notes:

- 4/30 ACH auto payment to Kludt Oil for \$2,583.99
- 5/08 EFT to PERS for \$3,954.35
- 5/09 Payroll E-check to Mark Icanberry: Gross \$350, Net \$320.07
- 05/09 Check 10758 to Core Equipment Leasing \$6,283.

General Fund:

Balance in general fund account \$50,075.49

After reviewing the reports, Joel McElroy said the SMFA should pay a month of the dozer rental as it has been used for the SMFA project. Perla stated the time and equipment will be billed to the project. Perla reported the General Fund is low; we may need to register warrants in June. She said the State closes down their accounting around this time of the year and believes it is unlikely that we will be paid the subventions in July. There is still an outstanding assessment for Malladi. Perla sent the financials to the Board prior to the meeting for their review; Rob Black signed off on the invoices prior to the meeting. It was MSP (Rob Black/Mark Icanberry) to approve the May 9, 2023 accounts payable, receivables, transfers and submitted invoices to DWR. This passed 3-0.

MOVED AGENDA ITEM 13 UP IN THE AGENDA DUE TO SCHEDULING FOR MR. CAMPOS:**ENCROACHMENT PERMIT NO 2023-1 (CAMPOS LEVEE ACCESS RAMP)**

Neil reported he met with Morgan Johnson, Bob Wagner, and Mr. Campos at Mr. Campos property on Threemile Slough on May 3 to discuss impacts on the District as has been additional material placed on site. The District is concerned with the quality of the imported fill. Neil distributed photos of the area as of July 2022 with a cross section chart. Neil stated Wagner Bonsignore is recommending the District request a deposit from Mr. Campos before issuing the EP to continue monitoring the placement of fill within the District's easement. As part of the EP, Mr. Camps will install a cattle fence to prohibit the cattle from being on the levee embankment. Jas Gill was going to check the public records; however, he was advised of a different property. Jas asked for additional time to determine easement lines. Mr. Campos said he is placing material on his property and not within the easement and does not have plans to do this in the future. Jesse asked Mr. Campos if he placed additional material last month. Mr. Campos said he did this to make it smooth. Jas clarified that anything that Mr. Campos does within the levee prism, or the easement must have permission. Jas said the District is not trying to impede his access, however, if he is making changes, he needs to acquire the appropriate permits. Jas stressed that Mr. Campos does not own the levee. Mr. Campos explained this is his driveway. Jesse told Mr. Campos it does not matter whether he owns the property, he must get permits when he makes a change. Mr. Campos said that he has not brought in material. Jesse reminded him that he brought in dirt last year without a permit and has since added more material. Mr. Campos said he has been waiting several months and would like the Board to move on this. Martin asked if the Board has considered the amount that will be charged for the permit. Jesse

reminded him that the engineers have had to come out several times. Neil estimated the cost of the engineers up to this time is \$2,500. Morgan asked how we will know if the quality of dirt is acceptable. Jesse said this is requirement is in the encroachment permit. He said at this point the dirt will have to be certified. Morgan is concerned about any material brought onto the island as any bad dirt can be leached into the water. Mr. Campos said he has not gotten a permit from Sacramento County. Mr. Campos said he will get a certification that the material is clean. Mr. Campos asked about the ditches. He said he does not need them and wants them filled with gravel. Morgan said he wants the encroachment permit to reflect that the material needs to be certified. Jas said that part of his requirements will be to get a Sacramento County Permit. The Board agreed to charge an initial deposit of \$2,500. Jesse explained that Mr. Campos will need to provide the deposit and the District will begin the draft of the permit. Campos will send the funds to Perla.

NEW HOLLAND TRACTOR OWNERSHIP

Jesse Barton provided the background to the Board; Twitchell has a New Holland Tractor which was purchased by the SMFA and is on their books. However, this tractor is used by RD 341. Twitchell agreed to transfer the equipment to the District for \$1.00. This equipment will need to be listed on District assets to be covered by our insurance. The cost of the insurance for the equipment should be billed to the SMFA as it is used for the SMFA project. It was MSP (Rob Black/Mark Icanberry). This passed 3-0.

BOARD TO DISCUSS UPDATING THE F&M BANK SIGNATURE CARDS

Perla presented resolution 2023-06 to add Jas Gill as a signer on the Districts account and remove Preston Good. It was MSP (Mark Icanberry/Rob Black) to approve the resolution to remove Preston Good and add Jas Gill to the Districts checking account with F&M Bank.

BOARD TO HEAR A STATUS UPDATE AND SEEK APPROVAL TO ENGAGE IN A RELATIONSHIP WITH A NEW INSURANCE CARRIER

Jesse Barton reported there is no update at this time.

PERMIT NO 2022-01 (ADGATE ADDITION)

Martin Berber reported Mr. Adgate has begun construction on his home which consists of an addition. Mr. Adgate also provided a copy of the Sacramento County Building Permit. Martin said they have been out to the property and have taken photos. Perla stated we have approximately \$3,800 on deposit for this project.

PERMIT NO. 2022-4 (PG&E GAS TRANSMISSION DIG)

Neil Favor reported they reached out to PG&E on the possibility of installing a culvert within the Whale's Mouth perimeter ditch over the gas lines. PG&E is unable to install the culvert as part of their project since it was not included in their scope of work that was approved by the Army Corps and State Water Board. Neil said the estimated start date of construction is August 7, 2023. Morgan asked if they are excavating over their own pipeline. Neil said the scope is to use the same wood mats over the area and they do

not believe there will be a long-term effect. He said he can check back with them. Morgan asked if they gave us an access map. Neil confirmed they will come in off the old highway and under the Antioch bridge and over their pipeline to access the site. Morgan said the PG&E pipeline is impeding the drainage. He would like to add conditions that they will clean over their pipeline. Jas said he will have to look into this. Morgan said that we want them to excavate over the pipeline so that we can place a culvert over the pipeline. Neil said the ditches were not previously maintained. Morgan said when Whales Mouth was built, they built over the drain, and this is creating a restriction. Jesse said we should reach out to PG&E and request them to excavate over their pipeline. Morgan said the only other option is to hydro excavate with a suction dredger. This will cost a lot of money. Martin will contact PG&E and Jas will inquire if we can include this as a permit requirement as a DWR property owner prior to deciding how the District will move forward.

ENCROACHMENT PERMIT NO. 2022-6 (CALTRANS 160 MITIGATION SITE)

Martin Berber said there is no update at this time. Jesse asked if any District facility is at any risk. Martin said the area is wet, but it does not see any issues. Jesse said the area is not being maintained and asked if the Board wants to wait on a response from Caltrans. The Board has agreed to wait.

HIGHWAY 160 TURNOUT BARRIERS

Martin Berber the final record of survey will be recorded this week. Once this is done, they will mark the property and meet with the District staff and Mr. Upham. Mr. Upham will need to sign off.

DRAINAGE PLAN

Neil Favor reported we plan to have the drainage plan ready for adoption at the June meeting. Neil said he will circulate prior to the next meeting. Morgan said Whale's Mouth is leaking into the perimeter ditch. He said now that it will be clean, we will be able to see what is happening. Morgan also said that the DWR tenants have been using this as a water trough – this has been pushing in the banks. He recommends that a fence should be built around the canal as the cows are causing damage.

PUMP 3 REHABILITATION

Neil Favor presented an exhibit showing the condition of the trash rack and pump station. He inquired if the District wants to have a full plan set prepared. He said that initially they were proposing a repair to the trash rack, however there are issues with the pump station. Neil said that there may be a cost saving on the mobilization and welding if this is done at the same time. Neil said the costs for this have went up, however he thinks he can reduce the width of the trash rack which would save the District \$20,000. Ceci asked if reducing the width of the rack would cause additional back up. Neil said no, this should not impact the flow. He will come back next month with a full plan set and costs to repair.

**PROJECT FUNDING AGREEMENT SH 10-2.12 – (HWY 160 CONSTRUCTION)
AGREEMENT TO ADD A DRAINAGE SYSTEM TO THE PORTION OF THE LEVEE
EXPERIENCING SEEPAGE PROBLEMS ALONG THE SACRAMENTO RIVER AT
STATIONS 870+00 THROUGH 940+00**

Martin Berber reported there is no update. This is pending advancement request and the check will likely not be received until the next fiscal year. They identified additional seepage outside of site A and received a quote from Asta to complete the work for approximately \$35,000. They are coordinating with DWR to see if we can complete the work under the same contract.

**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 SUSIDENCE,
SEQUESTER CARBON, AND REDUCE GREENHOUSE GASES.**

Martin Berber said on April 17, 2023, they met with David Julian, Bryan Brock, Bruce Gornto, Morgan Johnson, Joel McElroy, and Justin Prickett (PolyRiser & Pipe LLC).

Mr. Prickett had the following assessment on the fully enclosed riser issues:

- The risers were delivered assembled.
- Their fully enclosed risers are not usually installed in peat soils.
- Usually fully enclosed risers are limited to 6 feet in height; the risers installed in Whale’s Belly are up to 12 feet in height.
- The existing risers can be reused with additional cross members welded for support.

Whale’s Belly – they developed a punch list that has been submitted to David and Bryan:

- All risers will be excavated and shipped to PolyRiser & Pipe LLC for retrofit. Risers will be reinstalled and backfilled with 1-foot of sand all around. The plan is to initially retrofit 2-3 risers as a test run.
- Depressions along the exterior berms will be addressed by grading the ground to drain away from exterior berms. B. Brock and D. Julian proposed that they survey all low spots that need to be addressed. Due to dense vegetation, surveying will be difficult.
- All culverts in the new Pump No. 3 Canal will be upgraded to 48-inch minimum diameter, or as determined by W&B.
- Ditches along Sherman Island Cross Road shall be relocated outside County’s right-of-way.
- Widen eastern portion of new Pump No. 3 Canal; DU plans called for a 12-foot canal but was built as a 4-foot ditch.
- How involved does the Board want W&B to address Whale’s Belly construction remediation? Does the Board want oversight on remediation work? We may need more detailed plans and surveys to bid the work. B. Brock proposed at our field meeting to have Gornto fix all issues under the SMFA Maintenance Contract.

Rob asked if Bruce would dig up the risers and do the grading. Martin confirmed yes, this would be approved under the maintenance agreement. Jesse said some of these items can be under the maintenance work and may require a change order. Rob Black said

since Bruce originally did the work it might be best that he completes the work. He said if Bruce does the work, the Board will want Wagner to direct the work in coordination with David. Martin said it would take between \$2500-3500 to prepare the plan. Jas said the SMFA was a District project, therefore it is the District's responsibility. Jas said that the other option could be that DWR uses their engineers, but the District would need to have an engineer on site as well. Jas asked who is writing the scope of work for Bruce. Martin said they will be writing a plan and will include the survey data from DWR. David said he could prepare a plan. Morgan said Bruce built this under DWR supervision. Morgan said he is not happy with the construction or the oversight. Jas said that Bruce did this the first time, therefore he has a level of responsibility to get this done right this time. He said if we bring in another contractor this will leave Bruce off the hook for the work. Jesse said that we need to determine who is going to develop the plan. He said that he will then review the maintenance contract and determine if the work can be done this way or if a change order is required. Morgan recommends that the RD create the plans. Rob Black asked if this will be an As Built. Martin said developing As Built would have to be approved by DWR. Martin said that Bryan said this is not needed. The suggestion is that Wagner do the plan set and David would approve them. David reminded the Board that he is activated and would like Wagner to do the plan set, but he said he will speak with Bryan. Jesse said he will review the maintenance agreement. Martin said that Bryan is not approving invoices until the work is complete. Martin asked who will do the survey; David said he will work with Bryan. Neil said they will need data from DWR to put together the plan sets. David will go back to Bryan to get approval. This will not be filled up. Jesse said that Tim cannot go down into the risers. It was MSP (Rob Black/Mark Icanberry) to approve the preparation of the plan as long as the punch list is approved by Bryan Brock and information is received from David Julian, Wagner will develop a plan set and proceed with directing Bruce to fulfill the work in the plan set with the supervision of Wagner. This passed 3-0. David will contact Jesse if Bryan does not approve this.

Martin mentioned the scope of work. He said that Bryan has not been paying until Wagner's scope of work is received. Jesse and David said to keep the scope of work around the work already done. Jesse said going forward this additional work will be a separate item. Neil reviewed the line items. Jesse said that they should split this into old work and new work.

Wetland Operations

Martin reported before operating siphons, District staff shall be notified. District staff will observe if water spills into drainage system through outlets or exterior berms. W&B will quantify increased pumping costs from wetland discharges; costs should be borne by SMFA. Jesse Barton said that he needs to look into the assessment for Whales Belly to determine if the assessments are accurate. Bruce is going to address the leaks in Whales Mouth. David Julian asked who will move the ditch. Martin said they would do that as part of the plan to ensure the integrity of the roadway. Neil said the county has inquired as to who is responsible. Jesse said we need to have a recommendation and maps to better understand the request.

David Julian is moving forward with the purchase of a fish screen at Whale's Mouth as animals are getting into the area.

Amy Williams reported they have planted native shrubs and plants adjacent to Whales Belly. They are working on the removal of other weeds. She said they are working with Tim to make sure that nests are located prior to mowing as the nests are protected.

PROJECT FUNDING AGREEMENT SH 17-1.0 SP - PHASE 1 OF SAN JOAQUIN SETBACK LEVEE/HABITAT BENCH MULTI-BENEFIT PROJECT (STATIONS 175-199)

Neil Favor reported on May 4, they met PG&E on site to review the proposed overhead utility alignment. As part of the design the District will have to construct an all-weather road for maintenance. PG&E believes they can have a final design by July. Once they have received the final design, they can submit the Scope or Work, begin the appraisal process for the necessary easements, and permitting. A time extension has been requested to June 30, 2027. Morgan asked if the road on the berm will be an all-weather road and useful for the District. Neil confirmed it will.

2023 PROJECTS SOLICITATION PACKAGE FOR MULTI-BENEFITS PROJECTS

Martin reported the District was selected to move forward with the Full Application phase of the PSP; Full Applications are due on June 23, 2023. The proposed San Joaquin River Multi-Benefit Project will rehabilitate the levee section from Station 330+00 – 368+00, reconstruct Sherman Island East Levee Road, and create landside habitat on the toe berm. W&B has engaged Stillwater Sciences for support on preparing the environmental components of the Full Application. W&B plans to engage Sacramento County on providing a funding commitment letter to the Project. Martin will send a template to Jesse.

ENGINEERS REPORT

Neil reported on DWR Fencing

Martin Berber, Joel McElroy, Vincent Wong, and Neil met on Sherman Island to discuss issues the District is facing from DWR tenants damaging District's drainage infrastructure. Cattle are damaging the band of canals and ditches. Vincent Wong with DWR has been informed that the DWR tenants need to install cattle fence 30' from the canal to allow the District to have access to clean the ditches and canals for regular maintenance. They will be coordinating with Vincent Wong and will list this as an agenda item for June.

Neil reported on Pump Canal No 3 Irrigation Canal Crossing

There is blockage of a 24" culvert that allows water to flow under the irrigation canal. Flow from this canal is vital to the District. The District has had to unclog this culvert several times due to tenant trash that has plugged the culvert as well as beavers. To increase the size of the culvert it will cost an estimated \$130,000. This will be an agenda item at the June meeting.

Neil reported on the Sacramento River Waterside Erosion Area, Sta 1008+00 – 1023+00. The work will need to be completed in 100' sections to comply with the District's Routine Maintenance Agreement with CDFW. They received a quote from Asta in the amount of \$23,913. They will recommend this work to begin once the funding is available.

SUPERINTENDENT REPORT

Joel McElroy reported the cotton woods are dead behind the Unhalts property. They are large trees and there may be more work. He does not think they will be able to take care of the work entirely. There is a new owner that wants to build a fishing pier. There is a deceased tree in that location. Joel gave him documentation to submit plans. The backhoe is down. They put K-rails on the turnouts on 160 which is an area that people have been dumping. They put up no parking signs, which seems to have worked. He found a disc on the island for sale. It can be used for spoils. He said it has a few issues. Both Morgan and Joel looked at it and do not believe it has any major issues. Joel said he would like to offer \$3,500. He said he has priced them for \$4,000. Jesse said that Joel has spending authority up to \$5,000 and with the support of Morgan they can make this purchase. Joel said he is going to take off a few days in June and August. Morgan said he is able to accommodate Joel's vacation days.

There being no further business to come before the Board, the public meeting was adjourned at 11:55 A.M.

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The presiding Trustee of the May 9, 2023, meeting hereby certifies that the above minutes were approved as read.