

MINUTES OF REGULAR MEETING

Reclamation District No. 341
Sherman Island

9:00 a.m.
Tuesday, July 11, 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 Mark Icanberry called the meeting to order at 9:00 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 and Mark Icanberry; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Bob Wagner, Neil Favor, and Martin Berber; District Manager: Morgan Johnson; District Superintendent: Joel McElroy; DWR: David Julian; Ducks Unlimited: Kim Untermoser (arrived 10:33); Rio Vista Windsurf Association: Terri Henderson; Landowner(s): Carl DeSprettter, Jamie Renwick, and Ceci Giacoma; District Secretary: Cindy Hill

PUBLIC COMMENTS

Carl DeSprettter asked about his dock; he said that it is coming apart and he is concerned with it floating down the river. He said he is working with Summit to possibly remove it. Jesse Barton advised him that he needs to file an encroachment permit application with the District through our District engineers. This will allow him the ability to remove it from the levee. Terri Henderson with RVWA reported there was a cleanup in June and there will be a fall river cleanup in September with the Delta Conservancy. Ceci Giacoma reported they are currently searching for a new fire chief and do not have one at this time. Andy Dierrson had a break in, and it was significant theft. He would like to see the District video recording. Jesse responded that he needs to make a police report. The District will provide the video to law enforcement.

DISTRICT MANAGER'S REPORT

Morgan Johnson did not have anything to report.

ISLAND SECURITY

Neil reported they verified that Reolink is not compatible with our current provider (AT&T). Neil said if the Board would like to purchase all new Reolink cameras we will

need to engage T-Mobile for service for the cameras. Perla said the cost of service will be about the same. He also stated that if the Board would like to stay with the Arlo Go cameras, we can stay with our current provider and begin replacing the cameras that are not operable. He said there are 7 cameras down. Neil said that replacing the cameras through Arlo will be \$2,750 for 11 cameras at \$250 apiece. The Reolink GO Plus is \$180 per camera for a total of \$1,980. Jas said if we move to the Reolink we will be getting better cameras; they are 2K cameras. There will be a 2-year warranty. Perla said one caveat is that we need to set up at least one cell phone line. She said that Tim does not have a phone. The cost to replace all cameras is less than it would be to replace the 7 Arlo cameras. It was MSP (Jas Gil/Mark Icanberry) to approve moving forward with the purchase of the Reolink GO Plus. This passed 2-0, 1 absent.

APPROVAL OF MINUTES

The Board reviewed minutes of the regular meeting of June 13, 2023. It was MSP (Jas Gil/Mark Icanberry) to approve the regular meeting minutes of June 13, 2023 as written. This passed 2-0, 1 absent.

ACCOUNTS PAYABLE AND RECEIVABLE

Perla Tzintzun-Garibay reported the accounts payable for July 11, 2023. The transfer of \$145,000 from the general fund is required to cover current month cash disbursements pending approval of \$116,741.76. Financial statements reflect an ending balance of \$52,389.76 after the before mentioned transactions are approved.

Notes:

- 6/27 Deposit \$627.00 – Workers Comp Insurance refund
- 7/03 ACH payment to Kludt Oil \$4,090.12
- 7/06 EFT to PERS for \$3,954.35
- 7/07 Deposit \$131.67 RD 536 July rent payment
- 7/11 Payroll E-check to Mark Icanberry: Gross \$700.00, Net \$640.15

Balance in general fund account \$438,832.05

Perla reported we are over costs on Campos by \$500. Perla said there is a new vendor on the report – Carter Drilling – this was work on the SMFA and has been signed off.

Perla sent the financials to the Board prior to the meeting for their review. It was MSP (Mark Icanberry/Jas Gill) to approve the July 11, 2023 accounts payable, transfers, submitted invoices to DWR. This passed 2-0, 1 absent.

WHALES BELLY REASSESSMENT

Jesse Barton explained this was placed on the agenda to determine if the Board wishes to move forward with reassessing Whales Belly. He provided a breakdown of the current assessment. He said there are two options for the District to reassess based on use. One option would be to reassess only the acres that are habitat, and the second option would be to reassess the whole parcel if it had more than 50% of habitat on it. He said the Board has not typically reassessed portions of parcels. He said this re-assessment will

not be reflected in the current assessment call. Jesse said that David will need to discuss this with Bryan Brock. David said he broached the discussion with Bryan. Bryan is reluctant as the assessments come from one particular funding account – they would have to figure out where the additional funds will come from. The reassessments in the past were due to land use change – which should cover pumping costs. Jesse said, the funds are used to keep the interior of the island dry. David said that they have had a \$150,000 increase over time and are questioning whether the added dollars equal the cost. Jesse said that this is based on the value of the land – the habitat has enormous value. The protection by the District needs to be considered as we are protecting the land that has a high value. David said he will go back to Bryan and discuss this. Jesse said he can speak to Bryan, and we can discuss this next month. Jas said he would like to understand historically how the District charges. Perla said that there is a breakdown of different assessments based on use. Morgan confirmed that the entire wetland is covered in the assessment and that benefit should be considered. Jesse said if DWR disagrees with the reassessment, the District will have to hire an engineering firm to review and there will be a re-evaluation of the entire island – the District may have a Prop 218 assessment. Jesse will speak with David and Bryan on this. Ceci asked if this is the same issue that happened on parcel 11. Perla said that was an endowment.

ASSESSMENT CALL NO 27

Jesse reported that Perla and Martin detected issues in prior assessments. They found that there were 2 easements that have not been assessed on a couple of parcels. There are also two easements owned by Calpine that are not being assessed at all. The Board would have to determine if they want to adopt the changes to correct the assessments. Jesse said it is a net change of \$3,000. He encourages the Board to adopt the assessment with the changes. Ceci asked about some of the assessments – for instance Adgate is showing as agriculture. Martin said that Adgate owns more than one property. Martin said some of the parcels have been superseded by Sacramento County. Martin said that we should do a complete audit. The District has not audited the roll in 27 years.

Jesse Barton prepared the assessment at 100% of the maximum rate. Payments will be sent to the District's accountants Butterfield + Co. CPAs, Attention Perla Tzintzun-Garibay. Perla stated the assessments advised the property owners to make payment to the District. Cindy Hill will place notice for publication with the Rio Vista Beacon today, July 11, 2023. It was MSP (Jas Gill/Mark Icanberry) to approve assessment call #27 and correct the roll. This passed 2-0, 1 absent.

Water Code 51540 - Operation and Maintenance Assessment Notice:

Reclamation District # 341
Sherman Island
18419 State Highway 160
Rio Vista, CA 94571

Notice is hereby given that at a meeting of the Board of Trustees held on July 11, 2023 an installment of \$756,000. was ordered paid within 60 days from July 11, 2023 to September 9, 2023. Any installment which shall remain unpaid on the 9th day of September 2023 will be delinquent, together with accrued interest (if any be due) and 10 percent will be added thereto and collected for the use of the district.

DRAFT BUDGET YEAR ENDING JUNE 30, 2024

Perla presented the draft of the budget for year ending June 30, 2024. She included a marker for Western Power reminding the Board that there is a waiver and credit as this is uncollectable. The District expects to receive \$732,829 in the upcoming fiscal year. They have also included markers for permit fees which may or may not be a cost. She said the specific line items are taken from the prior years. The actual expenses are reflected. We were in a deficit last year. The big cost increase is from PG&E – it doubled last year due to the high usage. She increased the utility cost on the new budget. Martin asked if the cost share is included. She said it is included in the engineering. Perlas said this is a working tool and can be adjusted as needed. Martin said that construction costs have increased. It was MSP (Mark Icanberry/Jas Gill) to approve the budget. This passed 2-0, 1 absent.

RULES AND REGULATIONS FOR ACCESS TO DISTRICT FACILITIES

This will be tabled until the next meeting.

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 the framing has started. We have a deposit in place and Perla will monitor. This will be removed from the agenda for the August meeting.

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

Jas contacted Andrea with PG&E regarding the pipeline. They cannot add this work to the environmental permits as it will delay their project. She will put the District in contact with a pipeline engineer that may be able to help us to locate it. Martin said the pipe work requires 24” and 100 ft to get across the PG&E easement. Neil said that it should start August 7th and Wagner Bonsignore will have someone on site.

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

Martin Berber reported he has not received a response from the Caltrans maintenance engineer. This will be removed from the agenda.

OUTRIGGER MARINA

Jesse reported he filed a lien against Mr. Malladi’s property. It has been recorded. If the property changes hands it will show as a lien and will have to be paid.

HIGHWAY 160 TURNOUT BARRIERS

Martin Berber said the final Record of Survey has been recorded with Sacramento County. The monuments have been set and NorthStar has marked the parcel boundary. Asta provide a quote (last September) to furnish and place 35 concrete blocks for \$9,625, however there were concerns of the proximity of the blocks to the edge of the highway. Asta Construction has provided a new quote to furnish and place 35 – new 5’ sections of concrete K-rail for \$29,913. Jesse said that we will need to bid the K-rail. This will be paid by subventions as protection to the levee. Caltrans owns the 40 feet, Upham owns the waterside portion up to the waterline. This will stop the dumping on the Upham property. Martin stated the intent is to place barriers in 5’ gaps. We will need landowners approval. There is a concern that the dumping will occur in between the gaps or over the rails. Joel said he should be able to load the longer K-rails as needed to move for maintenance. Jesse said the first step is to get approval from Uphams. They will come back to the District at the next meeting with all costs.

DWR FENCE RELOCATION

Neil provided an exhibit showing the total acreage that would be fenced off from the cattle ranchers on the District Canal. The acreage impact for the DWR is 66.9 acres and private parcel impact is 2.9 acres. This will allow the District to clean the canals. Jas said the District will be responsible for mowing this area. Morgan said this will ease access. Jas asked if we had a long reach can we get it from one side. Both Morgan and Joel said we could. North of Mayberry it is difficult to clean due to access. Jesse said this map can be used to determine what is necessary for each ditch as it does not appear that there is a one size fits all approach for fence. Jesse recommended that Neil mark the areas that may need fencing on both sides, some areas may need fencing on one side, and some may not need a fence at all. Neil will bring this information next month.

PUMP NO. 1 PIPE REPLACEMENT

Martin reported Central Calley Flood Protection Board informed us that replacing the landside pipe will require a Minor Alteration request. A set of design plans, a \$500 review fee, and a \$500 inspection fee will be required as part of the request. With Board approval they will prepare the design plans and submit the documentation to Central Valley. They instructed the General Manager to begin welding the 40-foot pipe segments into 80-foot segments for future construction. It was MSP (Jas Gill/Mark Icanberry) to process the necessary paperwork for the replacement of the landside portion of the discharge conduit. This passed 2-0, 1 absent.

PUMP NO 3 – REHABILITATION

Neil distributed the plans; they are leaving an option for another pump in the future. There are several section views including an access view for cleaning and maintaining the area. He reported they have completed the 30% plans to reconstruct the entire pump station. The plan is to construct a new pump station upstream of the existing structure to maintain use of the District canal, 3A, during construction. They are finalizing the cost estimate of the proposed work.

**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 Caltrans has requested the District to prepare a unique legal description as part of the Joint Use Agreement between Caltrans and PG&E. Caltrans gave the District authorization to complete construction before completing the Joint Use Agreement. They have reached out to NorthStar to see if they can complete the work. Once the agreement is complete, Wagner and Bonsignore will submit the final completion report and request a release of retention. Martin said we have adequate funds in the advance account and will refund the overage.

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

a) Moving a drainage ditch adjacent to the Sherman Island Cross Road, the repair or replacement of several risers, the repair of several siphons, and the need for a topographic survey of the Whale’s Mouth and Whale’s Belly projects.

Martin reported on the construction remediation. They located an active gas line that was left uncovered. He said this will need to be incorporated into the construction work. This is a 6-inch gas line. Morgan recommended putting a culvert over the ditch. Martin said we need to protect the gas line. He said they will discuss with David Julian and Ducks Unlimited. Bruce did not build this the way it was designed. They are currently reviewing documentation including invoices from the initial building and will report to the Board next month.

Whales Mouth update: They have identified leaks in the perimeter berm. The plan is to complete a 50’-100’ cut off wall under the maintenance agreement. They have been coordinating these efforts with David Julian.

b) A salinity plan that will coordinate wetland operations with District operations.

Kim Untermoser with Ducks Unlimited dialed in at 10:33. Jesse reported that David and Jesse worked on the salinity plan but set it aside as they believed a remediation plan needs to be in place. David Julian said he needs to coordinate with Ducks Unlimited and Martin to determine the District’s desire for operating the wetlands. Martin said it is important for us to show them the issues that we are having to incorporate preventative measures in the next phase. Martin said there is a new siphon by the fish dump. Jesse said we should consider this as a coordination plan as this is not just isolated to salinity. Morgan asked about an increase to the intake facilities. Jesse said that will be apart of the construction.

c) Discussion and possible approval of a contract with Duck's Unlimited for a third wetland.

Jesse distributed a project overview of the Whales Nose project. He said this includes a CEQA review. Kim Untermoser is proposing an exemption from CEQA as they believe this meets the eligibility criteria as a restoration project. This particular exemption must be submitted for review to CDFW. If they concur, they will file a notice of exemption. Kim said they should be able to get this permitted by 2025. Jesse has no issues. He said his only reservation is he wants to review all of the documents. Jas asked if we will vote on this. Jesse said they are looking for general direction to pursue this approach at this time. Ceci said that the District engineers should be a part of the design process. Perla asked if this is accounted for in the budget as there is \$6 million let in the SMFA, but it is set to expire in 2024. David said at this point we are not looking at using SMFA funds. It was MSP (Jas Gill/Mark Icanberry) to approve Jesse Barton's collaboration with Ducks Unlimited on seeking this exemption. This passed 2-0, 1 absent.

d) Discussion and possible approval of a project to screen one of the siphons serving the project.

Jesse distributed an overview with photos. DWR would like to install a fish screen on siphon no. 1. We will need to hire an environmental consultant. Morgan asked if the District can place a stipulation that the fish screen has to be maintained and in operational condition. David said that DWR has control over the maintenance and not the Delta Field Division. Jas provided an overview of the responsibilities: DWR owns all siphons, if there is a mitigation component then Delta Field Division manages it. He said since this is David's project, then he has the responsibilities under his program. Martin asked if we have the authority to tell the landowner to fix the siphon. Jesse said no, but we can report it to the Flood Protection Board. Martin said this is landside. Morgan said if there is a need for an encroachment permit it would give us an opportunity to ensure the operation and maintenance. Jesse said if there is a non-conforming encroachment it stays that way, however once the area is changed, they will require an encroachment permit. It was MSP (Mark Icanberry/Jas Gill) to authorize engagement with an environmental consultant to begin the CEQA process. This passed 2-0, 1 absent.

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

Neil Favor reported PG&E's powerline re-alignment plans are in final review. They are expecting the design to be approved this week. Once this is approved, they will update the landowners and begin preparing the appropriate permits and appraisals for the new powerline location.

2023 PROJECTS SOLICITATION PACKAGE FOR MULTI-BENEFITS PROJECTS

Martin Berber reported they submitted a full application for the San Joaquin River Multi-Benefit Project for station 330+00 – 368+00. DWR informed Wagner Bonsignore that funding decisions will be made in late summer or early fall.

ENGINEERS REPORT

Neil distributed photos. He said that they have divided the work into General Deferred Maintenance and Subventions Repairs.

General Deferred Maintenance plan - Neil reported that they are working on the discharge pipe replacement on Pump 1 and on Pump 4 they are working on the discharge end of the pump station -there was soil debris sluff in the slump, and this will require a repair. He said the Pump 3 Canal/irrigation canal crossing culvert should be increased in size due to animals getting stuck and at the Whales Belly Irrigation Canal Crossing – the crossing is deteriorating.

2023/2024 Subventions Repairs – Neil reported seepage near Ryan Katsuki shop, they are looking at putting in a drain. He said there are erosion repairs and dead tree removal on the Sacramento River. Sherman Lake RSP – Neil said there is a breach that needs to be addressed.

Jas asked if this work is reimbursable. Neil said most of this work is general. He said that the work on Highway 160 seepage, Sacramento River erosion repairs, the dead tree removal on the Sacramento River and Sherman Lake are all subvention eligible. They will coordinate this work with the general manager. Joel said it is important that we go out to bid soon on bringing the riprap up at station 600-700 and station 00-100.

SUPERINTENDENT REPORT

Joel McElroy reported ongoing mowing. He said the first mowing on the 160 project. They left the waddles. He said they are mowing and working on the irrigation canal with the slope mower. He said the parked the tractor on the 160 thinking it would be safe. Joel said someone shot out the right-hand door window. Tim is out all week on medical. It happened on Twitchell, but RD 341 maintains the workman comp. Joel said the irrigation canal has been damaged on Jaime Rodriguez leased property. The risers were pulled out. Joel provided photos. Jas said that they will have a meeting with Jaime, Vincent Wong and Joel. The cost will be charged to the tenant. Ceci said that Jaime has created expense to other landowners. Joel said that Delta Rental has been cleaning the perimeter ditches. Martin asked if the HB5 is on the books, Joel said yes. Joel said he will be off from the 3rd through the 7th, Morgan will be off from the 24th through the 5th. Joel said the siphons downstream from Antioch bridge has a 12-inch hole cut on the top of it that the cap has never been welded back. It is not operable. Martin will work with Vincent Wong.

There being no further business to come before the Board, the public meeting was adjourned at 11:17 A.M.

X _____

The presiding Trustee of the July 11, 2023, meeting hereby certifies that the above minutes were approved as read.