



January 22, 2024

Delta Conveyance Design and Construction Authority
Board of Directors

Subject: ***Final Materials for the January 24, 2024 Special Board Meeting***

Members of the Board:

The Delta Conveyance Design and Construction Authority (DCA) Board of Directors will have a Special Board Meeting, scheduled for **Wednesday, January 24th, 2024 at 1:00 p.m.** and will be a **hybrid** meeting. The Board will meet in closed session and anticipate opening the Regular Session at approximately **2:00 p.m.** Members of the public may attend the meeting in person or virtually. The call-in and video information, as well as meeting location is provided in the attached agenda. Meeting information will also be posted on the dcdca.org website.

Please note that the DCA continues to follow current State and Local COVID-19 guidelines and will comply with public health recommendations regarding public meetings and social distancing efforts. Any meeting changes or cancellation will be communicated.

Enclosed are the Final materials for the Board meeting in a PDF file, which has been bookmarked for your convenience. The amended agenda in the packet includes a change to a remote participation location previously listed as Coachella Valley Water District.

Regards,

Graham Bradner
DCA Executive Director



**DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY
BOARD OF DIRECTORS MEETING**

SPECIAL MEETING

Wednesday, January 24, 2024

1:00 p.m.

Hybrid (Teleconference) Meeting

DCDCA Boardroom
980 9th Street, Suite 100
Sacramento, CA 95814

TELECONFERENCE LOCATIONS:

- 1) Valley Water Headquarters Boardroom, 5700 Almaden Expressway, San Jose, CA 95123
- 2) Metropolitan Water District, Gene Headquarters, 158000 MWD Rd, Room #21, Parker Dam, Ca 92267
- 3) Palmdale Water District, 2029 East Avenue Q, Palmdale, CA 93550
- 4) Kern County Water Boardroom, 3200 Rio Mirada Drive, Bakersfield, CA 93308

CONFERENCE ACCESS INFORMATION:

Phone Number: (669) 444-9171 Access Code: 85649883389#

Virtual Meeting Link: <https://dcdca-org.zoom.us/j/85649883389?from=addon>

Please join the meeting from your computer, tablet, or smartphone

Additional information about participating by telephone or via the remote meeting solution is available here: <https://www.dcdca.org>

AGENDA

Except as permitted by Government Code section 54953(f), Directors will attend the meeting from the DCDCA Boardroom or any of the teleconference locations. Members of the public may attend in person at these locations or remotely through the virtual meeting link above. Assistance to those wishing to participate in the meeting in person or remotely will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested person must request the accommodation as soon as possible in advance of the meeting by contacting the DCA support staff at (888) 853-8486 or info@dcdca.org. Members of the public may speak regarding items on the agenda during those items and when recognized by the Chair. Speakers are limited to three minutes each; however, the Chair may limit this time when reasonable based on the circumstances. Persons wishing to provide public comment remotely on Agenda Items are encouraged to complete a public comment request form at: <https://tinyurl.com/dcapubliccomment> by 2:15 pm or through the QR code below. In addition, members of the public may use the “raise hand” function (*9 if participating by telephone only) during the meeting to request the opportunity to speak. Additional information will be provided at the commencement of the meeting.

1. CALL TO ORDER

- 2. ROLL CALL** – Any private remote meeting attendance will be noticed or approved at this time.

3. CLOSED SESSION

- (a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION DISCUSSION

(Government Code Section 54957)

Title: Executive Director

- (b) CONFERENCE WITH LEGAL COUNSEL

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 2 cases

- i. *Sierra Club et al. v. California Department of Water Resources*,
Sacramento County Superior Court Case No. 34-2020-80003517

- ii. Petitions regarding the Department of Water Resources' certification of the Final Environmental Impact Report for the Delta Conveyance Project.

4. OPEN REGULAR MEETING & PLEDGE OF ALLEGIANCE – At approximately 2:00p.m.

5. APPROVAL OF MINUTES:

- (a) December 14, 2023 Regular Meeting Minutes

6. CONSENT ITEMS

Items on the Consent Calendar are considered to be routine by the Board of Directors and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a director so requests, in which event the item will be removed from the Consent Calendar and considered separately.

- (a) *Adopt Resolution Approving Amendment No. 8 to JEPA with DWR and Finding that Execution of Amendment is Not a Project Subject to CEQA*

7. DISCUSSION ITEMS

- (a) January DCA Monthly Report

Recommended Action: Information Only

- (b) Discuss and Potentially Appoint a Director Legislative Liaison

Recommended Action: Discuss and potentially appoint by motion.

8. STAFF REPORTS AND ANNOUNCEMENTS

- (a) General Counsel's Report
- (b) DCP Communications Report
- (c) DWR Environmental Manager's Report
- (d) Verbal Reports, if any

9. FUTURE AGENDA ITEMS

- (a) DCA Environmental Compliance Committee Concept

10. PUBLIC COMMENT

Members of the public may address the Authority on matters that are within the Authority's jurisdiction but not on the agenda at this time. Speakers are generally limited to three minutes each; however, the Chair may further limit this time when reasonable based on the circumstances. Persons wishing to speak may do so remotely through the electronic meeting link, by scanning the QR Code above, or teleconference number when recognized by the Chair. The DCA encourages public comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the DCA or are within its jurisdiction.



11. ADJOURNMENT

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The Board of Directors meet bi-monthly, proposed next scheduled meetings:

February 15, 2024, Regular Board Meeting at 2:00 p.m. (1:30 p.m. if there is a closed session).

April 18, 2024, Regular Board Meeting at 2:00 p.m. (1:30 p.m. if there is a closed session).

May 16, 2024, Regular Board Meeting at 2:00 p.m. (1:30 p.m. if there is a closed session).

BOARD OF DIRECTORS MEETING

MINUTES

REGULAR MEETING

Thursday, December 14, 2023

2:00 p.m.

(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 in person, by teleconference, and remotely - Conference Access Information: Phone Number: (669) 444-9171, Code: 85037999167#, <https://dcdca-org.zoom.us/j/85037999167?from=addon> at 2:01 pm.

2. ROLL CALL

Board members in attendance from the DCA Boardroom were Sarah Palmer, Martin Milobar, Miguel Luna, and Gary Martin. Robert Cheng participated from the Paris Las Vegas Hotel Main Lobby. Tony Estremera participated from Valley Water Headquarters Boardroom and Adnan Anabtawi participated from Mojave Water Agency Conference Room.

Alternate Directors in attendance remotely were Russel Lafevre and Barbara Keegan.

DCA staff members in attendance were Graham Bradner.

DCA staff members in attendance remotely were Joshua Nelson and Valerie Martinez.

3. CLOSED SESSION

a) CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

Agency designated representative: Chair Sarah Palmer

Contractor: Executive Director

b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION DISCUSSION

(Government Code Section 54957)

Title: Executive Director

c) CONFERENCE WITH LEGAL COUNSEL

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 1 case

- i. *Sierra Club et al. v. California Department of Water Resources*, Sacramento County Superior Court Case No. 34-2020-80003517

4. OPEN REGULAR MEETING & PLEDGE OF ALLEGIANCE

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

There were no reportable actions to report from the closed session. President Sarah Palmer

5. APPROVAL OF MINUTES: October 19, 2023, Regular Board Meeting

Recommendation: Approve the October 19, 2023, Regular Board Meeting Minutes

Motion to Approve Minutes from October 19, 2023, as

Noted: Estremera
Second: Luna
Yeas: Palmer, Milobar, Martin, Luna, Estremera, Cheng, Anabtawi
Nays: None
Abstains: None
Recusals: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as MO 23-12-01).

6. DISCUSSION ITEMS:

a) December DCA Monthly Report

Information Item

DCA Executive Director, Graham Bradner, presented an overview of the monthly board report. He recapped that all invoices for last fiscal year are closed, and we are focusing on the current fiscal year budget. He continued to Section 1: Work Performed in November 2023. The Program Controls team continued program-wide support activities and implementation of the Program Management Information System. The team continued the implementation and training of Standard Operating Procedures (SOP) and Management Plans. In addition, DCA performed an internal controls audit on several contract terms to validate good performance. The audit findings allowed the team to see the continuous improvements within the SOP's and Management Plans.

Mr. Bradner moved on to the administrative functions, stating that the administrative team continued to support functions including the Board of Directors, the Change Board Management, in-person and virtual meetings and social media content and updates. The alignment tours have been successful and will be on hiatus until early next year.

Mr. Bradner continued to the engineering section, the Engineering team continues to focus on supporting the Department of Water Resource (DWR) and the Delta Conveyance Office (DCO) permitting efforts while also continuing to develop and progress engineering studies. This includes providing support to DCO in reviewing and responding to comments received on the Draft Environmental Impact Report (DEIR), now a Final Environmental Impact Report (FEIR). DCA updated the engineering project report with a supplemental document that has been posted on the DCA website to support the release of the FEIR.

DCA staff continued to support the community benefits program by providing necessary engineering cost estimations and participating in community meetings that are ongoing. In addition, DCA continued to collect subsurface information to support DWR's evaluation of alternatives and allow for a better understanding of the Delta conditions. The information obtained is then provided to the engineering team to validate the assumptions made during the concept design phase.

Mr. Bradner went on to update the Board on fieldwork activities and stated that the DCA currently has five (5) drill rigs and a cone penetrometer rig out in the field to obtain the last of the investigative work that had been intended to be completed this past Fall. The goal is to finish all the work prior to the holidays. Mr. Bradner stated that the laboratory analysis and the finalizations of the soil characterizations are part of the data collection process. These activities are working towards completion as the Fall program information is collected.

Mr. Bradner continued to section 2: Community Engagement and stated that the DCA is continued to work on fact sheets with DWR and the individual participating public water agencies. The fact sheets are very helpful and include information from various water agencies. DCA works closely with DWR on social media content and helping to highlight the importance of Delta Conveyance, and how it fits into the overall scheme of the State Water Project (SWP). DCA continued to develop closer look fact sheets for distribution that provide individual topics that are important and relevant, while also updating social media content with information and trying to increase awareness around the DCO.

Mr. Bradner continued to Section 3: Budget and stated that the fiscal year (FY) 23/24 DCA budget was approved for \$40.44M. DCA has committed just under \$33M to date. Currently there is a reserve of about \$7.5M and incurred just under \$11M. DCA has forecasted an Estimate at Complete (EAC) that would fully expend the budget. DCA will be reassessing in January to evaluate whether funds need to be repositioned or modified for scopes for the second half of the year.

Mr. Bradner continued to the Cash Flow section, DCA stayed on track with projected and planned expenditures during the first four (4) months of the current FY 23/24 and continue to be on track as DCA approaches mid-year. DCA is waiting for DWR's ultimate decision on the project and the reassessment of the current plan and scope. Moving forward, DCA plans to distribute the held back funds associated with various task items.

Mr. Bradner continued to Section 5: The Program Schedule. Mr. Bradner presented to the Board the FY 23/24 summary of activities schedule and stated that DCA is on track with the high-level program management and engineering activities, and there has been a slow start to the Fall program due to access requirements for certain sites. 17 of the 19 holes are currently going through court order entry processes which has caused program delays, but DCA continued to work through and complete the process.

Director Luna asked Mr. Bradner what areas are being entered that require the extensive permitting process.

Mr. Bradner stated that the private parcels are the ones that have gone through the voluntary temporary entry permitting process or through a court driven process led by the State Attorney General's Office.

Director Luna asked Mr. Bradner if they are encountering much of the latter.

Mr. Bradner stated that, yes, the Attorney General has assisted in obtaining a few court-ordered entries. Upon completing the Fall program there have been conducted over 180 explorations to date. The last 19 to 20 locations have been mostly court ordered entry processes.

President Palmer asked if the last 19 entries will be done by the end of December 2023.

Mr. Bradner stated that all the work and equipment would need to be off the sites prior to the holidays.

President Palmer stated that its fast work.

Ms. Osha Meserve, Local Agencies of the North Delta, Public Comment, stated that for clarification with respect to the item of the geotechnical entries and important for the board members to understand that many landowners do not want DWR or DCA to enter their land to drill or conduct exploratory activities. There was a specific procedure that was provided via the Pre-Condemnation Statute and interpreting case law that was developed with respect to the Twin Tunnels Project or prior Bay Delta Conservation Project (BDCP) that still applies to the DCP. One thing of concern is that going into the future DWR and DCA plan to do more explorations at every thousand feet of the tunnel proposed line, which is more than what has been conducted to date. Ms. Meserve would like people to know that private landowners do not agree to have the State enter their land with heavy equipment and create holes that will ultimately take half of the average flow of the Sacramento River and reroute it into a tunnel. According to Ms. Meserve, many have stated that this is not the best for the Delta or to meet the water supply demands of the State, in addition this is a very controversial project and that every step of the way will be very difficult. Ms. Meserve does not think that it will be any different for future investigations that it has been for the smaller numbers that Mr. Bradner is speaking of now.

President Palmer stated that as people are judging this project to please look at the facts.

No further comments or questions were received from the Board, nor were any public comment requests received.

b) **DCA Financial Audit Report**
Information Only

Mr. Bradner presented to the Board, Mr. Russell Robertson; the Senior Manager with Macias Gini & O'Connell LLP (MGO), Metropolitan Water District's (MWD) Financial Auditor. MGO has conducted this year's audit of the DCA. Mr. Robertson stated that this is the first year that DCA and MWD have a contract. Within the contract, there is an agreement that MWD audits DCA's financial statement relating to cash receipts and disbursements. The scope of MWD's service under contract and the agreement is to audit the cash receipts and disbursements for the year end of June 30, 2023. The two (2) deliverables that we're contracted, one (1) being the Independent Auditors report and the communications that are required for auditing standards to present to those in charge of governance, which is the Board.

Mr. Robertson continued with the auditors' responsibilities as they relate to generally accepted auditing standards. The goal is to perform an audit in accordance with generally accepted auditing standards issued by the American Institute of Certified Public Accountants (AICPA) standards and to design the audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. Throughout the review and audit, MWD reviews how DCA handles disbursements, how the receipts are performed, and if it is in accordance with best practice. If there are any findings, MWD does communicate with management and the board, so during this audit there were no findings which created a positive aspect of the audit results.

Mr. Robertson continued to the audit results of the Basic Financial Statements and stated to the Board that the financial statement that was completed was the statement of cash receipts and disbursements.

Mr. Robertson continued to the required communications of significant audit findings and presented to the Board that MGO included the scope and timing of the audit in the engagement letter with MWD. MGO conducted their field work through October and November and as a result they were able to issue the report by mid-November. DCA complied with all ethical requirements regarding independence resulting in no conflict of interest or no conflict in independence. MWD and other related parties within the audit were independent. Regarding accounting practices, MGO communicates if there are any significant accounting policies, estimates or disclosures that change for the year and DCA showed none. MGO found no corrected or uncorrected misstatements and everything that was supposed to be reported was reported. No other significant matters that popped up.

Mr. Robertson continued to present and briefed the Board on the financial and verbal report.

Katano Kasaine thanked the team for their hard work on the audit and mentioned that the audit went smoothly.

No further comments or questions were received from the Board, nor were any public comment requests received.

c) Sr. Leadership Spotlight, Adam Murdock, DCA Engineering Design Manager

Information Only

DCA, Engineering Design Manager (EDM), Adam Murdock stated to the Board that he was raised in Mt. Green, Utah. It's a place where the whole county goes to the same high school, and he graduated with a class of 118. Last summer he celebrated his 25-year wedding anniversary with his wife of which he has 3 wonderful kids with. Mr. Murdock loves everything outdoors including hiking, fishing, skiing, hunting and mountain biking. Mr. Murdock continued on to his education, he has a bachelor's degree in civil engineering as well as a master's degree in civil environmental engineering from Utah State University with his focus in hydraulics related to water.

Mr. Murdock continued to present to the Board his professional background and experience where he joined 24 years ago CH2M Hill who was later acquired by Jacobs. While at the firm most recently was the global director of the conveyance and storage market where he oversaw the entire project but decided to go a different route and join the DCA. Other leadership positions included the conveyance market lead and ran the Utah Water Market for a few years. At the end of the day at his core, Mr. Murdock is a project and design manager but is an engineer first as one of his mentors taught him. Prior to joining CH2M Hill, Mr. Murdock worked at a water conservancy district for 2 years and during grad school was able to work at a hydraulics lab where they did physical models of dams, spillways, pump stations, etc. Mr. Murdock had the pleasure of working with water agencies across the country and develop a good perspective of how water challenges and issues are addressed.

Mr. Murdock continued to present to the Board the type of work that he has delivered and worked with all types of collaborative delivery approaches or alternative delivery, whether it was design- bid-build, design-build, progressive-design-build and construction manager at risk. Mr. Murdock has enjoyed solving critical water infrastructure challenges across the country with a diversity of different solutions to solve. To sum up, Mr. Murdock's experience is that anything that has to do with moving or storing water is the type of engineering and infrastructure that he has worked on. This includes dams, reservoirs, pipelines, intake structures, pump stations, storage reservoirs, flow control facilities, tunnels and hydroelectric power plants. Mr. Murdock has had the ability to live though the

project phase of design to construction into operations. The photos that Mr. Murdock presented represent why he comes into work every day and enjoys being able to see a project from start to finish and standing at the finish line with the owners, the contractors and the project team. Turning on the project(s) and recognizing the value that it is going to provide for generations to come.

Mr. Murdock wanted to share with the Board a relevant and significant project, the Central Utah Project (CUP), as it has many similarities with the DCP. Murdock wanted to share with the Board a relevant and significant project, the Central Utah Project (CUP), as it has many similarities with the DCP. The CUP moves Colorado River water to the Wasatch Front. The CUP is to move Colorado River water to the Wasatch Front. This project includes 44 miles of 96-inch to 60-inch diameter pipe with flow control facilities, reservoirs and hydropower facilities. The work done from 2007-2023, the CUP issued 23 separate design and construction projects. The final Environmental Impact Statement (EIS) and the record of decision was issued in 2004, with that you can see the time frame that it takes to build large infrastructure projects. Part of the NEPA that had to be done, there were three (3) environmental assessments that needed to be completed, including many categorical exclusions. The project was delivered with an integrated owner Bureau of Reclamation program management team approach, which allowed all to work together and help build the infrastructure. The project was put together to help meet schedules based on the water demands from the growing population that it served but also meet the federal funding and the cash flow that was coming.

Mr. Murdock's role with DCA is to support the executive director and the team with all engineering and technical requirements of the project. He provides technical management and leadership of the engineering design management team which includes coordinating with the facility design leads, the geotechnical leads, engaging DCA's subject matter experts and technical resources, cost estimators and engineering. Mr. Murdock also coordinates and partners with other DCA team members including environmental and California Environmental Quality Act (CEQA) permitting team, property group, public engagement, education and outreach support. Mr. Murdock has also led a few DCA Delta Tours.

President Palmer commented that Mr. Murdock's map of projects looks like constellations.

Director Milobar thanked Mr. Murdock for participating with the DCA and seems to be very familiar and has great experience to bring to DCA.

Mr. Murdock stated that he is very happy to be with DCA.

Director Cheng stated that he is very happy to hear of the high-quality staff that are joining DCA and that the project is in good hands. Director Cheng is very appreciative that Mr. Murdock is lending his experience to DCA.

Mr. Murdock thanked Director Cheng.

Director Adnan stated that this is not an easy project, but very happy to hear that Mr. Murdock is very passionate about the project and happy to have him.

Director Martin stated that the senior spotlight is one of his favorite items on the agenda as it gives the Board the opportunity to meet people that are working on the project. Director Martin asked Mr. Murdock if he had any tunneling experience.

Mr. Murdock states that yes, he does have tunneling experience. He relies on the tunneling experts but many of Mr. Murdock's projects that he has completed include tunneling, for example, one project here in Sacramento that he worked on tunneled across the American River with a force main project that has vertical shafts and a five (5) foot diameter tunnel.

Director Luna stated that he echoes other board members' comments and the passion for his work, Director Luna asked if Mr. Murdock had a highlight moment that he went home to share with his family about something special that happened within DCA.

Mr. Murdock stated that he understands and enjoys the vision of the project and how beneficial it is long term. Take a project through planning and construction and all the people that will benefit from the project after completion.

President Palmer stated that she is happy that Mr. Murdock is very accommodating to those that are stakeholders in various location and knows that it is not a very easy task but appreciated that experience that he brings.

No further comments or questions were received from the Board, nor were any public comment requests received.

d) Adopt Resolution Approving the Sixth Amendment to Agreement for Executive Director Services to Transfer the Agreement from Baker Tilly US, LLP to Bradner Consulting, LLC

Approve Resolution

DCA General Counsel, Josh Nelson presented to the Board to consider passing resolution approving the Sixth Amendment to the Baker Tilly US, LLP agreement for Executive Director Services. The Board of Directors contracts with Baker Tilly US, LLP for Executive Director services.

Recently, Baker Tilly requested that the DCA consider an alternative contracting method for Executive Director services. Baker Tilly is very supportive of the DCA and its efforts. However, the Executive Director agreement is relatively unique and not the type of services it generally provides to clients.

Based on this, the staff recommends that the Board consider approving the attached sixth Amendment to the agreement to assign the agreement to Bradner Consulting, LLC.

This change will not result in any material changes to the services. Mr. Bradner will continue to act as the named Executive Director.

The proposed amendment makes one additional change. It recognizes that worker's compensation insurance will not be required unless Bradner Consulting, LLC has employees. Currently, Mr. Bradner, the agency's principal, is its only staff member. If approved, the amendment will be effective January 1st.

Mr. Nelson stated that for those in the room and online, there are hard copies of the staff report and proposed amendment are available for anyone that requests a copy and for those on Zoom, and updated version of the packet has been posted which includes this material.

Director Cheng commented that he expresses his appreciation towards Mr. Bradner for being flexible during the contract process and happy that he is providing his services to DCA.

President Palmer stated that she is please with Mr. Bradner.

No further comments or questions were received from the Board, nor were any public comment requests received.

Recommendation: Adopt Resolution Approving the Sixth Amendment to Agreement for Executive Director Services to Transfer the Agreement from Baker Tilly US, LLP to Bradner Consulting, LLC

Motion to Adopt Resolution Approving the Sixth Amendment to Agreement for Executive Director Services to Transfer the Agreement from Baker Tilly US, LLP to Bradner Consulting, LLC, as

Noted:	Luna
Second:	Martin
Yeas:	Palmer, Milobar, Martin, Luna, Estremera, Cheng, Anabtawi
Nays:	None
Abstains:	None
Recusals:	None
Absent:	None
Summary:	7 Yeas; 0 Nays; 0 Abstain; 0 Absent. (Motion passed as Resolution 23-11).

President Palmer took a moment to mention that DWR released the Final EIR and that Mr. Nelson will be speaking more on this later in the agenda.

7. STAFF REPORTS AND ANNOUNCEMENTS:

a. General Counsel's Report

DCA General Counsel, Josh Nelson, informed the Board that the General Counsel continues to provide legal assistance as requested. This has included assisting with the contract amendment on the agenda this month.

Mr. Nelson continued to state to the Board that on December 8, 2023, DWR released the FEIR to fulfill a requirement of CEQA to send proposed responses to the comments on the Draft Environmental Impact Report (DEIR) from public agencies. For transparency purposes DWR has also posted this document on their website, however CEQA does not create and DWR is not providing a public period for the FEIR. The release of the FEIR is the last step in the CEQA process prior to DWR deciding whether to certify the EIR as meeting CEQA requirements. DWR will then utilize the EIR to determine whether to approve the proposed DCP, Project alternative or no project.

No comments or questions were received from the Board, nor were any public comment requests received.

b. Treasurer's Report

DCA Treasurer, Katano Kasaine informed the Board that the report is for October and November of 2023. The beginning cash balance for the DCA Joint Powers Authority (JPA) on October 1, 2023 was \$1,828,628. Receipts for October through November 2023 totaled \$5,794,259 representing contributions from the DWR and the DCO for payment of the Authority's obligations and total disbursements for the same period were \$6,119,062 resulting in an ending cash balance of \$1,503,825 on November 30, 2023.

As of November 30, 2023, the Authority's receivables totaled \$3,139,552 consisting of 14 invoices to the DCO. Balances for prepaid expenses and accounts payable, as of November 30, 2023, were \$195,949 and \$3,788,188, respectively. For the same period, advances totaled \$800,000 and total net position was \$251,138.

No comments or questions were received from the Board, nor were any public comment requests received.

c. DCP Communications Report

DDA Communications Manager, Valerie Martinez informed the Board that the communications team continues to collaborate closely with DWR to support appropriate shared information and material distribution. The informational program to drive an understanding of the proposed project is forging ahead. This includes fact sheets, videos and a statewide and localized social media program. The team has supported the executive director and board members in conducting briefings and presentations for individuals and organizations. This month the Executive Director presented to the Orange County Business Council Infrastructure Committee, there was a positive outcome with great questions and interest from the attendees.

Ms. Martinez continued to inform the Board that the Association of California Water Agencies (ACWA) conference in November 2023 was successful. DCA had a booth during the conference which provided a great centralized point of information for individuals curious about the proposed project and continued collaboration with DWR during the conference. The administration and outreach team including Claudia, Jennifer, La Kea, Yadira, Hannah and Ben did a stellar job of ensuring the materials and the overall look and feel of the booth was aligned with our branding. DCA continues to work with the partnering agencies to ensure the team is providing support with materials and project information as needed. The Delta Tours continued into December and will resume in early 2024 depending on weather conditions and requests.

President Palmer stated that she is very happy with the work that the communications team is doing.

Director Luna wanted to highlight the communications team on how they have been readily available for questions and staying ahead of what is out in the media.

President Palmer stated that she appreciates Ms. Martinez for keeping the Board up to date with information from the news.

No further comments or questions were received from the Board, nor were any public comment requests received.

d. Verbal Reports

No Comments or verbal reports were received.

8. FUTURE AGENDA ITEMS:

No future agenda items requested.

9. PUBLIC COMMENT:

Executive Director of the Southern California Water Coalition, Charlie Wilson stated to the Board that the EIR that was released has generated excitement and is what Southern California has been waiting for. As seen, DWR and the proposed project are critical to the modernization of the State Water Project (SWP) along with addressing issues like climate change and potential seismic catastrophe in the Bay Delta area. Mr. Wilson stated Governor Newsom's statement of "Doing nothing is not an option at this point and we need to find a way to get this built". Mr. Wilson stated that he is looking forward to working with DCA and

other major stakeholders in moving the project forward and assisting as much as possible to provide resources to disseminate information and to stimulate dialog.

10. ADJOURNMENT:

President Palmer adjourned the meeting at 2:57 p.m., remotely-Conference Access Information: Phone Number: (669) 444-9171, Code: 85037999167#, <https://dcdca-org.zoom.us/j/85037999167?from=addon>

Board Memo

Contact: Graham Bradner, Executive Director and Josh Nelson, General Counsel

Date: January 24, 2024 Board Meeting

Item No. 6a

Subject:

Consider Adopting Resolution to Authorize the President to Execute an Amendment to the Joint Exercise of Powers Agreement.

Executive Summary:

Staff recommends that the Board adopt the enclosed Resolution to Authorize the President to Execute an Amendment to the Joint Exercise of Powers Agreement.

Detailed Report:

At its June 20, 2019 meeting, the Board of Directors approved an Amendment to the Joint Exercise of Powers Agreement (JEPA). This Amendment allows the DCA to provide planning and environmental services to the Department of Water Resources (DWR) to assist in its review of a potential Delta Conveyance Project (DCP) under the California Environmental Quality Act (CEQA) and other applicable laws. The JEPA has been further amended in the Second through Seventh Amendments.

The JEPA currently defines the end of this initial “Planning Phase” as “... (i) completion of the environmental review process under CEQA and, if appropriate after CEQA review, approval of a Delta conveyance project, or (ii) any other subsequent date mutually agreed in writing by the Parties.” With the recent certification of the Final Environmental Impact Report (FEIR) for DCP, DCA and DWR have reviewed this language to determine appropriate next steps.

While certification of the FEIR is an important milestone for DCP, there is significant, remaining design, permitting and planning work required before construction and implementation may begin. These efforts are part of the “Planning Phase” as contemplated in the JEPA. Based on this, the parties propose amending the definition of “Planning Phase” to clarify that it will be end upon completion of all design, permitting, and planning work necessary to commence DCP construction and implementation. Technically, the parties could have agreed to a completion date under the current JEPA language to align with this understanding. However, formally amending the definition of the “Planning Phase” provides greater transparency and helps to more accurately describe the scope of the Planning Phase in the agreement.

As noted in the attached resolution, approval of the Amendment does not qualify as a project subject to CEQA. Enclosed are clean and redline versions of the proposed amendment.

Recommended Action:

Adopt the attached Resolution to Authorize the President to Execute an Amendment to the Joint Exercise of Powers Agreement.

Attachments:

Attachment 1 - Draft Resolution 24-xx

Exhibit A - JEPA Amendment #8

Attachment 2 – Redline of JEPA Amendment #8

**BOARD OF DIRECTORS OF THE DELTA CONVEYANCE
DESIGN AND CONSTRUCTION AUTHORITY
RESOLUTION NO. 24-XX**

Introduced by Director xxxx
Seconded by Director xxxx

**AUTHORIZE THE PRESIDENT TO EXECUTE AN AMENDMENT TO THE JOINT EXERCISE OF
POWERS AGREEMENT, AND FIND THAT THE EXECUTION OF THE AMENDMENT IS NOT A
PROJECT SUBJECT TO CEQA**

Whereas, DWR and the DCA previously entered into that certain Joint Exercise of Powers Agreement between the parties as amended by Amendments No. 1-7 (JEPA); and

Whereas, the parties wish to further amend the JEPA as set forth in the attached Amendment No. 8; and

Whereas, the proposed edits to the JEPA clarify the completion date of the “Planning Phase” in the agreement;

Now, therefore, be it resolved that the DCA Board hereby finds that approval of Amendment No. 8 is not a project subject to the California Environmental Quality Act (CEQA). Amendment No. 8 does not qualify as a “project” subject to CEQA because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060, subd. (c)(3), 15378, subd. (a).) Amendment No. 8 does not authorize any activity that could potentially impact the environment; rather, Amendment No. 8 merely makes administrative edits to the JEPA. The amendment is thus an organizational or administrative activity that is not subject to CEQA. (State CEQA Guidelines, § 15378, subd. (b)(4)-(5).)

Therefore, be it further resolved that the DCA Board hereby authorizes the President to execute Amendment No. 8 to the Joint Exercise of Powers Agreement, substantially in the form attached to this Resolution as Exhibit A and incorporated by this reference.

* * * * *

This Resolution was passed and adopted this ____th day of January 2024, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Sarah Palmer, Board President

Attest:

Gary Martin, Secretary

EXHIBIT A

JEPA Amendment No. 8

[attached behind this page]

**AMENDMENT NO. 8
TO
AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT
BETWEEN THE
DEPARTMENT OF WATER RESOURCES, STATE OF CALIFORNIA
AND THE DELTA CONVEYANCE DESIGN AND CONSTRUCTION
JOINT POWERS AUTHORITY**

This Amendment No. 8 to the October 26, 2018, Amended and Restated Joint Exercise of Powers Agreement Between the Department of Water Resources of the State of California (“DWR”), and the Delta Conveyance Design and Construction Joint Powers Authority (“Authority”), as previously amended, is entered into and effective as of the last date set forth on a signature page hereto.

RECITALS

WHEREAS, in May 2018 DWR and the Authority (collectively “the Parties”) entered into a Joint Exercise of Powers Agreement and in October 2018 into an Amended and Restated Joint Exercise of Powers Agreement, whereby the Authority agreed to manage the design and construction of California WaterFix under DWR’s ultimate control and oversight;

WHEREAS, the State subsequently set a new water policy for California and on May 2, 2019, DWR withdrew its approval of the California WaterFix project;

WHEREAS, the parties entered into that Amendment No. 1 to the Amended and Restated Joint Exercise of Powers Agreement (“Amendment No. 1”) to outline the initial planning and engineering services that the Authority will provide to DWR during its consideration of a different potential Delta conveyance project;

WHEREAS, the parties entered into those further Amendments No. 2-7 to the Amended and Restated Joint Exercise of Powers Agreement (collectively, the “Agreement”) to make certain changes;

WHEREAS, on December 21, 2023, DWR approved the Delta Conveyance Project (“Project”), certifying the final Environmental Impact Report (EIR); and

WHEREAS, the parties recognize that planning and permitting efforts will continue prior to the construction and implementation of the Project; and

WHEREAS, the parties wish to amend the definition of the Planning Phase in the Agreement to recognize the additional planning and permitting work necessary prior to Project implementation and construction.

NOW THEREFORE, in consideration of the mutual covenants contained in the Agreement and this Amendment No. 8, the parties hereby agree to amend the Agreement as follows.

AMENDMENT

- A. Subsection b of Section 0 is amended in read in full as follows:
 - b. “For purposes of this Section 0, ‘Planning Phase’ means the period of time beginning on May 2, 2019 and ending upon (i) completion of the environmental review process under CEQA and, if appropriate after CEQA review, approval of a Delta conveyance project, and (ii) after any such approval under CEQA, all subsequent design, permitting and planning efforts prior to and necessary to commence construction and implementation of a Delta conveyance project as reasonably determined by the parties.”
- B. Except as hereby amended, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto affixed their names as of the day
and year hereinafter written.

**STATE OF CALIFORNIA
DEPARTMENT OF WATER
RESOURCES**

**DESIGN AND CONSTRUCTION
AUTHORITY**

By:_____

By:_____

Title:_____

Title:_____

Date:_____

Date:_____

Approved as to legal form and consistency

Approved as to legal form and consistency

By:_____
General Counsel

By:_____
General Counsel

**AMENDMENT NO. 8
TO
AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT
BETWEEN THE
DEPARTMENT OF WATER RESOURCES, STATE OF CALIFORNIA
AND THE DELTA CONVEYANCE DESIGN AND CONSTRUCTION
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- b. “For purposes of this Section 0, ‘Planning Phase’ means the period of time beginning on May 2, 2019 and ending upon (i) completion of the environmental review process under CEQA and, if appropriate after CEQA review, approval of a Delta conveyance project, ~~and~~ (ii) after any such approval under CEQA, allany other subsequent date mutually agreed in writing by the Parties subsequent design, permitting and planning efforts prior to and necessary to commence construction and implementation of a Delta conveyance project as reasonably determined by the parties.”

B. Except as hereby amended, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto affixed their names as of the day and year hereinafter written.

**STATE OF CALIFORNIA
DEPARTMENT OF WATER
RESOURCES**

**DESIGN AND CONSTRUCTION
AUTHORITY**

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to legal form and consistency

Approved as to legal form and consistency

By: _____
General Counsel

By: _____
General Counsel



DCA

DELTA CONVEYANCE DESIGN
& CONSTRUCTION AUTHORITY

Monthly Board Report

This document is fully interactive; use menus to navigate on-screen.

1

SUMMARY OF
WORK

2

COMMUNITY
ENGAGEMENT

3

BUDGET

4

CONTRACTS

5

SCHEDULE

Agenda Item 7a



JANUARY 2024

(ACTIVITIES IN DECEMBER)

Section 1 | Work Performed (December 2023 Activities)

Program Management. The team continued program-wide support activities and implementation of the Program Management Information System.

- Continued processing invoices for FY23/24
- Support vendors with invoice submission and contract amendment requests
- Support contract managers with financial forecasting and cashflow projections
- Continue development of master programmatic schedule
- Continue implementation and training of SOPs/Management Plans
- Continued rate review process development for consultant rates in e-Builder

Administration. The Administrative team continued to support functions including IT support, in-person and virtual meetings and social media content/updates

- Supported DCA Board of Directors and coordination of DCA events including preparation for remote Director participation for Board meetings per Brown Act requirements.
- DCA Website review and updates, pushed DCA updates via social media outlets, created reminders about resource materials
- Coordination of DCA Change Board meetings/actions
- Activities supporting the development, coordination and live support for Program Management Plans training sessions

- Continue FY23/24 contract management activities
- Logistical support for DCA alignment tours
- Execution and support of upcoming meetings and conferences
- Project Management activities to onboard the DCA Learning Management System

Engineering. The engineering team primarily focused on supporting the Department of Water Resources (DWR) Delta Conveyance Office (DCO) permitting efforts while also continuing to develop and progress engineering studies.

- Continued responding to requests for information (RFIs) from the Delta Conveyance Office (DCO) environmental team regarding the Draft Environmental Impact Report as well as permit applications.
- Finalized standalone report documenting updates made to the Central and Eastern (C-E) and Bethany Engineering Project Reports (EPRs) and posted to DCA website.
- Continued providing support for a potential community benefits program, including engineering, cost estimating, and participating in meeting with community representatives.
- Continued to support communications and outreach efforts, including developing new and updated graphics and updating tour visualizations.
- Began evaluation of total program costs associated with the Bethany Reservoir Alternative, the preferred project identified by DWR through certification of the Final Environmental Impact Report.

- As part of the cost estimate development, evaluate identifying potential innovations that could reduce impacts, cost, schedule, or improve constructability
- Continued review of existing Delta-wide subsurface information
- Continued to support DCA programmatic planning activities.



Field Work. The field work team continued efforts to collect data to support evaluation of Delta-wide subsurface conditions and validation of parameters assumed during development of conceptual designs.

- Completed planned investigations as part of the Fall 2023 Investigation Program.
- Continued consideration of potential priority future geotechnical investigations to support continued evaluation of potential design and construction refinements.
- Completed laboratory analysis of data gathered during the Spring, Summer, and Fall 2023 Investigation Programs.

Section 1 | One Month Look-Ahead (January 2024 Activities)

Program Management

- Continue processing invoices for FY23/24
- Continue development and processing of Task Orders, Task Order Amendments and Purchase Orders for FY23/24
- Support vendors with invoice submission and contract amendment requests
- Continue implementation and training of SOPs/Management Plans
- Support contract managers with financial forecasting and cashflow projections
- Continue development of master programmatic schedule
- Conduct mid year budget review and scope/budget reconciliation with contract managers
- Begin FY24/25 Procurement Strategy development
- Complete roll out of contractor billing rate documentation and tracking process

Administration

- Continue support to DCA office including all Administrative, Facility and IT functions
- Continue support for DCA Board of Directors meetings and monthly report generation
- Continue coordination of DCA Change Control Board meetings/actions
- Continue support for stakeholder engagement and outreach efforts
- Continue to manage and coordinate content for Social Media outlets
- Continued development of training for Organization Growth Implementation Plan
- Planning for Learning Management System implementation
- Ongoing FY23/24 contract management activities
- Planning for 2024 DCA alignment tours

Engineering

- Continue to respond to requests for clarification on conceptual designs, GIS features and/or quantities from DWR environmental team
- Continue engineering support of permit activities as requested by DWR environmental team
- Continue developing updated total program costs associated with the Bethany Reservoir Alternative
- Continue performing engineering studies to evaluate conceptual design assumptions and consider refinements that could reduce construction effects
- Continue supporting DCA programmatic activities
- Continue supporting DCO potential community benefits projects
- Continue review of existing Delta-wide subsurface information
- Provide engineering support to the planning of future Geotechnical Investigation Programs

Field Work

- Continue consideration of potential priority future geotechnical investigations to support continued evaluation of potential design and construction refinements
- Continue analysis of data gathered during the Spring, Summer, and Fall 2023 Investigation Programs



Section 2 | Community Engagement

Community Engagement Highlights

- Continued to work on a suite of “A Closer Look” Fact Sheets to provide in-depth information on various technical components of the project
- Continued development of summary fact sheets for participating PWAs regarding SWP reliance and usage in their region
- DCA Executive Director Graham Bradner gave a presentation to the Orange County Business Council outlining project details and its impacts on the region

We’re Connecting Everywhere!

SOCIAL MEDIA:

Total impressions: 7,802

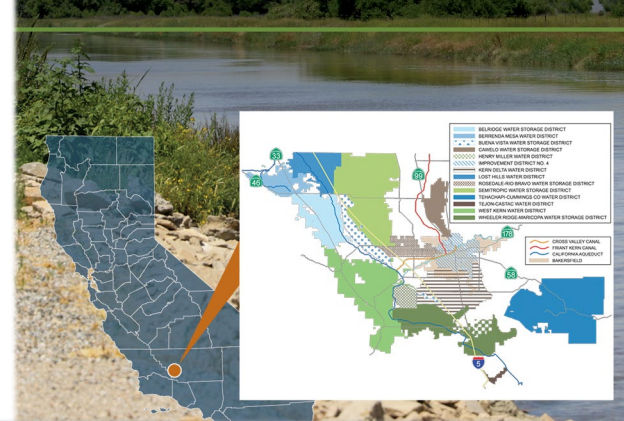
Video Plays: 250

WEBSITE VIEWS:

Overview Page: 240

Document Library: 396

KERN COUNTY WATER AGENCY



“The Delta Conveyance project provides a modernization of the State Water Project. The State Water Project is a fundamental piece of infrastructure for the economy of Kern County and the food supply for the Nation. Modernization of the State Water Project will improve the reliability of water delivery by capturing, moving and storing water to make the most of large storm events.”

Martin Milobar, Director for Kern County Water Agency / Director for the Delta Conveyance Design and Construction Authority



DCA MEMBER AGENCY



Section 3 | Budget

Budget. The FY23/24 DCA revised approved budget is \$40.44M (Table 1). Our projection is currently forecasting an Estimate at Completion budget of \$40.44M (Table 1). The DCA has committed \$32.73M (details in Table 3) and has incurred \$13.13M in expenditures through the end of December (details in Table 2). Actual and planned cash flow curves are shown in Figure 2.

Table 1 | Monthly Budget Summary (FY 23/24)

	Original Budget	Current Budget	Current Commitments	Incurred to Date	EAC	Variance (Surplus)/Deficit
Program Management Office						
Executive Office	\$ 5,382,983	\$ 5,232,983	\$ 2,892,931	\$ 943,848	\$ 5,431,006	\$ 198,023
Community Engagement	1,263,072	1,263,072	1,013,720	388,212	1,018,720	(244,352)
Program Controls	4,230,306	4,230,306	4,172,811	1,661,012	4,249,716	19,410
Administration	3,229,589	3,229,589	3,212,176	1,700,458	3,241,808	12,219
Procurement and Contract Administration	555,508	555,508	558,448	151,077	562,348	6,840
Property	570,364	570,364	569,013	204,693	570,934	570
Permitting Management	489,208	489,208	490,874	203,936	490,874	1,666
Health and Safety	488,585	488,585	480,980	146,238	488,585	-
Quality Management	391,560	391,560	393,640	118,194	393,640	2,080
Sustainability	84,344	84,344	84,240	95,698	84,344	-
Program Initiation Office						
Engineering	\$ 15,656,019	\$ 15,656,019	\$ 11,820,755	\$ 4,445,249	\$ 15,656,019	\$ -
Fieldwork	7,613,466	8,101,016	6,895,230	3,075,121	8,104,559	3,543
Initiation Fieldwork Support	-	150,000	150,000	-	150,000	-
	\$ 39,955,004	\$ 40,442,554	\$ 32,734,818	\$ 13,133,736	\$ 40,442,554	\$ -

Section 3 | Budget *continued*

Table 2 | FY 23/24 Budget Detail

Work Breakdown Structure	Original Budget	Current Budget	Commitments	Pending Commitments	Actuals Received	Remaining Budget	% of Budget Incurred	Estimate at Completion	Variance (Surplus)/Deficit
Delta Conveyance	\$ 39,955,004	\$ 40,442,554	\$ 32,734,818	\$ -	\$ 13,133,736	\$ 27,308,818	32%	\$ 40,442,554	\$ 0
Executive Office	5,382,983	5,232,983	2,892,931	-	943,848	4,289,135	18%	5,431,006	198,023
Management	2,555,988	2,555,988	2,093,127	-	727,211	1,828,777	28%	2,555,988	-
Legal	525,000	525,000	496,109	-	102,146	422,855	19%	525,000	-
Audit	18,000	18,000	18,000	-	8,194	9,806	46%	18,000	-
Treasury	37,315	37,315	45,855	-	45,855	(8,540)	123%	46,127	8,812
Human Resources	246,680	246,680	239,840	-	60,443	186,237	25%	239,840	(6,840)
Undefined Allowance	2,000,000	1,850,000	-	-	-	1,850,000	0%	2,046,051	196,051
Community Engagement	1,263,072	1,263,072	1,013,720	-	388,212	874,860	31%	1,018,720	(244,352)
Management	406,072	406,072	406,197	-	169,677	236,395	42%	406,197	125
Community Coordination	250,000	250,000	-	-	-	250,000	0%	-	(250,000)
Outreach	607,000	607,000	607,523	-	218,535	388,465	36%	612,523	5,523
Program Controls	4,230,306	4,230,306	4,172,811	-	1,661,012	2,569,294	39%	4,249,716	19,410
Management	682,311	682,311	665,181	-	230,923	451,389	34%	682,311	-
Cost Management	823,085	823,085	819,180	-	298,680	524,405	36%	823,085	-
Schedule Management	1,367,850	1,367,850	1,311,980	-	415,802	952,049	30%	1,367,850	-
Document Management	436,560	436,560	443,120	-	156,275	280,285	36%	443,120	6,560
Governance	920,500	920,500	933,350	-	559,333	361,167	61%	933,350	12,850
Administration	3,229,589	3,229,589	3,212,176	-	1,700,458	1,529,131	53%	3,241,808	12,219
Management	917,760	917,760	919,680	-	369,480	548,280	40%	919,680	1,920
Facilities	1,420,461	1,420,461	1,434,367	-	801,170	619,291	56%	1,422,061	1,600
Information Technology	891,368	891,368	858,129	-	529,808	361,560	59%	900,067	8,699
Procurement and Contract Administration	555,508	555,508	558,448	-	151,077	404,431	27%	562,348	6,840
Procurement Management	555,508	555,508	558,448	-	151,077	404,431	27%	562,348	6,840

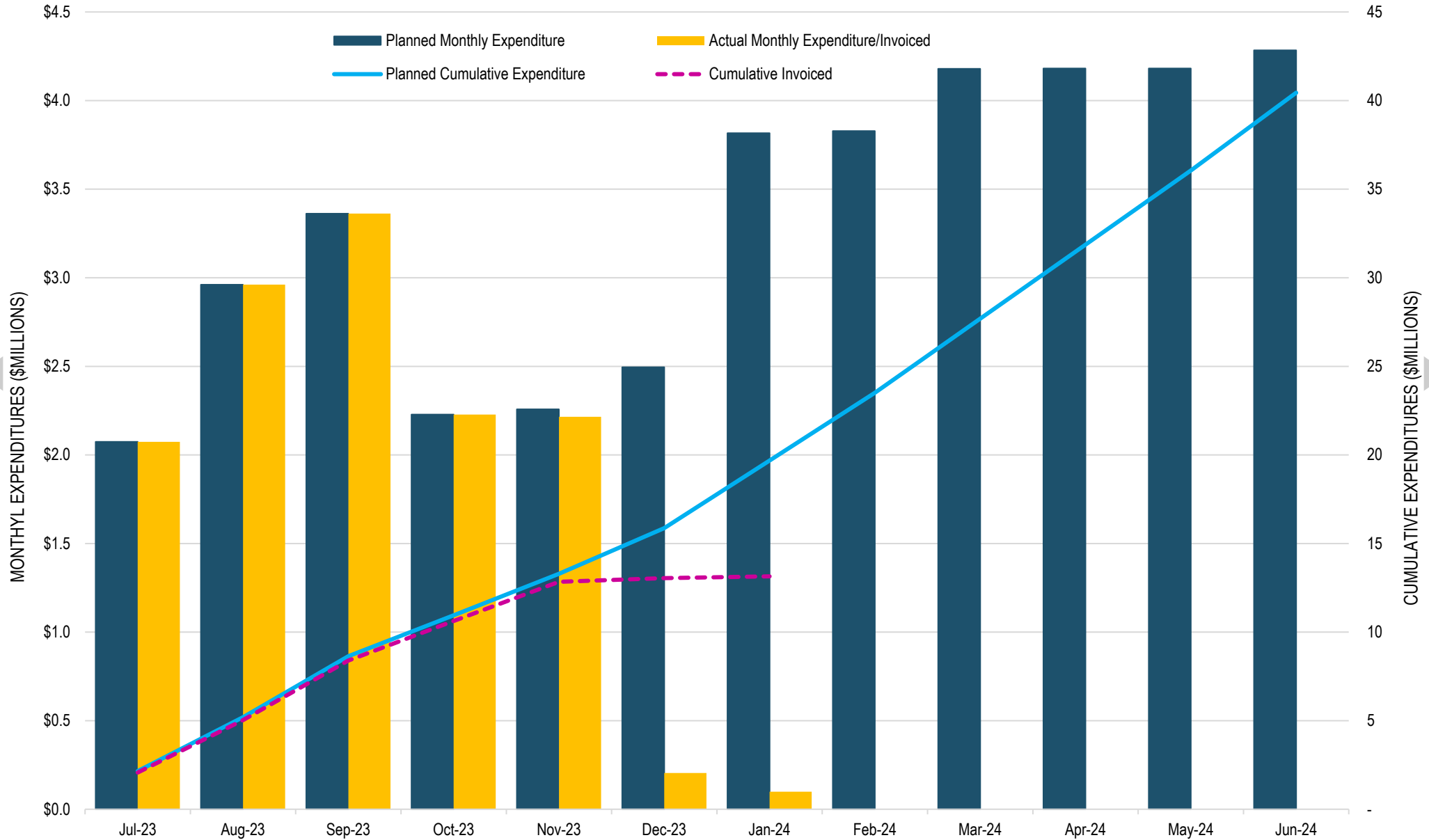
Section 3 | Budget *continued*

Table 2 | FY 23/24 Budget Detail

Work Breakdown Structure	Original Budget	Current Budget	Commitments	Pending Commitments	Actuals Received	Remaining Budget	% of Budget Incurred	Estimate at Completion	Variance (Surplus)/Deficit
Property	570,364	570,364	569,013	-	204,693	365,671	36%	570,934	570
Management	115,364	115,364	115,934	-	5,920	109,445	5%	115,934	570
Property Agents	355,000	355,000	353,079	-	150,774	204,226	42%	355,000	-
Temporary Entrance Permits	100,000	100,000	100,000	-	48,000	52,000	48%	100,000	-
Permitting Management	489,208	489,208	490,874	-	203,936	285,272	42%	490,874	1,666
Management	489,208	489,208	490,874	-	203,936	285,272	42%	490,874	1,666
Health and Safety	488,585	488,585	480,980	-	146,238	342,347	30%	488,585	-
Management	488,585	488,585	480,980	-	146,238	342,347	30%	488,585	-
Quality Management	391,560	391,560	393,640	-	118,194	273,366	30%	393,640	2,080
Management & Auditing	391,560	391,560	393,640	-	118,194	273,366	30%	393,640	2,080
Sustainability	84,344	84,344	84,240	-	95,698	(11,354)	113%	84,344	-
Management	84,344	84,344	84,240	-	95,698	(11,354)	113%	84,344	-
Engineering	15,656,019	15,656,019	11,820,755	-	4,445,249	11,210,770	28%	15,656,019	-
Management & Administration	1,019,495	1,019,495	1,003,896	-	493,283	526,212	48%	1,019,495	-
CEQA Engineering Support	941,432	941,432	931,831	-	272,636	668,796	29%	941,432	-
Facility Studies	8,831,836	8,831,836	7,425,544	-	3,679,330	5,152,506	42%	8,831,836	-
Project Definition Reports	4,863,256	4,863,256	2,459,484	-	-	4,863,256	0%	4,863,256	-
Fieldwork	7,613,466	8,101,016	6,895,230	-	3,075,121	5,025,895	38%	8,104,559	3,543
Management	1,379,135	1,379,135	1,369,023	-	375,708	1,003,427	27%	1,380,542	1,407
Geotechnical Work	5,800,000	6,287,550	5,089,740	-	2,529,642	3,757,908	40%	6,287,550	-
Environmental Monitoring	434,331	434,331	436,467	-	169,771	264,560	39%	436,467	2,136
Initiation	-	150,000	150,000	-	-	150,000	0%	150,000	-
Initiation Fieldwork Support	-	150,000	150,000	-	-	150,000	0%	150,000	-

Section 3 | Budget *continued*

Figure 1 | FY 23/24 Cash Flow



Section 4 | Contracts *continued*

Table 3 | Contract Summary

Contracts. Table 3 summarizes the status of all active commitments within the DCA for the current fiscal year. Any pending or approved commitment changes are summarized in Table 4. SBE/DVBE participation in major contracts is summarized in Table 5. Currently, there are no active procurements, see Table 6.

Contract Description	Commitment Amount		Pending Commitments		Invoiced to Date		Percent Invoiced
180005 - e-Builder, Inc.	\$	153,861	\$	-	\$	153,861	100%
180006 - Jacobs Engineering Group	\$	13,152,370	\$	-	\$	4,946,746	38%
180008 - Hamner, Jewell & Associates	\$	29,798	\$	-	\$	11,465	38%
180009 - Bender Rosenthal, Inc.	\$	303,385	\$	-	\$	134,043	44%
180010 - Associated Right of Way Services, Inc.	\$	19,896	\$	-	\$	5,265	26%
190005 - Baker Tilly US LLP	\$	299,014	\$	-	\$	299,014	100%
190009 - Parsons	\$	8,427,221	\$	-	\$	3,139,893	37%
190011 - GV/HI Park Tower Owner, LLC	\$	1,249,719	\$	-	\$	715,025	57%
190014 - 110 Holdings dba Launch Consulting, LLC	\$	360,284	\$	-	\$	129,403	36%
190019 - VMA Communications, Inc.	\$	788,400	\$	-	\$	297,400	38%
190023 - JAMBO-Silvacom LTD	\$	37,714	\$	-	\$	34,920	93%
200003 - Best Best & Krieger	\$	496,109	\$	-	\$	102,146	21%
200013 - Metropolitan Water District of S. California	\$	507,816	\$	-	\$	79,868	16%
200014 - Dept of Water Resources	\$	100,000	\$	-	\$	48,000	48%

Section 4 | Contracts *continued*

Table 3 | Contract Summary

Contract Description	Commitment Amount		Pending Commitments		Invoiced to Date		Percent Invoiced
210018 - AECOM Technical Services	\$	5,952,452	\$	-	\$	2,758,237	46%
210019 - Santa Clara Valley Water	\$	220,769	\$	-	\$	28,770	13%
220002 - Gwendolyn Buchholz, Permit Engineer Inc	\$	150,000	\$	-	\$	59,750	40%
220009 - Alliant Insurance	\$	37,043	\$	-	\$	37,043	100%
220015 - Consolidated Communications, Inc.	\$	36,000	\$	-	\$	17,081	47%
220016 - AT&T	\$	58,165	\$	-	\$	11,858	20%
230001 - Keogh Multimedia	\$	15,600	\$	-	\$	1,901	12%
230007 - onPar Advisors LLC	\$	48,622	\$	-	\$	48,622	100%
230009 - Caltronics Government Services	\$	37,650	\$	-	\$	17,599	47%
230014 - Interagency Agreement	\$	150,000	\$	-	\$	-	0%
230015 - AVI-SPL LLC	\$	23,051	\$	-	\$	13,051	57%
230016 - LuxBus America	\$	35,000	\$	-	\$	13,234	38%
Agreements <\$15K	\$	44,880	\$	-	\$	29,541	66%

Section 4 | Contracts *continued*

Table 4 | Commitment Changes

There are no Commitment Changes for this period

Table 5 | S/DVBE Status (FY 23/24)

	Commitment Amount	Invoiced to Date	Percent Committed	Percent Invoiced
Delta Conveyance	\$ 32,734,818	\$ 13,133,736		
SBE Participation	2,999,209	1,065,577	9.2%	8.1%
DVBE Participation	\$ 50,000	\$ 5,920	0.2%	0.0%

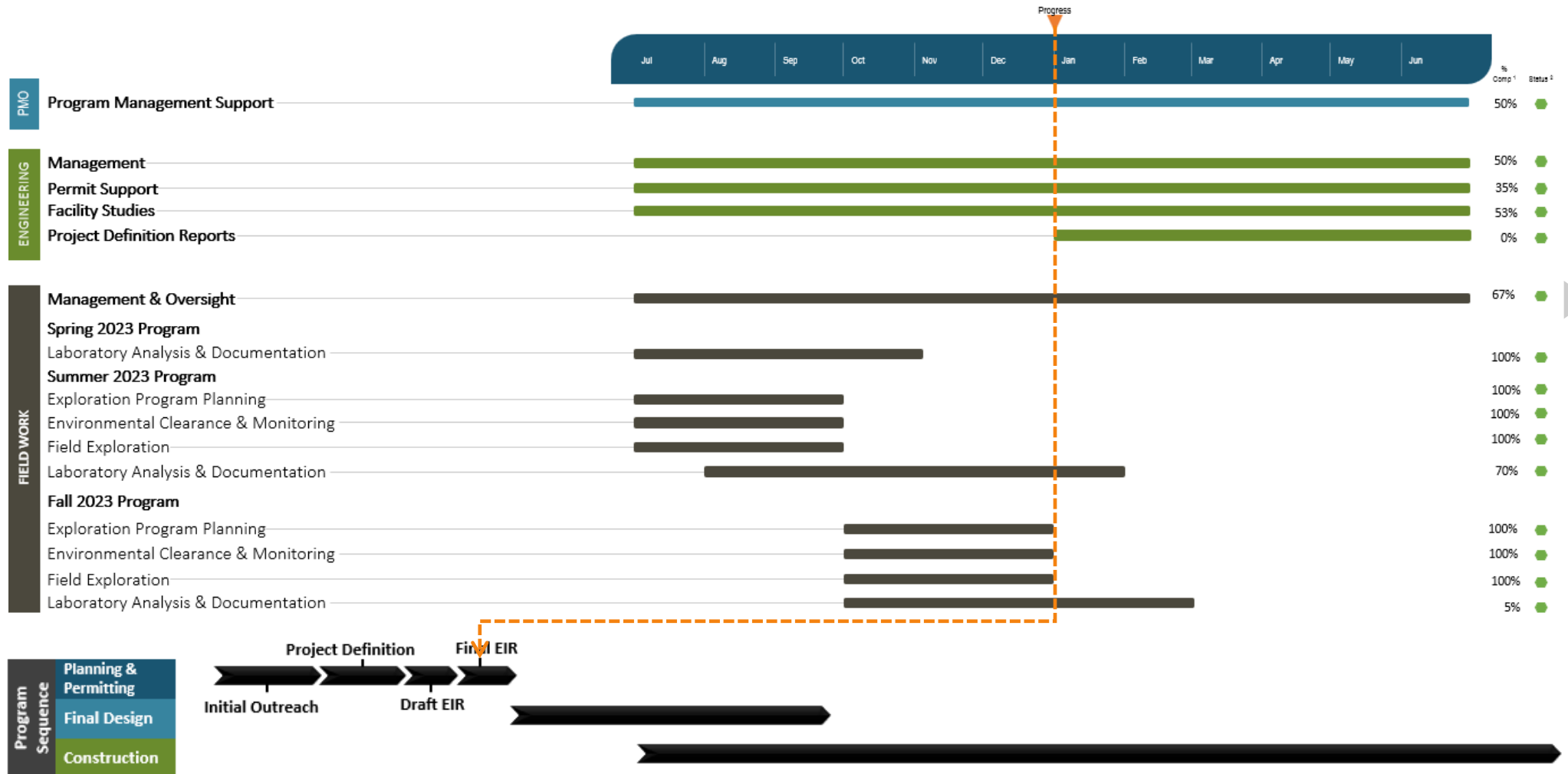
Consultant	Current Commitment	Percent of Total Commitment	Invoiced to Date	Percent Invoiced SBE/DVBE	SBE/DVBE Status
Jacobs Engineering Group	13,152,370	1.0%	4,946,746	1.0%	
Anchor	50,000	0.4%	5,920	0.1%	SBE/DVBE
JMA	25,000	0.2%	19,728	0.4%	SBE
JASpezia	50,000	0.4%	26,182	0.5%	SBE
Parsons	8,427,221	20.1%	2,585,474	21.2%	
Chaves	1,695,080	20.1%	547,975	21.2%	SBE
Associated Right of Way Services	19,896	100%	5,265	100%	SBE
Bender Rosenthal, Inc.	303,385	100%	134,043	100%	SBE
Caltronics Government Services	37,650	100%	17,599	100%	SBE
Hamner, Jewell & Associates	29,798	100%	11,465	100%	SBE
VMA Communications	788,400	100%	297,400	100%	SBE

Table 6 | Contract Procurement Summary

WBS	Contract Type	Planning/ Estimated Value	Annual Budget (FY 2023/24)	Pending Contract Value	Anticipated Term	Procurement Method	Procurement Start	Target NTP Date	Status
Executive Director Services	Reassigned Services & Consulting with Task Orders	\$12.3M	\$ 293,000	\$12.3M	Through June 2029	Direct Contract by Agreement Amendment	Dec-24	Jan-24	Complete
Executive Director Services	Services & Consulting with Task Orders	\$13M	TBD	TBD	5 year	Qualifications Based Selection	Jan-24	Feb-24	In Process

Section 5 | Program Schedule

Schedule. The Program Management Office (PMO) continues to work on program support activities as planned. The Engineering team continued to respond to requests for information associated with the certification of the Final Environmental Impact Report and progressing supplemental concept validation studies. The team also continued to support DCA programmatic activities including fieldwork, scheduling and outreach. The Fieldwork team concluded the planned aspects of the Fall 2023 Investigation Program and continued planning for potential future investigation programs.



Disclaimer: This Program Sequence is for discussion purposes only and does not represent a decision by the DCA or DWR. Final decisions about the project will be made by DWR and will NOT be made until the concluding stages of the CEQA process.

Board Memo

Contact: Graham Bradner, Executive Director

Date: January 24, 2024 Board Meeting

Item No. 7b

Subject: Discuss and potentially appoint a Director as Board Legislative Liaison.

Executive Summary:

Staff recommends that the Board discuss and potentially appoint a Director as Board Legislative Liaison.

Detailed Report:

As DWR continues to move forward with the planning phase for the Delta Conveyance Project (DCP), the DCA anticipates increased attention on the project. This will likely include questions from the Legislature and related constituencies regarding DCP: the specifics of the project, its potential benefits, etc. In its capacity as providing engineering support to DWR, the DCA is uniquely able to help answer these questions and can be a resource for conversations regarding DCP.

While DCA staff will provide assistance, any legislative education effort would likely benefit from the perspective and input of a Director. As the DCA's governing body, the Board sets policy and provides direction. In addition, Directors are representatives of their appointing agencies, which would benefit from and fund DCP. It would be helpful to have a representative of the Board working with and as part of any legislative educational effort.

Based on this, staff recommends that the Board consider appointing a Board Legislative Liaison to act as the Board's representative in any legislative educational effort. The Liaison would help oversee and coordinate the efforts and would report back to the Board, as necessary. If the Board is interested in this proposal, it can appoint a Director by motion.

Recommended Action:

Discuss and potentially appoint a Director as Board Legislative Liaison.

General Counsel's Report

Contact: Josh Nelson, General Counsel

Agenda Date: January 24, 2024, Board Meeting

Item No. 8a

Subject: Status Update

Summary:

The General Counsel continues to assist the DCA on legal matters as requested.

Detailed Report:

The General Counsel continues to provide legal assistance as requested. This has included assisting with the Joint Exercise of Powers Agreement (JEPA) amendment and the Board Legislative Liaison items on the agenda. As a follow up to our December meeting, the Department of Water Resources certified the Final Environmental Impact Report on December 23rd. Copies of the decision documents are available at <https://www.deltaconveyanceproject.com>.

We also continued to assist on confidential matters which are not appropriate to discuss in a public report.

Action:

Information, only.

DCP Communications Report

Contact: Valerie Martinez, DCA Communications Manager

Agenda Date: January 24, 2024 Board Meeting

Item No. 8b

Subject: DCP Communications Status Update

Summary:

The Communications Manager will update the Board on DCP Communication efforts.

Detailed Report:

More details on Communications efforts will be discussed.

Action:

Information, only.

DWR Environmental Manager's Report

Contact: Carolyn Buckman, DWR Environmental Manager

Date: January 24, 2024 Board Meeting

Item No. 8c

Subject: DWR Environmental Manager's Status Update

Summary:

The Department of Water Resources (DWR) is proceeding with the approved single-tunnel solution to modernizing and rehabilitating the State Water Project infrastructure in the Delta.

Detailed Report:

DWR reached an important milestone in December, releasing the Final Environmental Impact Report (EIR) on December 8th and then certifying the EIR as meeting the requirements of the California Environmental Quality Act (CEQA) and approving the Delta Conveyance Project to move forward with engineering, design and permitting on December 21st. After completing an extensive environmental review, DWR selected the Bethany Reservoir Alignment as the approved project.

The environmental review included a 142-day public comment period in which DWR received more than 700 letters and 7,000 individual comments. Outreach began in 2020 and has included a multitude of webinars, workshops, briefings, multi-language informational materials, email updates, videos, animations, tabling at local events, and a comprehensive Delta survey, in addition to the work done by the DCA in convening the Stakeholder Engagement Committee to help inform preliminary design.

Now that the environmental review under CEQA is complete and the project has been approved, DWR will take the next steps to pursue numerous state and federal permits or authorizations, including those required by the State Water Resources Control Board, the Delta Stewardship Council, and compliance with state and federal Endangered Species acts. DWR will also continue to develop a Community Benefits Program.

The U.S. Army Corps of Engineers (USACE), as part of its permitting review under the Clean Water Act and Rivers and Harbors Act, prepared a Draft Environmental Impact Statement (EIS) to comply with the National Environmental Policy Act. The Draft EIS public review period ended on March 16, 2023 and USACE is working on responding to those comments as part of the preparation of the Final EIS.

Recommended Action:

Information only.