

BOARD OF DIRECTORS MEETING

MINUTES

REGULAR MEETING

Thursday, March 19th, 2020

2:00 PM

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER

The regular meeting of the Delta Conveyance Design and Construction Authority (DCA) Board of Directors was called to order remotely - Conference Access Information: Phone Number: 1 (571) 317-3122 Access Code: 739-437-293. <https://global.gotomeeting.com/join/665317285>

2. ROLL CALL

Board members in attendance were Tony Estremera, Richard Atwater, Sarah Palmer, and Steve Blois constituting a quorum of the Board.

DCA staff members in attendance were Kathryn Mallon, Carrie Buckman, Joshua Nelson, Nazli Parvizi and Katano Kasaine.

3. CLOSED SESSION**4. OPEN SESSION**

President Tony Estremera convened the open session at approximately 2:08 p.m. Mr. Estremera noted that the meeting is being conducted by teleconference, pursuant to the Governors Executive Order in response to the Covid-19 State of Emergency. Public comments will be conducted differently, having participants be muted until the Public Comment period begins, after the conclusion of staff presentations and Board comments for item 5a. Mr. Estremera asked those that wish to provide remote public comment for items 5-10, to please email ClaudiaRodriguez@dcdca.org by 2:15pm. Ms. Rodriguez will call out each speaker by agenda item, unmute their line, and then allow three minutes to provide their comments. Written comments are also being accepted and must be submitted before the conclusion of the meeting.

5. Discussion Items**a. Eastern and Central Alignment Presentation Recommended Action: Information Only**

Mr. Ryan began his presentation by showing the Board site specific locations in the 2 Corridors identified in the NOP, the Central and Eastern Corridor. Under a 6,000 cfs project, there is a combination of either intake 2 and intake 3 or intake 3 and intake 5. Referencing the map, the locations from the intakes are shown in the white boxes. The tunnel is the blue dashes line and the orange lines are logistics improvements for the roads, including a new interchange at the freeway at Hood/Franklin Road as well as a support center for employee parking to reduce traffic. If intake 2 and

3 is used, an intermediate shaft would be required. If using intake 3 and 5, the tunnel would go through intake 5, causing us to not need the intermediate shaft since it is within 5 miles of the drive site. My Ryan discussed how this is more complicated due to it being a main drive site, including the management of the RTM and the tunnel segments that have to continuously feed the tunnel. Mr. Ryan goes in to detail about the road improvements each potential site could have, including road widening, bridge construction, levee improvements, etc. Mr. Ryan discussed the logistical advantages and challenges each site would have. For example, both Mandeville Island and Beacon Island are very difficult to access, causing the DCA to have to build bridges to gain the proper access. In addition, in this area, the levee roads are not in the best shape causing a new road that would need to be built. In conclusion, it is seen that the Eastern Corridor is logistically easier to get at.

Mr. Blois asked if we have received any suggestions or ideas from the SEC after we presented this information to them. Mr. Ryan replied that yes, the SEC was able to provide some very useful feedback such as potentially using Lambert Road instead of Hood/Franklin. They also were the ones to suggest the support center Mr. Ryan referenced earlier. In addition, the SEC brought up their issues with the barge landing at Bouldin Island, leading the DCA to potentially offer mitigations to this area to make it more palatable. Ms. Mallon noted that all the of the comments that came out of this siting meeting, the DCA is now going through each of them individually and responding to them. In some cases, we will be proposing new alternatives based on their comments which will be on the agenda for the next SEC meeting. Mr. Blois felt that is was encouraging listening to the comments and finds them to be useful feedback.

Ms. Deirdre Des Jardins, California Water Research, questioned whether the Reusable Tunnel Material (RTM) could be utilized for the Clifton Forebay. She also asked how big the tunnel muck piles will be. Ms. Des Jardins said that there was no analysis of where the borrow fill would come from for the mounds for the tunnel shaft of Bouldin Island which has peat that is 18Ft deep.

6. PUBLIC COMMENT

President Estremera opened Public Comment, limiting speaking time to three minutes each.

Ms. Des Jardins stated that there were multiple people that tried to use the GoToMeeting link on the agenda and were unable to connect. Mr. Nelson apologized for the technical difficulties and noted that the new WebEx was distributed for folks to connect. A recording of the Board meeting will be posted online for anyone who missed the beginning of the meeting.

Mr. James Sarmiento, Executive Director at Shingle Springs Band of Miwok Indians, asked the DCA delay their work until the needs of the public health crisis can be assessed. He felt that it would be irresponsible and inconsiderate to continue right now due to this project being non-essential. Meaningful public participation in necessary for the project and Mr. Sarmiento felt that this cannot be

achieved under these emergency circumstances. Mr. Sarmento requested for the Board to suspend meetings until further notice.

Ms. Krystal Moreno, submitted comments on behalf of Malissa Tayaba, asked for postponement or suspension of the project given the current public health crisis and felt that it does not provide for adequate public participation if the DCA continues with the project.

President Estremera closed Public Comment.

7. APPROVAL OF MINUTES: February 20, 2020 Regular Board Meeting

Recommendation: Approve the February 20, 2020 Regular Board Meeting Minutes

Move to Approve Minutes from February 20, 2020 as Amended: Palmer

Second: Blois

Yeas: Estremera, Palmer, Blois, Atwater

Nays: None

Abstains: None

Recusals: None

Absent: None

Summary: 4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as MO 20-03-01).

8. CONSENT CALENDAR

a. None.

9. DISCUSSION ITEMS:

a. Stakeholder Engagement Committee Update

Ms. Nazli Parvizi gave a brief update on the recent SEC meetings, indicating that the committee members wanted more of a framework of site consideration. The DCA responded by providing maps that show the sites clearly and requested feedback from the committee on areas they feel should be moved or altered. Ms. Parvizi mentioned a feedback letter that each committee was given to acquire input on the Corridors. Ms. Parvizi informed the Board that the March 25th SEC meeting has been canceled and the DCA will be in contact with committee members to update them on how meetings in April will be held. Ms. Parvizi noted that it is important to continue moving the project along but also wants to be respectful of everyone's time and make it possible for them to participate in meetings.

Ms. Des Jardins indicated that the Delta Defenders asked for the Stakeholder Engagement Feedback form to be publicly posted. Ms. Des Jardin stated that transparency can be increased by posting this form online as well as answers that were given to questions asked by the committee members. Ms. Des Jardin is concerned that there has been very little online organized outreach done by the committee members. She felt that if they are representing anyone but themselves, it has not been happening. Not having in person meetings will also limit feedback. Ms. Parvizi asked for clarification,

does Ms. Des Jardins feel the SEC are not doing enough to get feedback from a larger community? Ms. Des Jardins said that is correct, she has not seen widespread outreach by the committee.

Ms. Parvizi added to her update that the DCA will be releasing their social media forums in the near future to provide more opportunities for direct feedback. Mr. Estremera said that we could also have public meetings in the community and invite the overall community to ensure that everyone is being informed.

Mr. Blois commented that he believes we should look at Covid-19 as an opportunity to figure out new ways to communicate and receive feedback. Mr. Estremera agreed and said that we need to continue to be responsible and continue our communication with the community. Ms. Palmer agreed as well, and said that we need to continue to function as a society and with the continuation of programs.

b. Proposed Schedule for Annual Budget Approval

Mallon discussed the work break down structure that has been recently set up for the program, with a line by line detailed cost estimate being prepared. Ms. Mallon highlighted the undefined allowances and program contingency, and asked for the Board to give advice on what level would be appropriate for this. In May, Ms. Mallon would have a draft annual budget proposal which would include all of the costs in the WBS and back up details for the major contracts on the project. In June, comments from the Board will be reflected in the annual budget report and the DCA will request for final approval.

Mr. Blois asked Ms. Mallon are the proposed percentage range for budget contingencies similar to projects that she has worked on in the past. Ms. Mallon responded that because we are in the planning phase, it is hard to predict what the public comment will include and how many additional alternatives we may need to look at but the approach is to be flexible in the task orders and says she feels comfortable in the 10-15% contingency. Ms. Mallon mentioned that a lot of the Geotech work has been put on hold and once we are able to begin that work, we will be able to start answering some of the critical questions about the project.

c. March DCA Monthly Report

Ms. Mallon provided an update of the March monthly report with no significant changes from the last month.

10. STAFF REPORTS AND ANNOUNCEMENTS:

a. General Counsel's Report

A written report was provided in the Board package. Mr. Nelson noted that the DCA is continuing to roll out staff training. Last month we had sexual harassment and anti-bullying training for senior staff. We have an AB1234 ethics training scheduled for this month. Mr. Nelson spoke about the DCA getting up to speed on all the Executive Orders related to the Brown Act and Covid-19. The Governor's recent Executive Order states that all future meetings of a Brown Act body can be conducted via video and teleconference. The DCA will be focusing on how other agencies are doing this and what the best practices are in a way to facilitate public engagement.

b. Treasurer's Report

A written report was provided in the Board package. Ms. Kasaine briefly discussed the cash balance, starting at 783K at the beginning of the month and ending the month with 1.6M because of some payments received from DCO. As of March 11th, we received 5M in receivables and payments we made, ending the month at 755K.

c. DWR Environmental Manager's Report

A written report was provided in the Board package. Ms. Buckman updated the Board that 8 scoping meetings were completed. DWR had received a number of public comments to extend the scoping period due to Covid-19. This was originally scheduled to close March 20, 2020 and has now been extended to April 17, 2020.

d. Verbal Reports

No verbal reports were provided.

Ms. Osha Meserve, Local Agencies of the North Delta, expressed concern about continued use of Hood Road because that road goes right through the refuge headquarters and she does not feel this road should be identified as a major haul route. In the conceptual diagram, it is discussed to potentially use rail lines in that area. The JPA should be aware that there are rail lines that are on the National Registry of historical places and shouldn't be assumed this project would take over those lines. Ms. Meserve would like to know what are the thoughts with the intermediate Forebay. None of the diagrams are looking into the placement of this in the Northern Delta. Ms. Meserve does not agree with placing infrastructure in habitats where the protected Sandhill Cranes live. Lastly, Ms. Meserve voiced that she does not feel that this project should continue to go forward in the planning process during Covid-19.

11. FUTURE AGENDA ITEMS:

None.

12. ADJOURNMENT:

President Estremera adjourned the meeting at 3:15p.m., remotely - Conference Access Information:
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