

BOARD OF DIRECTORS MEETING

MINUTES

REGULAR MEETING

Thursday, June 18th, 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 (916) 262-7278 Access Code: 1498361563# <https://meetings.ringcentral.com/j/1498361563>

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, Joshua Nelson, Nazli Parvizi, Phil Ryan and Katano Kasaine. DWR staff members in attendance included Carrie Buckman.

3. PLEDGE OF ALLEGIANCE

President Tony Estremera convened the open session at approximately 2:01 p.m. and led all present in reciting the Pledge of Allegiance.

4. PUBLIC COMMENT

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

There was one public comment received via email at info@dcdca.org which was filed. No other public comment requests were received for non-agendized items.

President Estremera closed Public Comment.

5. APPROVAL OF MINUTES: May 21, 2020 Regular Board Meeting

Recommendation: Approve the May 21, 2020 Regular Board Meeting Minutes

Move to Approve Minutes from May 21, 2020 as Amended: Palmer

Second: Atwater

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 20-06-01).

6. CONSENT CALENDAR

None.

7. DISCUSSION ITEMS:

a. Consider Passing Resolution Adopting the Delta Conveyance Design and Construction Authority Allowable Travel Expenses Policy

Recommendation: Pass Resolution Adopting the Delta Conveyance Design and Construction Authority Allowable Travel Expenses Policy

Move to Pass the Resolution to Adopt the Delta Conveyance Design and Construction Authority Allowable Travel Expense Policy

as Noted: Atwater

Second: Palmer

Yeas: Estremera, Atwater, Palmer, Blois

Nays: None

Abstains: None

Recusals: None

Absent: None

Summary: 4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as Resolution 20-05).

b. DCA Budget for Fiscal Year 20/21

Recommendation: Adopt Fiscal Year 20/21 Budget

Ms. Mallon provided an overview of the Budget for Fiscal Year 20/21. Currently the DCA is in the Program Initiation Phase which includes the engineering work to support DWR's environmental planning. Ms. Mallon broke down the costs for each functional lead including: Executive Office, Community Engagement, Program Controls, Administration, Property and Permitting Management, Engineering, and Fieldwork. There are 4 additional PMO functions that the DCA is requesting funding for including: Procurement, Health and Safety, Quality Management, and Sustainability. These budgets will allow the DCA to finalize management plans and begin to develop the systems and tools for implementation, prior to the Execution Phase of the program. Ms. Mallon highlighted the contract vendors that will be utilized for their services. Total budget being proposed is 34M for the next fiscal year.

Move to Pass the Resolution to Adopt Fiscal Year 20/21 Budget,

as Noted: Blois

Second: Palmer

Yeas: Estremera, Atwater, Palmer, Blois

Nays: None

Abstains: None

Recusals: None

Absent: None

Summary: 4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as MO 20-06-02).

c. Introduction to DCA Program Control

Ms. Mallon introduced the DCA's Program Control Manager, Waleed AbouKhadra. Mr. AbouKhadra has 17 years of experience in program controls and recently completed his Ph.D. Mr. AbouKhadra gave an introduction to the Program Controls team and presented the key achievements the DCA has completed in the last fiscal year. The Program Management Information System (PMIS) development was discussed and the steps that were taken to configure the processes in the e-Builder system. There are 15 business processes which focus on Budget Management, Procurement, Contract Management, Community Engagement, Resource Management, and Schedule Management. Mr. AbouKhadra provided an example workflow of the business processes as well as an example of an e-Builder form that would be completed by the users. Mr. AbouKhadra demonstrated how to access e-Builder and features that are available to the users. The key benefit for automating the work flows in e-Builder is the ability to contact the data queries and creating all of the supports with a few simple clicks.

Ms. Palmer asked if there will be an audit of this new system. Mr. AbouKhadra confirmed internal auditing is part of the process to ensure everything is recorded correctly and the process works efficiently. Ms. Mallon mentioned that an additional safeguard is DWR in receiving the invoices and verifying accuracy, as well as having Metropolitan as our treasurer to do their own verification.

Mr. Blois expressed support of the e-Builder process and software presented. Mr. Blois asked how long it takes to pay a vendor from the day they submit their invoice to the day they get paid. Mr. AbouKhadra mentioned that the average time is 35 days. This new system will save time in repaying vendors. Mr. Blois asked if DWR will have access to the system in which Mr. AbouKhadra confirmed that they will. Ms. Palmer noted this will offer a good integration with DWR and the DCA.

d. June DCA Monthly Report

Ms. Mallon briefly discussed the June Monthly Report with no new budget changes or commitment.

e. Stakeholder Engagement Committee Update

Ms. Nazli Parvizi spoke about the May SEC meeting which included the DCA's traffic expert, Don Hubbard, who gave a detailed report of the traffic studies, potential logistics improvements, and how the DCA is incorporating feedback from the SEC. The next SEC meeting is schedule for June 24th which will include an update on Tribal Government relationships and a heavy discussion around Reusable Tunnel Material (RTM).

f. Stakeholder Engagement Committee Member Report Out

Mr. Sean Wirth, SEC Member representing Terrestrial Species, briefly spoke about his background with the Mother Lode Chapter of the Sierra Club as the conservation chair. Mr. Wirth is on the executive committee of the Environmental Council of Sacramento, ECOS, and co-chair's their habitat committee, Habitat 2020, as well as a founding member of Save Our Sandhill Cranes.

Mr. Wirth previously expressed concern about moving ahead with the SEC process during the Covid-19 pandemic and continues to be worried that many of the important voices that need to be heard in the Delta have been silenced during the pandemic because of technology gaps. Mr. Wirth felt that the DCA needs to allow silenced voices to be heard. If this means we need to pause and reevaluate, or slowdown, it is the least that should be expected of us as we review and provide feedback on a huge project that has the very real potential to disproportionately affect those that have been left without a voice once again.

Mr. Wirth spoke about how disappointed the environmental community was to see the exact same options for the intakes as was the case in California WaterFix. Their placement immediately to the west of the Stone Lakes National Wildlife Refuge continues to be very concerning as the species that rely on the Refuge are already constrained by urbanization to the North and to the East. Concerns that Sandhill Crane roosting sites in North Stone Lakes could be abandoned due to construction disturbance remain. Similarly, the proposed new haul roads would bisect land in the Stone Lakes NWR and would be very destructive and disruptive to migratory waterfowl and other wildlife. Some of these haul road alternatives were proposed in order to minimize truck traffic on the River Road and the resultant impacts on the communities along the river. In the context of disruption to humans and wildlife, it would be helpful if the extent of truck traffic on key rural roads (eg Hood-Franklin and Lambert) and the haul roads could be explained more completely than just in terms of Level of Service. A bar graph for each road segment, based on the histograms, of the number of trucks per hour over the course of a day for peak and median truck volumes would be instructive. As for the North South haul roads, constructing a new haul road farther to the West is a possible alternative that would at least direct flushing birds and other wildlife species into the Refuge rather away from it. It is important to understand that for these North South haul roads, even infrequent traffic is going to result in birds being flushed and possible transmission line strikes. Another alternative that should be considered would be to route the trucks on a new North South haul road only after most of the migratory waterfowl have departed or before they arrive, in other words from late spring to early fall. If there was an urgent need to move things to and from the intakes in the winter, trucks could use the River Road. And given the great inconvenience this would create for locals, such usage should only be for emergencies, which means that timing peak construction during the summer months would be a good idea and would help reduce negative effects to both wildlife and local communities. The issue of truck traffic need not be framed as a choice between impacts on local community's vs impacts on wildlife.

Mr. Wirth references the Brack Tract map for the Eastern Alignment. Moving the maintenance shaft that is depicted near the Woodbridge Ecological Reserve to the north of Peltier Road would fit within the length constraints for distance between access shafts and also greatly reduce the negative effects to the very important roost sites in the north and south units of the reserve for Sandhill Cranes. Sandhill Cranes forage extensively within a one-mile radius of their roost sites and it is important to avoid disturbances within that radius, especially for significant sites like those at the North and South units of the Woodbridge Ecological Reserve. Mr. Wirth noted that Ms. Mallon has been receptive to his input regarding design and site changes that would be less harmful to terrestrial species and has indicated that there will be some changes suggested to address this concern at the next meeting.

Ms. Anna Swenson, SEC member representing Yolo County at Large, provided her background specializing in community outreach and spoke about the community that she lives in. Ms. Swenson offered her appreciation for the opportunity to speak to the Board and feels that she takes her role on the SEC very seriously. Ms. Swenson has been involved in all 3 iterations of the project and felt

that this was a great opportunity for her to reach out to her community and inform them about what the project entails. Ms. Swenson recognized Santa Clara Water District for the ways that they helped their fellow community members and hopes the DCA will do the same. She also noted that the DCA staff have been very helpful with providing materials including maps and information that were not provided previously and feels this has made the project more transparent.

Ms. Swenson expressed concern about who is paying for the project and the kind of economic stress this could cause for locals. Other concerns include the potential destruction of the Delta communities, air quality, water quality with the domestic wells, noise, and farm land loss. Ms. Swenson has frustrations regarding RTM and referenced the ITR report that did not recommend the reuse of tunnel material. Ms. Swenson doesn't feel that there are mutual benefits that can compensate for the level of devastation to the Delta this project could cause. Ms. Swenson spoke about Covid-19 and the lack of connectivity in the Delta which makes it difficult to do outreach and doesn't feel the project is essential during a pandemic. Ms. Swenson had concerns about traffic going through Stone Lake Refugee. Ms. Swenson encourages the DCA to work with the Delta Protection Commission (DPC) and believes that their opinions should be held in high regard. Ms. Swenson emphasized that she would like to see alternatives *instead* of the tunnel project and felt that there are innovative ways to achieve this to provide the water that people need. Ms. Swenson encouraged folks to come to the Delta to enjoy its natural beauty.

Mr. Gilbert Cosio, SEC ex-officio member representing flood control, has worked in the Delta for 36 years. Mr. Cosio works for BKM Engineers which represent 33 Reclamation Districts in the Delta and has also worked for the North Delta Water Agency. Mr. Cosio has found it difficult presenting materials to his clients due to their concerns about why so much money is being spent on this water project instead of using that money for other Delta improvements such as levees. His clients are also interested in looking into impacts which has been made clear that this is not a part of the SEC scope. Mr. Cosio felt that other impacts need to start being discussed. For example, the footprint for the pumping plants, it is known that it will destroy the ranches around pumping plant 5 as well as cut off the water supply in the area. In addition, this will affect drainage and their ability to farm. Mr. Cosio is concerned about water quality, water transmission, and dewatering. Mr. Cosio recommended that we begin conversations with the Army Corps who are well versed in the levees around the Delta. He also encouraged the DCA to listen to landowners about what is happening on and around their properties. There are a lot of unexpected things that happen in the Delta that the DCA needs to be prepared for. Mr. Cosio thanked the Board for the opportunity to speak and will continue to supply the DCA with as much information as he can.

Mr. Estremera thanked the SEC for their participation and treasures their points of view, suggestions, and commitment to the community. Mr. Estremera asked the SEC to continue to stay engaged to help make this project the best possible.

Ms. Palmer also thanked the SEC for showing their passion. Ms. Palmer was intrigued with Mr. Wirth's proposals for changing one of the intakes. This is the type of feedback we want to consider.

Ms. Barbara Keegan, SEC Vice Chair, thanked the SEC that spoke and can agree with them on what a special place the Delta is. Ms. Keegan also thanked Ms. Mallon for her role in creating the SEC and for the opportunity for SEC representatives to come speak at the DCA Board meeting.

Mr. Blois expressed his appreciation to the SEC for the presentations.

Mr. Atwater echoed his fellow Board members gratitude of the SEC and appreciates the historical context provided today.

g. Independent Technical Review of Intakes

Mr. Phil Ryan discussed the purpose of the Independent Technical Reviews which is to give the opportunity for industry experts to provide independent review and suggest ideas for consideration. These ITR sessions last 3-5 days and focus on a specific set of objectives. Mr. Ryan spoke about the different panel members which included experts in fish screens, marine construction, fisheries biologists, intakes design, intakes maintenance, and geotechnical engineering; all having a significant amount of experience to bring to the table. The scope of this ITR was to look at: minimizing intake footprint, construction sequencing, Cofferdam and deep foundation constructability, sediment management, and maximum screen panel height. Mr. Ryan briefly highlighted the comments received from the panel. The panel offered that the tee screens would minimize the footprint and reduce environmental impacts which the DCA agrees with. Another idea presented by the ITR was dual-stacked tee screens which the DCA disagreed with due to the stacked screens taking up more water column and having greater potential impact on surface species, may increase predator areas, doubles the amount of mechanical equipment, and increases O&M complexity. An inclined tee screen was presented which has been acknowledged by the DCA but may need to be investigated more in the future design phase. The ITR panel asked us to consider offsite prefabricated construction. This has been discussed various times throughout the project and the DCA continues to disagree with this approach because of the disruption to river ecosystem, boating, and hydrodynamics. In addition, the logistics of doing this would be challenging and inefficient. Mr. Ryan discussed the recommendation for additional two-dimensional river modeling presented by the panel which would provide valuable data to aid in final design of the intakes. The DCA team agrees with this approach as this will aid in resource agency coordination and final placement of structure. The DCA plans to initiate 2D modeling in the upcoming fiscal year scope of services.

Ms. Mallon noted that these ITR panels are intended to encourage to open dialog and brainstorming. These ITR's are not intended to provide a definitive answer to the questions, but rather ideas for our consideration. It is not uncommon for experts to have difference of opinions, especially given the limited time and scope of the ITRs. For example, there was a previous comment about the use of RTM which the DCA did not agree with. Ms. Mallon said that the DCA seriously considers all ideas and wants to optimize the facilities and benefit of the program.

Ms. Swenson expressed her disappointment with the DCA consulting with PG&E on the ITR panel. Ms. Swenson felt that this hurts the DCA's credibility and encourages us to use local experts on these panels who have generations of knowledge about the Delta.

8. STAFF REPORTS AND ANNOUNCEMENTS:

a. General Counsel's Report

A written report was provided in the Board package. Mr. Nelson highlighted that the JEPA Amendment has been executed by DWR and approved by the Department of General Services. Mr. Nelson also noted that Governor Newsom issued a state wide requirement to use facemasks in which the DCA's current reopening plan is consistent with this.

b. Treasurer’s Report

A written report was provided in the Board package. Ms. Kasaine noted that the DCA’s cash balance is approximately 716K. The investment policy will be presented at the July Board meeting.

Ms. Osha Meserve asked if there will be “temporary funding” provided to the JEPA in the next fiscal year Budget and would like this clarified to the public.

c. DWR Environmental Manager’s Report

A written report was provided in the Board package. Ms. Buckman said that DWR is continuing to work on their scoping summary report which is expected to be released in July. Ms. Buckman also noted that DWR has been working to initiate the National Environmental Policy Act (NEPA). DWR needs to formally engage the United States Army Corps of Engineers (USACE) to allow the Federal Agencies to determine the NEPA Lead. USACE identified the steps that DWR needs to take to engage them, which included a statement of no objection from the Central Valley Flood Protection Board to initiate the Section 408 permitting process. DWR did receive this letter. In addition, DWR needed to submit a Section 404 application to initiate the process on the regulatory side. This application was submitted to help initiate the NEPA process, but there will be no decision until after CEQA, NEPA, and other permitting efforts are complete. Ms. Buckman mentioned that only one alignment was in the application but wanted to clarify that this does not represent a decision from DWR. DWR is still working on the environmental process for the soil investigations. Depending on when this is completed, DWR plans to proceed with some investigation this summer.

Ms. Palmer asked what alignment was used in the 404 application. Ms. Buckman responded that the Eastern Alignment was used and intakes 3 & 5.

d. Verbal Reports

None.

9. FUTURE AGENDA ITEMS:

None.

10. ADJOURNMENT:

President Estremera adjourned the meeting at 3:50p.m., remotely - Conference Access Information:
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