

**RECLAMATION DISTRICT NO. 1601  
TWITCHELL ISLAND  
BOARD OF TRUSTEES MEETING  
TUESDAY, MARCH 15, 2022  
9:00 AM  
ENGINEER'S REPORT**

**I. PROJECT FUNDING AGREEMENT TW – 21 - 1.0 TIMES PROJECT**

- A. Review correspondence with the Department of Water Resources related to clearing of Berry Bushes off the levee backslope.

*EXHIBIT A: Email correspondence between DWR and KSN Inc.*

- B. Review correspondence with the Department of Water Resources related to appropriate levee setback to take into account future levee improvements along the District's Sevenmile Slough Levee.

*EXHIBIT B: Email correspondence between DWR and KSN Inc.*

**II. DISTRICTS DRAINAGE PUMP STATIONS**

- A. Review status to replace motor on Pump No 2.

*EXHIBIT C: Matt Boring of Control Point Engineering Wiring Diagram.*

*EXHIBIT D: Moorman Pump Systems updated Pump No 2 replacement proposals.*

*EXHIBIT E: Copy of previous Moorman proposals.*

**III. COMMERCIAL ABANDONED AND DERELICT VESSEL REMOVAL IMPLEMENTATION PROGRAM - LEGISLATION BY SENATOR EGGMAN (SB 1065)**

- A. Review status of proposed legislation by Senator Susan Eggman for the removal of abandon commercial and derelict vessels out of the Sacramento San Joaquin Delta.

*EXHIBIT F: Copy of Senate Bill 1065 and related articles.*

# **EXHIBIT A**

## **Christopher H. Neudeck**

---

**From:** Christopher H. Neudeck  
**Sent:** Wednesday, March 9, 2022 10:36 AM  
**To:** Kimball, Kacy@DWR; Carter, Linda (rd1601@frontiernet.net)  
**Cc:** Good, Preston D.@DWR; Jesse Barton  
**Subject:** RE: Searching for Twitchell Island levee easement

Kacy,

It appears that DWR has sorted this out yet I remain concerned about our relationship with DF&W. I plan on contacting DF&W and explaining what the Departments plan is so that there will be no confusion on our annual inspection by DF&W

---

**From:** Kimball, Kacy@DWR <Kacy.Kimball@water.ca.gov>  
**Sent:** Tuesday, March 8, 2022 10:51 AM  
**To:** Christopher H. Neudeck <cneudeck@ksninc.com>  
**Cc:** Good, Preston D.@DWR <Preston.Good@water.ca.gov>  
**Subject:** FW: Searching for Twitchell Island levee easement

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Hi Chris,

I wanted to circle back with you on the blackberry issue.... I checked with two environmental groups in DWR and they both advised we only need to perform a bird/wildlife survey in order to remove the blackberry bushes. DWR will be sending an Environmental Scientist onsite tomorrow to perform that survey. From there, we will know if there are any nests, in which we will create a buffer in the removal, or if we can remove all the blackberries.

Juan is coordinating with a contractor that will remove the blackberries after we get this information, and DWR will be paying through our Contract with the RD for this work.

Hopefully this addresses your concerns, by keeping the work and funding separate. Let me know if you have any questions or additional concerns.

Thanks!

**Kacy Kimball**  
Property Mgt and Encroachment Permit Section Manager  
Department of Water Resources  
Division of Engineering – Real Estate Branch  
715 P Street, 4<sup>th</sup> Floor

Sacramento, CA 95814  
Cell: (916) 882-1005

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**From:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Sent:** Monday, February 28, 2022 9:34 AM  
**To:** Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
**Cc:** Carter, Linda <[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)>; Jesse Barton <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>; Barry Sgarrella <[barry@solagra.com](mailto:barry@solagra.com)>; Tessa K. Marlow <[tmarlow@ksninc.com](mailto:tmarlow@ksninc.com)>; Richard E. Toy <[rtoy@ksninc.com](mailto:rtoy@ksninc.com)>; Dave C. Carr <[dcarr@ksninc.com](mailto:dcarr@ksninc.com)>  
**Subject:** RE: Searching for Twitchell Island levee easement

Otome,

I will say this is a grey area. I would recommend speaking with DF&W, but will leave this up to DWR. Berries are considered Scrub Shrub habitat and I know we have had issues with DF&W and landowner clearing on other District's



Christopher H. Neudeck, P.E.  
Vice President

7111 N. Pershing Ave. Stockton CA 95203  
p 209 946-0268 f 209 946-0296 m 209 481-0316 h 209 948-8479  
[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com) [www.ksninc.com](http://www.ksninc.com)

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**From:** Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>  
**Sent:** Monday, February 28, 2022 9:11 AM  
**To:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>; Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Cc:** Carter, Linda <[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)>; Jesse Barton <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>; Barry Sgarrella <[barry@solagra.com](mailto:barry@solagra.com)>; Tessa K. Marlow <[tmarlow@ksninc.com](mailto:tmarlow@ksninc.com)>; Richard E. Toy <[rtoy@ksninc.com](mailto:rtoy@ksninc.com)>; Dave C. Carr <[dcarr@ksninc.com](mailto:dcarr@ksninc.com)>  
**Subject:** Re: Searching for Twitchell Island levee easement

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If DWR clears the bushes and doesn't have the Delta Levee Program pay for the activities then it is not a mitigatable offense. If the DLP is charged through subventions or a PFA to pay for the activities then yes it could be mitigation. But since this activity would be for the habitat project it's a grey area.

Otome

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**From:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Sent:** Monday, February 28, 2022 8:51:26 AM  
**To:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>; Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
**Cc:** Carter, Linda (rd1601@frontiernet.net) <[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)>; Jesse Barton <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>; Barry Sgarrella <[barry@solagra.com](mailto:barry@solagra.com)>; Tessa K. Marlow <[tmarlow@ksninc.com](mailto:tmarlow@ksninc.com)>; Richard E. Toy <[rtoy@ksninc.com](mailto:rtoy@ksninc.com)>; Dave C. Carr <[dcarr@ksninc.com](mailto:dcarr@ksninc.com)>  
**Subject:** RE: Searching for Twitchell Island levee easement

Hang on a minute, **DO NOT CLEAR ANY BUSHES** without consulting with DF&W, this is likely a mitigatable expense associated with this clearing. Before anyone clears any "bushes" please contact this office so that we can consult with DF&W.



Christopher H. Neudeck, P.E.  
Vice President

711 N. Pershing Ave. Stockton CA 95203  
p 209 946-0268 f 209 946-0296 m 209 481-0316 h 209 948-8479  
[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com) [www.ksninc.com](http://www.ksninc.com)



**From:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>  
**Sent:** Monday, February 28, 2022 8:30 AM  
**To:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>; Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
**Cc:** Carter, Linda (rd1601@frontiernet.net) <[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)>; Jesse Barton <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>; Barry Sgarrella <[barry@solagra.com](mailto:barry@solagra.com)>  
**Subject:** RE: Searching for Twitchell Island levee easement

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Thank you for your quick response, Chris. I will pass this along to DU and look forward to your comments after you see their survey.

Juan, thank you for offering to clear the bushes on the levee along the north side of TIMES. That will be a huge help. Can you let me know about when that will happen? It would be good to know so we can coordinate with DU's surveyors. I will leave it up to Otome to decide the best place to pile the berries. Can you have your people make a few passes over the pile to flatten it?

# EXHIBIT B

**From:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Sent:** Friday, February 25, 2022 7:06 AM

**To:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>; Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
**Cc:** Carter, Linda ([rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)) <[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)>; Jesse Barton <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>; Barry Sgarrella <[barry@solagra.com](mailto:barry@solagra.com)>  
**Subject:** RE: Searching for Twitchell Island levee easement

John,

The setback levee in the northwestern half of the Times project is not typical of the levee improvement that will be made on the Sevenmile Slough levee since that was a new setback levee and not a rehabilitation project of an existing levee. I have attached the improvement plans for the Sevenmile Slough Improvement project to the east. This project is a typical improvement/rehabilitation project that would be what the District would apply and ultimately construct next to the Times Project on the existing levee. You can see the difference in size between a new setback levee and when you rehabilitate an existing levee.

As far as the spacing of the 5 cross sections your surveyors are going to cut, I would cut two sections through the setback levee and 3 through the existing section of Sevenmile Slough levee.

Considerations the District must make include setbacks for toe ditches and room to clean and spoil the sediment, adequate setbacks for future expansion likely a 20-foot setback from the toe of the levee, consideration for levee raising associated with sea levee rise and global warming, and setbacks for plantings near toe ditches to allow for spoilage of cleaning sediment.

I hope this gives you some idea as to how I will be reviewing this project on behalf of the District.



Christopher H. Neudeck, P.E.  
Vice President

711 N. Pershing Ave, Stockton CA 95203  
p 209 946-0268 f 209 946-0296 m 209 481-0316 h 209 948-8479  
[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com) [www.ksninc.com](http://www.ksninc.com)



**From:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>  
**Sent:** Thursday, February 24, 2022 7:36 AM  
**To:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>; Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
**Subject:** RE: Searching for Twitchell Island levee easement

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Hi Chris,

DU is planning to topo the site in the near future - we will send you the topography after we get it. Their engineer told me he didn't budget for covering the old levee slope, but he can give us 3 to 5 cross sections. Would you let us know where you need them, please? You can send a kml or scan a sketch. Much of the landside slope is covered with blackberries, and therefore inaccessible to the surveyors, so we need to coordinate removal with the RD.

Another question: Do you anticipate that your rehabilitation plan will be similar to what the RD did in 2010? After visiting the site with DU last week, our guess was that you would probably want to extend the 2010 geometry to the east, but that was just a guess. Also please let us know your needs for a temporary construction easement. For that matter, let us know of any other needs or issues that come to mind. The TIMES site is for mitigation so we need to be especially mindful of boundaries, buffer zones, maintenance requirements, plant locations, etc.

Thanks,

John

**From:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Sent:** Wednesday, February 23, 2022 12:47 PM  
**To:** Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
**Subject:** RE: Searching for Twitchell Island levee easement

Otome,

I was hoping that I would be reviewing topography from your project and then overlay the District's Levee standard and establishing the required levee right-of-way. The levee standard is a template that needs to be fit on existing topography.



Christopher H. Neudeck , P.E.  
Vice President

711 N. Pershing Ave. Stockton CA 95203  
p 209 946-0268 f 209 946-0296 m 209 481-0316 h 209 948-8479  
[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com) [www.ksninc.com](http://www.ksninc.com)



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**From:** Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>  
**Sent:** Wednesday, February 23, 2022 12:28 PM  
**To:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>; Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
**Subject:** Re: Searching for Twitchell Island levee easement



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Hi Chris,

The potential levee footprint conflicts with the goal of the TIMES project. The goal of the TIMES project is to maximize the development of advanced mitigation on DWR land for the Delta Levee Program participants. Since there isn't an easement, nor is the seven mile slough levee included in the five year plan.. I have been moving forward with the TIMES' planting plan and conservation easement. The project description and environmental documents are in the process of being developed.

Please indicate approximately how many acres the levee improvement would potentially impact on the TIME site, and approximately when the project would commence. Once I have that information, I will discuss with my project team on how or if our project description should change.

Kind regards,

Otome

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---

**From:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>

**Sent:** Wednesday, February 23, 2022 9:30 AM

**To:** Lindsey, Otome@DWR

**Subject:** FW: Searching for Twitchell Island levee easement

Hi Otome,

There is no recorded levee easement on the north side of TIMES.

The attached pdf shows KSN's plans for levee improvements on the northeast side of Twitchell. Chris Neudeck says these plans are similar to improvements planned for the north side of TIMES.

It would be good to have a short meeting with Neudeck and DU to discuss the north boundary of the project. Please invite me, I would like to attend.

Thanks,

John

---

**From:** Good, Preston [D.@DWR](mailto:D.@DWR) <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>

**Sent:** Tuesday, February 22, 2022 3:45 PM

To: Wilusz, John@DWR <John.Wilusz@water.ca.gov>  
Subject: FW: Searching for Twitchell Island levee easement

fyi

From: Christopher H. Neudeck <cneudeck@ksninc.com>  
Sent: Tuesday, February 22, 2022 2:55 PM  
To: Good, Preston D.@DWR <Preston.Good@water.ca.gov>; ibarton@gallerybartonlaw.com  
Cc: Carter, Linda (rd1601@frontiernet.net) <rd1601@frontiernet.net>  
Subject: RE: Searching for Twitchell Island levee easement

Preston,

Jesse is correct the only place there is a recorded easement is along the Federal Project levee (Thremile Slough Levee) in favor of SSJDD. I can present the Right-of-Way requirements for the TIMES project once I see the project's preliminary plans and topography. Currently the Sevenmile Slough Levee is low and in need of repair. It is low because Sevenmile Slough is a controlled waterway behind 2 dams which control the tide but ultimately the District will improve the levee to a minimum standard. To give you an idea what that ultimate standard is you can see an improved section just east of the radio tower at Levee Station 278+00 – 300+00 (Plans attached). This criterion is similar to what I will reserve adequate ROW from the Times Project. Any questions give me a call.



Christopher H. Neudeck, P.E.  
Vice President

711 N. Pershing Ave. Stockton CA 95203  
p 209 946-0268 f 209 946-0296 m 209 481-0316 h 209 948-8479  
cneudeck@ksninc.com www.ksninc.com



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From: Good, Preston D.@DWR <Preston.Good@water.ca.gov>  
Sent: Tuesday, February 22, 2022 1:42 PM  
To: ibarton@gallerybartonlaw.com; Christopher H. Neudeck <cneudeck@ksninc.com>  
Subject: RE: Searching for Twitchell Island levee easement

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Jesse,

Thank you for the info and providing me what you have.

Much appreciated,

Preston

*Preston Good  
Senior Right of Way Agent  
916.902.7609 (o)  
916.642.2887 (c)*

**From:** [jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com) <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>  
**Sent:** Tuesday, February 22, 2022 1:34 PM  
**To:** Good, Preston D. @DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Chris Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Subject:** RE: Searching for Twitchell Island levee easement

Preston:

I am unsure of which site you are referring to as the attached maps referenced several locations on the island. If you are talking about the one map that shows a parcel shaped like a mushroom, the answer is I am unaware of any written easement for the levee at that area, and for that matter along the entire Seven-Mile Slough levee system. There is a written easement for the Three-Mile Slough levee. I have attached that easement along with a picture of the map.

Very few reclamation districts have written easements for their entire levee system. Most of the time the levee rights are based upon prescriptive easement or implied dedication rights.

Jesse W. Barton  
Gallery & Barton, APLC  
1112 I Street, Suite 240  
Sacramento, CA 95814  
T: (916) 444-2880  
F: (916) 444-6915

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**From:** Good, Preston D. @DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>  
**Sent:** Tuesday, February 22, 2022 12:54 PM  
**To:** Chris Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>; [jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)  
**Subject:** FW: Searching for Twitchell Island levee easement

Chris, Jesse:

I received the email below regarding the TIMES project; DWR is looking for RD 1601's levee easement at the proposed site. I checked with DWR's Geomatics Branch and they confirmed that their records don't contain any levee easements for RD 1601 at Twitchell, but they would like to have what does exist as part of their files.

Could you please send me any documentation you may have regarding any RD 1601 levee easement(s) at Twitchell? Not sure what exists, or how many levee easements the RD has at Twitchell, but any information you could provide would be much appreciated.

Thank you,  
Preston

*Preston Good  
Senior Right of Way Agent  
916.902.7609 (o)  
916.642.2887 (c)*

---

**From:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>  
**Sent:** Thursday, February 17, 2022 9:11 AM  
**To:** Good, Preston [D.@DWR](mailto:D.@DWR) <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>  
**Subject:** Searching for Twitchell Island levee easement

Hi Preston,

Otome asked me to help her with the TIMES project, which will ultimately result in a CE to CDFW over a portion of DWR Parcel ND-7, Unit B, on Twitchell Island. The attached kmz "TIMES MIT BDY" shows the proposed site.

So, I am looking for a copy of RD 1601's levee easement over ND-7. I looked in a 1991 preliminary report, hoping to find a reference, but only found this statement in the exceptions:

"Rights of the public and/or Reclamation District No. 1601 in and to highways, roads, ditches, canals, and levees embraced within the boundaries of the land herein described."

Do you know if RD 1601 has a written levee easement? I wonder if it is prescriptive...

Any light you can shed would be appreciated.

Thanks,

John

## Christopher H. Neudeck

---

**From:** Wilusz, John@DWR <John.Wilusz@water.ca.gov>  
**Sent:** Thursday, March 10, 2022 1:20 PM  
**To:** Kris F. Nehmer; Christopher H. Neudeck; Brett A. Setness  
**Subject:** RE: Searching for Twitchell Island levee easement

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.  
Thanks, all. I will forward to DU.

**From:** Kris F. Nehmer <kneher@ksninc.com>  
**Sent:** Thursday, March 10, 2022 12:08 PM  
**To:** Chris Neudeck <cneudeck@ksninc.com>; Brett A. Setness <bsetness@ksninc.com>; Wilusz, John@DWR <John.Wilusz@water.ca.gov>  
**Subject:** RE: Searching for Twitchell Island levee easement

John,

Attached please find our survey control for Twitchell Island. The pump station survey control is the best available survey control that we currently have. The overall district survey control for the setback levee is now over 12 years old, and some of the points might not check well specifically control point no. 1 (Mack). Control point no. 2 (A969) is our primary working base station control point and that should be fine. Attached are the following.

1. PumpStationContro.pdf: An exhibit of the pump survey control from our January 2021 survey.
2. 1110-0100-PS-ControlTwtocellINAVD88.csv: A comma separated text file of the pump station survey control.
3. SetBackLeveeControlSheet.pdf: A control sheet from the 60% plans for the setback levee project.
4. Final-Survey\_Control-Report.pdf: Our 2009 survey control report for the setback levee base mapping.

I can work directly with the surveyors if there are any question.

Kris

 **KSN** **KJELDSEN**  
inC. **SINNOCK**  
Kris F. Nehmer, P.L.S.  
Land Surveying Manager  
**NEUDECK**  
CIVIL ENGINEERS & LAND SURVEYORS  
711 N. Pershing Ave. Stockton CA 95203  
p 209 946-0268 f 209 946-0296 m 209 992-0254

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**From:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Sent:** Thursday, March 10, 2022 8:55 AM  
**To:** Kris F. Nehmer <[knehmer@ksninc.com](mailto:knehmer@ksninc.com)>; Brett A. Setness <[bsetness@ksninc.com](mailto:bsetness@ksninc.com)>  
**Cc:** [John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)  
**Subject:** FW: Searching for Twitchell Island levee easement

KFN/BAS

Can you please send John our Control network for RD 1601 Twitchell Island

**From:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>  
**Sent:** Thursday, March 10, 2022 8:19 AM  
**To:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Subject:** RE: Searching for Twitchell Island levee easement

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**From:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Sent:** Wednesday, March 9, 2022 10:36 AM  
**To:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>; Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
**Cc:** Carter, Linda [[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)] <[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)>; Jesse Barton <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>; Barry Sgarrella <[barry@solagra.com](mailto:barry@solagra.com)>  
**Subject:** RE: Searching for Twitchell Island levee easement

10-4 you are welcome John

**KS INC.** **KJELDSEN SINNOCK NEUDECK**  
CIVIL ENGINEERS & LAND SURVEYORS  
Christopher H. Neudeck, P.E.  
Vice President  
711 N. Pershing Ave. Stockton CA 95203  
p 209 946-0268 f 209 946-0296 m 209 481-0316 h 209 948-8479  
[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com) [www.ksninc.com](http://www.ksninc.com)



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**From:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>  
**Sent:** Wednesday, March 9, 2022 10:35 AM

To: Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>; Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
Cc: Carter, Linda ([rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)) <[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)>; Jesse Barton <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>; Barry Sgarrella <[barry@solagra.com](mailto:barry@solagra.com)>  
Subject: RE: Searching for Twitchell Island levee easement


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Ok, thanks, Chris.

From: Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
Sent: Wednesday, March 9, 2022 9:27 AM  
To: Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>; Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
Cc: Carter, Linda ([rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)) <[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)>; Jesse Barton <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>; Barry Sgarrella <[barry@solagra.com](mailto:barry@solagra.com)>  
Subject: RE: Searching for Twitchell Island levee easement

I would suggest shifting the start section further to the west to get a representative section of the new setback levee

**KS** **KJELDSEN** Christopher H. Neudeck, P.E.  
**SINNOCK** Vice President  
**inc.** **NEUDECK** 711 N. Pershing Ave. Stockton CA 95203  
CIVIL ENGINEERS & LAND SURVEYORS p 209 946-0268 f 209 946-0296 m 209 481-0316 h 209 948-8479  
[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com) [www.ksninc.com](http://www.ksninc.com)

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From: Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>  
Sent: Wednesday, March 9, 2022 9:08 AM  
To: Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>; Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
Cc: Carter, Linda ([rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)) <[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)>; Jesse Barton <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>; Barry Sgarrella <[barry@solagra.com](mailto:barry@solagra.com)>  
Subject: RE: Searching for Twitchell Island levee easement

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Chris,

DU proposes beginning and ending the survey cross sections at the locations shown on the attached kmz's. Please let me know if these locations will work for you.

Thanks,



John

**From:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Sent:** Friday, February 25, 2022 7:08 AM  
**To:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>; Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
**Cc:** Carter, Linda ([rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)) <[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)>; Jesse Barton <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>; Barry Sgarrella <[barry@solagra.com](mailto:barry@solagra.com)>  
**Subject:** RE: Searching for Twitchell Island levee easement

John,

Here is a copy of the Setback Levee Plans that were constructed in 2007



Christopher H. Neudeck, P.E.  
Vice President

711 N. Pershing Ave. Stockton CA 95203  
p 209 946-0268 f 209 946-0296 m 209 481-0316 h 209 948-8479  
[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com) [www.ksninc.com](http://www.ksninc.com)

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**From:** Christopher H. Neudeck  
**Sent:** Friday, February 25, 2022 7:06 AM  
**To:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>; Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
**Cc:** Carter, Linda ([rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)) <[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)>; Jesse Barton <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>; Barry Sgarrella <[barry@solagra.com](mailto:barry@solagra.com)>  
**Subject:** RE: Searching for Twitchell Island levee easement

John,

The setback levee in the northwestern half of the Times project is not typical of the levee improvement that will be made on the Sevenmile Slough levee since that was a new setback levee and not a rehabilitation project of an existing levee. I have attached the improvement plans for the Sevenmile Slough Improvement project to the east. This project is a typical improvement/rehabilitation project that would be what the District would apply and ultimately construct next to the Times Project on the existing levee. You can see the difference in size between a new setback levee and when you rehabilitate an existing levee.

As far as the spacing of the 5 cross sections your surveyors are going to cut, I would cut two sections through the setback levee and 3 through the existing section of Sevenmile Slough levee.

Considerations the District must make include setbacks for toe ditches and room to clean and spoil the sediment, adequate setbacks for future expansion likely a 20-foot setback from the toe of the levee, consideration for levee raising associated with sea levee rise and global warming, and setbacks for plantings near toe ditches to allow for spoilage of cleaning sediment.

I hope this gives you some idea as to how I will be reviewing this project on behalf of the District.

**From:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>  
**Sent:** Thursday, February 24, 2022 7:36 AM  
**To:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>; Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
**Subject:** RE: Searching for Twitchell Island levee easement

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Hi Chris,

DU is planning to topo the site in the near future - we will send you the topography after we get it. Their engineer told me he didn't budget for covering the old levee slope, but he can give us 3 to 5 cross sections. Would you let us know where you need them, please? You can send a kml or scan a sketch. Much of the landside slope is covered with blackberries, and therefore inaccessible to the surveyors, so we need to coordinate removal with the RD.

Another question: Do you anticipate that your rehabilitation plan will be similar to what the RD did in 2010? After visiting the site with DU last week, our guess was that you would probably want to extend the 2010 geometry to the east, but that was just a guess. Also please let us know your needs for a temporary construction easement. For that matter, let us know of any other needs or issues that come to mind. The TIMES site is for mitigation so we need to be especially mindful of boundaries, buffer zones, maintenance requirements, plant locations, etc.

Thanks,

John

**From:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Sent:** Wednesday, February 23, 2022 12:47 PM  
**To:** Lindsey, Otome@DWR <[Otome.Lindsey@water.ca.gov](mailto:Otome.Lindsey@water.ca.gov)>; Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>; Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Mercado, Juan@DWR <[Juan.Mercado@water.ca.gov](mailto:Juan.Mercado@water.ca.gov)>  
**Subject:** RE: Searching for Twitchell Island levee easement

Otome,

I was hoping that I would be reviewing topography from your project and then overlay the District's Levee standard and establishing the required levee right-of-way. The levee standard is a template that needs to be fit on existing topography.



Christopher H. Neudeck, P.E.  
Vice President

711 N. Pershing Ave. Stockton CA 95203  
p 209 946-0268 f 209 946-0296 m 209 481-0316 h 209 948-8479  
cneudeck@ksninc.com www.ksninc.com



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**From:** Lindsey, Otome@DWR <Otome.Lindsey@water.ca.gov>  
**Sent:** Wednesday, February 23, 2022 12:28 PM  
**To:** Wilusz, John@DWR <John.Wilusz@water.ca.gov>; Christopher H. Neudeck <cneudeck@ksninc.com>; Good, Preston D.@DWR <Preston.Good@water.ca.gov>; Mercado, Juan@DWR <Juan.Mercado@water.ca.gov>  
**Subject:** Re: Searching for Twitchell Island levee easement

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Hi Chris,

The potential levee footprint conflicts with the goal of the TIMES project. The goal of the TIMES project is to maximize the development of advanced mitigation on DWR land for the Delta Levee Program participants. Since there isn't an easement, nor is the seven mile slough levee included in the five year plan.. I have been moving forward with the TIMES' planting plan and conservation easement. The project description and environmental documents are in the process of being developed.

Please indicate approximately how many acres the levee improvement would potentially impact on the TIME site, and approximately when the project would commence. Once I have that information, I will discuss with my project team on how or if our project description should change.

Kind regards,

Otome

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---

**From:** Wilusz, John@DWR <John.Wilusz@water.ca.gov>  
**Sent:** Wednesday, February 23, 2022 9:30 AM  
**To:** Lindsey, Otome@DWR  
**Subject:** FW: Searching for Twitchell Island levee easement

Hi Otome,

There is no recorded levee easement on the north side of TIMES.

The attached pdf shows KSN's plans for levee improvements on the northeast side of Twitchell. Chris Neudeck says these plans are similar to improvements planned for the north side of TIMES.

It would be good to have a short meeting with Neudeck and DU to discuss the north boundary of the project. Please invite me, I would like to attend.

Thanks,

John

**From:** Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>  
**Sent:** Tuesday, February 22, 2022 3:45 PM  
**To:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>  
**Subject:** FW: Searching for Twitchell Island levee easement

fyi

**From:** Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Sent:** Tuesday, February 22, 2022 2:55 PM  
**To:** Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; [ibarton@gallerybartonlaw.com](mailto:ibarton@gallerybartonlaw.com)  
**Cc:** Carter, Linda ([rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)) <[rd1601@frontiernet.net](mailto:rd1601@frontiernet.net)>  
**Subject:** RE: Searching for Twitchell Island levee easement

Preston,

Jesse is correct the only place there is a recorded easement is along the Federal Project levee (Threemile Slough Levee) in favor of SSJDD. I can present the Right-of-Way requirements for the TIMES project once I see the project's preliminary plans and topography. Currently the Sevenmile Slough Levee is low and in need of repair. It is low because Sevenmile Slough is a controlled waterway behind 2 dams which control the tide but ultimately the District will improve the levee to a minimum standard. To give you an idea what that ultimate standard is you can see an improved section just east of the radio tower at Levee Station 278+00 – 300+00 (Plans attached). This criterion is similar to what I will reserve adequate ROW from the Times Project. Any questions give me a call.



Christopher H. Neudeck, P.E.  
Vice President

711 N. Pershing Ave. Stockton CA 95203  
p 209 946-0268 f 209 946-0296 m 209 481-0316 h 209 948-8479  
[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com) [www.ksninc.com](http://www.ksninc.com)



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**From:** Good, Preston [D.@DWR](mailto:D.@DWR) <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>  
**Sent:** Tuesday, February 22, 2022 1:42 PM  
**To:** [jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com); Christopher H. Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Subject:** RE: Searching for Twitchell Island levee easement

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Jesse,

Thank you for the info and providing me what you have.

Much appreciated,  
Preston

*Preston Good  
Senior Right of Way Agent  
916.902.7609 (o)  
916.642.2887 (c)*

**From:** [jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com) <[jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)>  
**Sent:** Tuesday, February 22, 2022 1:34 PM  
**To:** Good, Preston [D.@DWR](mailto:D.@DWR) <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>; Chris Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>  
**Subject:** RE: Searching for Twitchell Island levee easement

Preston:

I am unsure of which site you are referring to as the attached maps referenced several locations on the island. If you are talking about the one map that shows a parcel shaped like a mushroom, the answer is I am unaware of any written easement for the levee at that area, and for that matter along the entire Seven-Mile Slough levee system. There is a written easement for the Three-Mile Slough levee. I have attached that easement along with a picture of the map.

Very few reclamation districts have written easements for their entire levee system. Most of the time the levee rights are based upon prescriptive easement or implied dedication rights.

Jesse W. Barton  
Gallery & Barton, APLC  
1112 I Street, Suite 240  
Sacramento, CA 95814  
T: (916) 444-2880  
F: (916) 444-6915

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**From:** Good, Preston D.@DWR <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>  
**Sent:** Tuesday, February 22, 2022 12:54 PM  
**To:** Chris Neudeck <[cneudeck@ksninc.com](mailto:cneudeck@ksninc.com)>; [jbarton@gallerybartonlaw.com](mailto:jbarton@gallerybartonlaw.com)  
**Subject:** FW: Searching for Twitchell Island levee easement

Chris, Jesse:

I received the email below regarding the TIMES project; DWR is looking for RD 1601's levee easement at the proposed site. I checked with DWR's Geomatics Branch and they confirmed that their records don't contain any levee easements for RD 1601 at Twitchell, but they would like to have what does exist as part of their files.

Could you please send me any documentation you may have regarding any RD 1601 levee easement(s) at Twitchell? Not sure what exists, or how many levee easements the RD has at Twitchell, but any information you could provide would be much appreciated.

Thank you,  
Preston

*Preston Good  
Senior Right of Way Agent  
916.902.7609 (o)  
916.642.2887 (c)*

**From:** Wilusz, John@DWR <[John.Wilusz@water.ca.gov](mailto:John.Wilusz@water.ca.gov)>  
**Sent:** Thursday, February 17, 2022 9:11 AM  
**To:** Good, Preston [D.@DWR](mailto:D.@DWR) <[Preston.Good@water.ca.gov](mailto:Preston.Good@water.ca.gov)>  
**Subject:** Searching for Twitchell Island levee easement

Hi Preston,

Otome asked me to help her with the TIMES project, which will ultimately result in a CE to CDFW over a portion of DWR Parcel ND-7, Unit B, on Twitchell Island. The attached kmz "TIMES MIT BDY" shows the proposed site.

So, I am looking for a copy of RD 1601's levee easement over ND-7. I looked in a 1991 preliminary report, hoping to find a reference, but only found this statement in the exceptions:

"Rights of the public and/or Reclamation District No. 1601 in and to highways, roads, ditches, canals, and levees embraced within the boundaries of the land herein described."

Do you know if RD 1601 has a written levee easement? I wonder if it is prescriptive...

Any light you can shed would be appreciated.

Thanks,

John

# **EXHIBIT C**



(E) 1200 A Copper bus

(R+R) Existing 150A MCP Breaker w/ NEW 250 IMC NEED TO REPLACE (E) LIVE SIDE CABLES w/ #250

(E) RVAT Bucket (100HP)

(N) Conduit and wire - (3) #250 w/ #4 Gnd in 2-1/2" Conduit.

(N) 125 HP RVSS

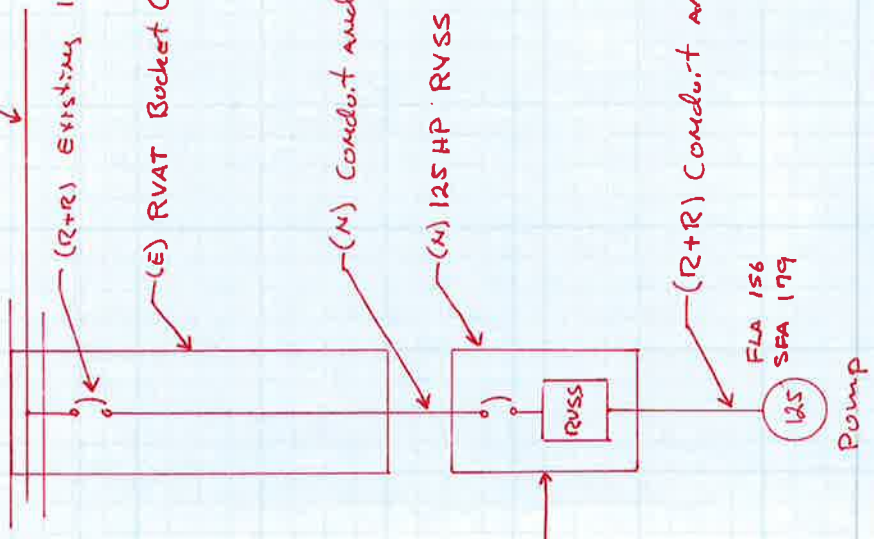
(R+R) Conduit and wire - (3) #310 + #4 Gnd in 2" Conduit

FLA 156  
SFA 179

125

Pump

Controls  
From  
PLC Panel



# **EXHIBIT D**

# Proposal



**2120 WILCOX RD.  
STOCKTON, CA 95215  
Phone: 931-3210  
Fax: (209) 931-1243  
CONTRACTORS LIC. # 468816**

**WELL DRILLING  
PUMP SALES • SERVICE • INSTALLATION  
SPRINKLER SYSTEMS  
WATER TREATMENT EQUIPMENT  
moormanswater@sbcglobal.net**

Rec District 1601 - Twitchell Island C/O Jack Wilbur 711 N Pershing Ave Stockton, CA. 95203	Island 03/10/2022	209-481-8571  Job Location: 1601 Twitchell Island Road
--	----------------------	--

- 1 New GE 100 HP hollow shaft motor 900 RPM, 460 volt 3 phase
- 1 Motor adapter plate, (old motor to new motor fit)
- 1 New head shaft with nut and key way
- 1 100 Horsepower 460 volt soft start pump panel
- 1 misc electrical

**LABOR:** Move desk & plywood West, to other side of the vent, install new soft start pump panel (when crane is on site setting the pump/motor), run conduit & wire from the existing pump panel breaker, to new soft start panel, mount where disk is currently, run new wire from soft start panel to motor, start up & check rotation, check shafts and bearings for straightness, prep assembly, reassemble pump, installation with prevailing wage labor, suction screen adaptations, load up, mobilize

Lump sum price with materials, sales tax, labor, machine work, 5 hours crane fee and freight..... \$49,780.00

*We Propose* hereby to furnish material and labor -- complete in accordance with above specifications, for the sum of: As above  
 Net 20 days from the date of the invoice,  
 Subject to credit approval.

**A FINANCE CHARGE OF 1-1/2% PER MONTH WILL BE CHARGED ON ALL PAST DUE ACCOUNTS, WHICH IS AN ANNUAL PERCENTAGE RATE OF 18%.**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature   
 Note: This proposal may be withdrawn by us if not accepted within 30 days

**Acceptance of Proposal** The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Collection cost for unpaid balance to be the customers responsibility. Equipment rights and access retained until paid in full.

SEE REVERSE SIDE FOR ADDITIONAL TERMS & CONDITIONS

Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_

Signature \_\_\_\_\_

# Proposal



**2120 WILCOX RD.  
STOCKTON, CA 95215  
Phone: 931-3210  
Fax: (209) 931-1243  
CONTRACTORS LIC. # 468816**

**WELL DRILLING  
PUMP SALES • SERVICE • INSTALLATION  
SPRINKLER SYSTEMS  
WATER TREATMENT EQUIPMENT  
moormanswater@sbcglobal.net**

Rec District 1601 - Twitchell Island  
C/O Jack Wilbur  
711 N Pershing Ave  
Stockton, CA 95203

03/10/2022

209-481-8571

Job Location: 1601 Twitchell Island Road

- 1 New GE 125 HP hollow shaft motor 900 RPM, 460 volt 3 phase
- 1 Motor adapter plate, (old motor to new motor fit)
- 1 New head shaft with nut and key way
- 1 125 Horsepower 460 volt soft start pump panel
- 1 misc electrical

**LABOR:** Move desk & plywood West, to other side of the vent, install new soft start pump panel (when crane is on site setting the pump/motor), run conduit & wire from the existing pump panel breaker, to new soft start panel, mount where disk is currently, run new wire from soft start panel to motor, start up & check rotation, check shafts and bearings for straightness, prep assembly, reassemble pump, installation with prevailing wage labor, suction screen adaptions, load up, mobilize

Lump sum price with materials, sales tax, labor, machine work, 5 hours crane fee and freight..... **\$55,000.00**

*We Propose* hereby to furnish material and labor -- complete in accordance with above specifications, for the sum of: As above  
Net 20 days from the date of the invoice.  
Subject to credit approval.

**A FINANCE CHARGE OF 1-1/2% PER MONTH WILL BE CHARGED ON ALL PAST DUE ACCOUNTS, WHICH IS AN ANNUAL PERCENTAGE RATE OF 18%.**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature

Note: This proposal may be withdrawn by us if not accepted within **30** days.

**Acceptance of Proposal** The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Collection cost for unpaid balance to be the customers responsibility. Equipment rights and access retained until paid in full.

SEE REVERSE SIDE FOR ADDITIONAL TERMS & CONDITIONS

Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_

Signature \_\_\_\_\_

# Proposal



2120 WILCOX RD.  
 STOCKTON, CA 95215  
**Phone: 931-3210**  
 Fax: (209) 931-1243  
 CONTRACTORS LIC. # 468816

WELL DRILLING  
 PUMP SALES • SERVICE • INSTALLATION  
 SPRINKLER SYSTEMS  
 WATER TREATMENT EQUIPMENT  
 moormanswater@sbcglobal.net

Rec District 1601 - Twitchell Island C/O Jack Wilbur 711 N Pershing Ave Stockton, CA 95203	03/10/2022	209-481-8571  Job Location: 1601 Twitchell Island Road
---	------------	--

Complete "New Column"/motor/tube & shaft  
 (reusing 3 year old pump)

- 1 100 HP GE motor Hollow shaft motor, 460 volt, 3 phase
- 1 24" Column assembly with new oil tube and shaft, sand blasted and epoxy coated
- 1 Head shaft, nut, oiler
- 1 Suction screen adaptions, clean up and prep
- 1 Splice kit
- 1 Electrical adaptions
- 1 100 HP soft start panel & misc electrical

Lump sum price with materials, sales tax, labor to install above materials, crane fees, freight and prevailing wage..... \$96,440.00

Upgrade to 125 HP motor & electrical panel \$4,950.00

Add for: Stainless steel bowl liner \$7,400.00

*We Propose* hereby to furnish material and labor -- complete in accordance with above specifications, for the sum of: As above  
 Net 20 days from the date of the invoice.  
 Subject to credit approval.

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Signature \_\_\_\_\_

Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_

# **EXHIBIT E**

## Christopher H. Neudeck

---

**From:** Moorman's Water Systems <moormanswater@sbcglobal.net>  
**Sent:** Monday, January 10, 2022 11:52 AM  
**To:** Dave C. Carr  
**Cc:** Barry Sgarrella; Christopher H. Neudeck; matt.boring  
**Subject:** Re: RD 1601 - Twitchell Island Pump Station Pump No. 02 Motor Replacement

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day

Greg Moorman's food for thought,  
If I think of the pump system as

A 100 watt light bulb, the light bulb draws the electricity/ demand. If the typical 100 watt light bulb uses #12 wire everything works great.

If we cannot get #12 wire but we have #10 wire (bigger wire) the light bulb still works great, and the wire is just a little heavier duty then needed. Still draws 100 watts. Somewhat similar comparison to our pump.

We are reusing the same exact 100 hp pump (light bulb) just putting bigger wire in the motor and soft start panel.

We have installed bigger motors on smaller pumps for years, especially where there are voltage problems. It has helped prevented premature failures.

What I have included in my estimate,

Tie into the breaker that feeds the existing motor starter ( disconnect the existing old motor starter)

Run new copper wire to the new soft start panel, and then to the motor.

I am planning on hooking up the automatic / Hand controls. but I may need some help.

I plan on leaving the old motor starter equipment in tack, in case it needed down the road,

if anyone wants revisions to my estimate, please let me know ??

As mentioned earlier, prices and availability are very unstable, adjustments maybe needed.

Thank You

Gregory Moorman

On Thursday, January 6, 2022, 06:21:03 PM PST, Dave C. Carr <dcarr@ksninc.com> wrote:

Greg,

On 1/5/2022 I met Matt Boring of Control Point Engineering and Rick Carter of RD 1601 on site at the pump station. The reason for the site visit was to confirm horsepower's of the existing pump motors, review pump no. 02 panels, wiring and components to ensure they were adequate to handle the load associated with your Pump 2 motor upgrade to 125 HP proposal.

All current pump controls are set for 100 HP.

The current pump motors are 100 HP.

In order to place soft start for 125 HP motor for pump 2, the conductors from the vertical buss to the existing pump 2 breaker may need to be upsized. Matt Boring will confirm the existing No. 4 wires are adequate for the installation with the electrical engineer in his office.

The existing main breaker would not need upgrade to take the load created by the new load / breaker for the 125 HP pump.

The existing breaker for pump 2 will need to be upgraded to support the loads imposed by upgrading the pump motor from 100 to 125 HP.

There would need to be new conductors sized correctly from the upgraded breaker for pump 2 to the new soft starter / panel. These are planned to be installed by Moorman. But not identified by size, please advise on conductor size.

Taking these items into account, and direction of the board at a meeting next week, we see no issues with Moorman Pump to start ordering the necessary materials and equipment to install the new pump motor. We will confirm conductor size between the vertical buss and the proposed upgraded breaker for pump 2.

Should any of the items listed here not me included in your original quote, please revise accordingly.



If you have any questions or concerns please don't hesitate to reach out and discuss.

Thanks,

Dave

**KSN** **KJELDSEN** Dave C. Carr  
INC. **SINNOCK** Construction Manager  
**NEUDECK** 711 N. Pershing Avenue Stockton CA 95203  
CIVIL ENGINEERS & LAND SURVEYORS p 209 946-0268 f 209 946-0296 m  
dcarr@ksninc.com www.ksninc.com

The trusted firm for delivering the  
right solution for our clients' needs.



# Proposal



2120 WILCOX RD.  
 STOCKTON, CA 95215  
**Phone: 931-3210**  
 Fax: (209) 931-1243  
 CONTRACTORS LIC. # 468816

WELL DRILLING  
 PUMP SALES • SERVICE • INSTALLATION  
 SPRINKLER SYSTEMS  
 WATER TREATMENT EQUIPMENT  
 moormanswater@sbcglobal.net

Rec District 1601  
 C/O Jack Wilbur  
 711 N Pershing Ave  
 Stockton, CA 95203

10/28/2021

209-481-8571

Job Location: 1601 Twitchell Island Road

### REPAIR OPTIONS

- |   |  |                   |
|---|--|-------------------|
| 1 | A) - Disassemble motor, inspect, heat rotor up and test, advise with results   | \$1,650.00        |
| 1 | B) If test good, Rec Dist wants dip and bake winding, balance rotor, assemble, test, paint, minor materials  | \$2,130.00        |
|   | 2 - bearings unknwn cost till disassembly, old motor machine work etc maybe required not included still old inefficient motor with easy rat access | \$6,000.00        |
|   | <b>Possible total</b>  | <b>\$9,780.00</b> |

OR

- |   |   |             |
|---|---|-------------|
| 2 | New GE 125 HP hollow shaft motor 900 RPM, 460 volt 3 phase<br>1 - Motor adapter plate, (old motor to new motor fit)<br>1 - New head shaft with nut and key way                          |             |
|   | Lump sum price with materials, sales tax, labor, machine work and freight.....  | \$20,880.00 |
| 3 | Check shafts and bearings for straightness and prep assembly, reassemble pump, installation with prevailling wage labor, suction screen adaptions, load up, mobilize, 5 hours crane fee | \$8,100.00  |

No repairs to column, old motor, ~~no warranties~~

Options may 'not' be possible

Work to date Not Included.

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SEE REVERSE SIDE FOR ADDITIONAL TERMS & CONDITIONS

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_

# Proposal



2120 WILCOX RD.  
 STOCKTON, CA 95215  
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WELL DRILLING  
 PUMP SALES • SERVICE • INSTALLATION  
 SPRINKLER SYSTEMS  
 WATER TREATMENT EQUIPMENT  
 moormanswater@sbcglobal.net

Rec District 1601 - Twitchell  
 C/O Jack Wilbur  
 711 N Pershing Ave  
 Stockton, CA 95203

Island  
 12/16/2021

209-481-8571

Job Location: 1601 Twitchell Island Road

- 1 125 Horsepower 460 volt soft start pump panel
- 20' 2" rigid conduit
- 4 2" rigid sweep 90's
- 8 2" rigid couplings
- 240' copper wire
- 80' #6 copper ground wire
- 8 rigid lock nuts
- 4 pvc bushings
- 1 panel support
- 1 hardware move desk & backboard

**LABOR:** Move desk & plywood West, to other side of the vent, install new soft start pump panel (when crane is on site setting the pump/motor), run conduit & wire from the existing pump panel breaker, to new soft start panel, mount where disk is currently, run new wire from soft start panel to motor, start up & check rotation

Lump sum price with materials, sales tax, prevailing wage labor & freight.....

20880.00  
 2100.00  
15,345.00

Upgrade Motor, bearing ground rings, used with a VFD option for part winding start \$2780.00

44,325.00

Attic vents are not up, we are not planning on connecting

Reminder - Pump is 100 hp +/-, upgrading motor & panel to 125 hp

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Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_

Signature \_\_\_\_\_

# **EXHIBIT F**



## Bill Text: CA SB1065 | 2021-2022 | Regular Session | Introduced California Senate Bill 1065

**Bill Title:** California Abandoned and Derelict Commercial Vessel Program.

**Spectrum:** Partisan Bill (Democrat 1-0)

**Status:** (Introduced) 2022-03-04 - Set for hearing March 22. [SB1065 Detail]

**Download:** California-2021-SB1065-Introduced.html

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

SENATE BILL

NO. 1065

Introduced by Senator Eggman

February 15, 2022

An act to add Section 528 to the Harbors and Navigation Code, and to add Sections 6112 and 6113 to the Public Resources Code, relating to vessels.

### LEGISLATIVE COUNSEL'S DIGEST

SB 1065, as introduced, Eggman. California Abandoned and Derelict Commercial Vessel Program.

Existing law establishes within the Natural Resources Agency, the State Lands Commission consisting of the Controller, the Lieutenant Governor, and the Director of Finance. Existing law vests in the commission exclusive jurisdiction over all ungranted tidelands and submerged lands owned by the state, and of the beds of navigable rivers, streams, lakes, bays, estuaries, inlets, and straits, including tidelands and submerged lands. Existing law authorizes the commission to take immediate action to remove from areas under its jurisdiction a vessel that is left unattended and is moored, docked, beached, or made fast to land in a position as to obstruct the normal movement of traffic or in a condition as to create a hazard to navigation, other vessels using a waterway, or the property of another. Existing law requires the commission, in consultation with other relevant state and local agencies directly involved in the removal of abandoned vessels, by July 1, 2019, to develop a plan for the removal of abandoned commercial vessels.

This bill would establish the California Abandoned and Derelict Commercial Vessel Program within the Natural Resources Agency, to be administered by the commission, to bring federal, state, and local agencies together to identify, prioritize, and, upon appropriation by the Legislature, fund the removal of abandoned and derelict commercial vessels from waters of the state, as defined. The bill would require the commission, as part of the program, to create an inventory of abandoned and derelict commercial vessels on the waters of the state, as provided, and develop a plan to prevent or reduce these abandoned and derelict commercial vessels.

This bill would establish the California Abandoned and Derelict Commercial Vessel Program Coordinating Council within the Natural Resources Agency, consisting of 7 voting members and up to 4 nonvoting members, as specified. The bill would require the council to oversee and provide policy direction for the program, coordinate the removal of abandoned and derelict commercial vessels, and develop a system for prioritizing the removal of the abandoned and derelict commercial vessels identified by the commission.

This bill would establish the Abandoned and Derelict Commercial Vessel Program Fund in the State Treasury and would require that, upon appropriation by the Legislature, moneys in the fund be used by the commission to fund the removal of abandoned and derelict commercial vessels pursuant to the program, as provided.

This bill would prohibit, except as specified, a commercial vessel that is at risk of becoming derelict from anchoring, mooring on, or occupying the waters of the state. The bill would authorize a peace officer, as defined, to find that a commercial vessel is at risk of

becoming derelict if the peace officer determines that certain conditions exist, including that the commercial vessel is taking on or has taken on water without a effective means to dewater. The bill would subject a person who violates this prohibition to a fine not to exceed \$1,000 per violation, and would authorize a peace officer to seize or order the removal of a commercial vessel that is at risk of coming derelict. The bill would require that all fines collected be deposited into the Abandoned and Derelict Commercial Vessel Program Fund.

## Digest Key

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

---

## Bill Text

### THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** The Legislature finds and declares all of the following:

(a) California's waterways are polluted with abandoned and derelict commercial vessels, which contain high levels of hazardous materials from both their construction and use, including solvents, asbestos-containing materials, polychlorinated biphenyls or PCBs, lead paint, batteries, and petroleum products, such as fuel, oil, oily waste, hydraulic fluid, and grease.

(b) Abandoned and derelict commercial vessels create navigation, environmental, and public health and safety hazards.

(c) Abandoned and derelict commercial vessels usually consist of ferries, tugs, barges, cranes, dredges, work boats and work platforms, and military craft that were designed and utilized for commercial work, but at end of life are often sold at auction to any willing buyer. These vessels evolve into a dilapidated condition and eventually end up in an unusable state leading the vessel to either be sunk, partially sunk, or a sinking hazard.

(d) The Sacramento-San Joaquin Delta is California's most crucial water and ecologic resource. It is the largest freshwater tidal estuary of its kind on the west coast, providing important bird habitat, among other ecological and recreational benefits.

(e) The Sacramento-San Joaquin Delta is also home to the State Water Project and the Central Valley Water Project, which provide a portion of the drinking water for 29 million Californians and irrigation water for much of the state's \$50 billion agricultural industry.

(f) While this is a statewide problem, the unique makeup of the Sacramento-San Joaquin Delta, consisting of more than 700 miles of sloughs and waterways surrounding many leveed tracts and islands, makes it a magnet for abandoned and derelict commercial vessels.

(g) Other coastal states have similarly identified abandoned and derelict commercial vessels as a problem and have created statewide programs and provided necessary authorities to identify and remove these vessels.

**SEC. 2.** Section 528 is added to the Harbors and Navigation Code, to read:

**528.** (a) Except as provided in subdivision (d), a commercial vessel that is at risk of becoming derelict, as described in subdivision (b), shall not anchor, moor on, or occupy the waters of the state.

(b) A peace officer, as described in Section 830.1 of the Penal Code or Section 851 of the Fish and Game Code, may find that a commercial vessel is "at risk of becoming derelict" if the peace officer determines that any of the following conditions exist:

(1) The commercial vessel is taking on or has taken on water without an effective means to dewater.

(2) Spaces on the commercial vessel that are designed to be enclosed are incapable of being sealed off or remain open to the elements for extended periods of time.

(3) The commercial vessel has broken loose or is in danger of breaking loose from its anchor.

(4) The commercial vessel is left or stored aground unattended in a state that would prevent the vessel from getting underway, is listing due to water intrusion, or is sunk or partially sunk.

(5) The commercial vessel poses a significant threat to public health or safety or to sensitive habitat, wildlife, or water quality, or constitutes a public nuisance.

(6) The commercial vessel is in a position to obstruct normal movement of traffic or in a condition to create a hazard to navigation or other vessels using a waterway.

(c) (1) (A) A person who anchors or moors a commercial vessel that is at risk of becoming derelict on the waters of the state, or allows a vessel that is at risk of becoming derelict to occupy the waters of the state, may be liable for a fine not to exceed one thousand dollars (\$1,000) per violation. All fines collected pursuant to this subparagraph shall be deposited into the Abandoned and Derelict Commercial Vessel Program Fund established pursuant to Section 6113 of the Public Resources Code.

(B) The imposition of a fine pursuant to subparagraph (A) shall not preclude imposition of other sanctions or remedies authorized by law.

(2) A peace officer may seize or order the removal of a commercial vessel that is at risk of becoming derelict, as described in subdivision (b). In seizing or ordering the removal of a commercial vessel pursuant to this paragraph, a peace officer shall comply with all applicable federal, state, and local laws.

(d) This section does not apply to a commercial vessel that is moored to a private dock or a wet slip with the consent of the owner for the purpose of being repaired.

(e) For purposes of this section, "waters of the state" means any surface water, including saline waters, marine waters, and freshwaters, within the boundaries of the state, but does not include groundwater.

**SEC. 3.** Section 6112 is added to the Public Resources Code, to read:

**6112.** (a) (1) The California Abandoned and Derelict Commercial Vessel Program is hereby established within the Natural Resources Agency. The program shall be administered by the commission to bring federal, state, and local agencies together to identify, prioritize, and, upon appropriation by the Legislature, fund the removal of abandoned and derelict commercial vessels from the waters of the state and, at a minimum, do both of the following:

(A) Create an inventory of all abandoned and derelict commercial vessels on the waters of the state.

(B) Develop, in coordination with the California Abandoned and Derelict Commercial Vessel Program Coordinating Council established pursuant to subdivision (b), an Abandoned and Derelict Commercial Vessel Plan to provide a strategic framework to facilitate and track actions in support of strategies that prevent or reduce abandoned and derelict commercial vessels on the waters of the state, including the Sacramento-San Joaquin Delta.

(2) For purposes of this subdivision, "waters of the state" means any surface water, including saline waters, marine waters, and freshwaters, within the boundaries of the state, but does not include groundwater.

(b) (1) The California Abandoned and Derelict Commercial Vessel Program Coordinating Council is hereby established within the Natural Resources Agency to oversee and provide policy direction for the California Abandoned and Derelict Commercial Vessel Program, coordinate the removal of abandoned and derelict commercial vessels identified by the commission pursuant to subparagraph (A) of paragraph (1) of subdivision (a), and identify commission operating and funding responsibilities for each abandoned and derelict commercial vessel site.

(2) The council shall consist of seven voting members as follows:

(A) The Executive Officer of the commission, or their designee, who shall also serve as the chairperson of the council.

(B) The Director of Fish and Wildlife, or their designee.

(C) The Director of Resources Recycling and Recovery, or their designee.

(D) The Director of Toxic Substances Control, or their designee.

(E) The Director for the California Department of Parks and Recreation, or their designee.

(F) The Executive Officer of the State Water Resources Control Board, or their designee.

(G) One local member appointed by the Delta Protection Commission, who shall be a representative from a county that encompasses a portion of the Sacramento-San Joaquin Delta.

(3) The council shall consist of up to four nonvoting members appointed as follows, if the specified federal agencies agree to do so:

(A) A representative appointed by the United States Coast Guard.

(B) A representative appointed by the United States Environmental Protection Agency.

(C) A representative appointed by the United States Army Corp of Engineers.

(D) A representative appointed by the National Oceanic and Atmospheric Administration.

(c) The council shall develop a system for prioritizing the removal of the abandoned and derelict commercial vessels identified by the commission pursuant to subparagraph (A) of paragraph (1) of subdivision (a).

(d) For purposes of this section, "commercial vessel" includes, but is not limited to, a ferry, tug, barge, crane, dredge, work boat or work platform, or military craft that was designed or utilized for commercial work.

**SEC. 4.** Section 6113 is added to the Public Resources Code, to read:

**6113.** (a) The Abandoned and Derelict Commercial Vessel Program Fund is hereby established in the State Treasury.

(b) The following moneys shall be deposited into the Abandoned and Derelict Commercial Vessel Program Fund:

(1) Any moneys appropriated by the Legislature for purposes of the California Abandoned and Derelict Commercial Vessel Program established pursuant to paragraph (1) of subdivision (a) of Section 6112.

(2) Fines collected pursuant to Section 528 of the Harbors and Navigation Code.

(c) Upon appropriation by the Legislature, moneys in the Abandoned and Derelict Commercial Vessel Program Fund shall be used by the commission to fund the removal of abandoned and derelict commercial vessels pursuant to the California Abandoned and Derelict Commercial Vessel Program established pursuant to paragraph (1) of subdivision (a) of Section 6112, in accordance with the prioritization strategy developed by the California Abandoned and Derelict Commercial Vessel Program Coordinating Council pursuant to subdivision (c) of Section 6112.





California



[Overview \(/ca/\)](/ca/)

[Legislators \(/ca/legislators/\)](/ca/legislators/)

**Bills**

Search bills and legislators...

Search

# SB 1065

Introduced in Senate

Senate

Assembly

Governor

California Senate Bill

Feb 15, 2022

• 2021-2022 Regular Session

## California Abandoned and Derelict Commercial Vessel Program.

[View Latest Bill Text \(https://leginfo.legislature.ca.gov/faces/billPdf.xhtml?bill\\_id=202120220SB1065&version=20210SB106599INT\)](https://leginfo.legislature.ca.gov/faces/billPdf.xhtml?bill_id=202120220SB1065&version=20210SB106599INT)

[Sign In to Follow \(/accounts/signup/?next=/ca/bills/20212022/SB1065/\)](/accounts/signup/?next=/ca/bills/20212022/SB1065/)

### BILL SUBJECTS

[California Abandoned And Derelict Commercial Vessel Program.](#)

### ABSTRACT

Existing law establishes within the Natural Resources Agency, the State Lands Commission consisting of the Controller, the Lieutenant Governor, and the Director of Finance. Existing law vests in the commission exclusive jurisdiction over all ungranted tidelands and submerged lands owned by the state, and of the beds of navigable rivers, streams, lakes, bays, estuaries, inlets, and straits, including tidelands and submerged lands. Existing law authorizes the commission to take immediate action to remove from areas under its jurisdiction a vessel that is left unattended and is moored, docked, beached, or made fast to land in a position as to obstruct the normal movement of traffic or in a condition as to create a hazard to navigation, other vessels using a waterway, or the property of another. Existing law requires the commission, in consultation with other relevant state and local agencies directly involved in the removal of abandoned vessels, by July 1, 2019, to develop a plan for the removal of abandoned commercial vessels.

This bill would establish the California Abandoned and Derelict Commercial Vessel Program within the Natural Resources Agency, to be administered by the commission, to bring federal, state, and local agencies together to identify, prioritize, and, upon appropriation by the Legislature, fund the removal of abandoned and derelict commercial vessels from waters of the state, as defined. The bill would require the commission, as part of the program, to create an inventory of abandoned and derelict commercial vessels on the waters of the state, as provided, and develop a plan to prevent or reduce these abandoned and derelict commercials vessels.

This bill would establish the California Abandoned and Derelict Commercial Vessel Program Coordinating Council within the Natural Resources Agency, consisting of 7 voting members and up to 4 nonvoting members, as specified. The bill would require the council to oversee and provide policy direction for the program, coordinate the removal of abandoned and derelict

commercial vessels, and develop a system for prioritizing the removal of the abandoned and derelict commercial vessels identified by the commission.

This bill would establish the Abandoned and Derelict Commercial Vessel Program Fund in the State Treasury and would require that, upon appropriation by the Legislature, moneys in the fund be used by the commission to fund the removal of abandoned and derelict commercial vessels pursuant to the program, as provided.

This bill would prohibit, except as specified, a commercial vessel that is at risk of becoming derelict from anchoring, mooring on, or occupying the waters of the state. The bill would authorize a peace officer, as defined, to find that a commercial vessel is at risk of becoming derelict if the peace officer determines that certain conditions exist, including that the commercial vessel is taking on or has taken on water without a effective means to dewater. The bill would subject a person who violates this prohibition to a fine not to exceed \$1,000 per violation, and would authorize a peace officer to seize or order the removal of a commercial vessel that is at risk of coming derelict. The bill would require that all fines collected be deposited into the Abandoned and Derelict Commercial Vessel Program Fund.

#### BILL SPONSORS (1)



**Susan Talamantes**

**Eggman**

Democratic • Senator

• District 5

**AUTHOR**

(/person/susan-talamantes-eggman-3h4UXRp0CZFe8uExE5oOce/).

## Votes

No votes to display

## Actions

**MAR 04, 2022**

**SENATE**

Set for hearing March 22.

**FEB 23, 2022**

**SENATE**

Referred to Com. on N.R. & W.

Referral-Committee

**Com. on N.R. & W.**

FEB 16, 2022

**SENATE**

From printer.

FEB 15, 2022

**SENATE**

Introduced. Read first time. To Com. on RLS. for assignment. To print.

**SENATE**

Article IV Section 8(a) of the Constitution and Joint Rule 55 dispensed with February 7, 2022, suspending the 30 calendar day requirement.

## Bill Text

**BILL TEXT VERSIONS**

**FORMAT**

SB1065

[HTML \(http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB1065\)](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB1065)

02/15/22 - Introduced

[PDF \(https://leginfo.legislature.ca.gov/faces/billPdf.xhtml?bill\\_id=202120220SB1065&version=20210SB106599INT\)](https://leginfo.legislature.ca.gov/faces/billPdf.xhtml?bill_id=202120220SB1065&version=20210SB106599INT)

## Related Documents

**DOCUMENT**

**FORMAT**

No related documents.

## Sources

Data on Open States is updated periodically throughout the day from the official website of the [California State Legislature \(http://www.legislature.ca.gov/\)](http://www.legislature.ca.gov/).

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- [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB1065](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB1065)  
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## PUBLIC NOTICE AND MEETING AGENDA

### **Delta Protection Commission**

Thursday, March 17, 2022

4:00 p.m. to 6:00 p.m. (*End time of the meeting is approximate*)

Teleconference and Web-based Meeting Only; No Physical Meeting Location  
(Authorized by Government Code section 11133 and Executive Order N-1-22)

**Phone number:** 1 888 363 4734 (US Toll Free)

**Access Code:** 425546 (press # after entering code)

Join inside of Zoom

Meeting ID: 864 8440 1735      Password: 878787

Meeting URL: [Single Click](#)

Additional information about participating by telephone or Zoom is available here:

[www.delta.ca.gov/remote-meetings](http://www.delta.ca.gov/remote-meetings)

1. Call to order and Flag Salute
2. Welcome & Roll Call
3. Public Comment – an opportunity for members of the public to address the Commission regarding items not on the Agenda
4. Report on Delta Stewardship Council activities – Chair Don Nottoli
5. Commissioner comments/announcements

#### **Consent Agenda**

6. Consider approval of January 20, 2022 meeting minutes

#### **Regular Agenda**

7. Receive Executive Director report – Erik Vink
8. Receive Delta Protection Advisory Committee (DPAC) report –Mariah Looney (DPAC Chair) and Erik Vink
  - a. Receive report on March 1, 2022 DPAC meeting
  - b. Consider adoption of revised DPAC Charter
  - c. Consider appointment to Delta Protection Advisory Committee pursuant to Public Resources Code section 29753(a)
9. Receive report on 2022 Drought in the Delta and related activities – Michael George, Delta Watermaster; Campbell Ingram, Sacramento-San Joaquin Delta Conservancy; Dante Nomellini Sr., Central Delta Water Agency
10. Consider appointment of Commission subcommittee to screen Executive Director applications – Erik Vink
11. Receive update on Caltrans Clean CA grant and consider delegation of authority to Executive Director to execute Cooperative Agreement – Kirsten Pringle

Continued on next page...

12. Consider Commission position on SB 1065 (authorizing commercial abandoned and derelict vessel removal and forming a statewide Coordinating Council) – Erik Vink
13. Receive update on Delta Stewardship Council (DSC) certification of consistency appeal process for Lookout Slough Tidal Habitat Restoration and Flood Improvement Project (Round 2) and consider endorsement of letter from Executive Director Vink to DSC – Erik Vink
14. Adjourn

### **Delta Protection Commission - Membership**

***Don Nottoli, Chair***

*Sacramento County Board of Supervisors*

***Chuck Winn, Vice Chair***

*San Joaquin County Board of Supervisors*

***Diane Burgis***

*Contra Costa County Board of Supervisors*

***John Vasquez***

*Solano County Board of Supervisors*

***Oscar Villegas***

*Yolo County Board of Supervisors*

***George Fuller***

*Cities of Contra Costa and Solano Counties*

***Paul Steele***

*Cities of Sacramento and Yolo Counties*

***Alan Nakanishi***

*Cities of San Joaquin County*

***Jim Paroli***

*Central Delta Reclamation Districts*

***Tom Slater***

*North Delta Reclamation Districts*

***Nick Mussi***

*South Delta Reclamation Districts*

***Toks Omishakin***

*CA State Transportation Agency*

***Karen Ross***

*CA Department of Food and Agriculture*

***Wade Crowfoot***

*CA Natural Resources Agency*

***Brian Bugsch***

*CA State Lands Commission*

***Ex Officio Members***

***Carlos Villapudua***

*California State Assembly*

***Susan Talamantes Eggman***

*California State Senate*

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If you have any questions or need reasonable accommodations due to a disability, please contact our office at [dpc@delta.ca.gov](mailto:dpc@delta.ca.gov) or (916) 375-4800. Attachments and additional information can be found on the Delta Protection Commission website: [www.delta.ca.gov](http://www.delta.ca.gov)

Comments submitted to [submit@delta.ca.gov](mailto:submit@delta.ca.gov) by noon on March 17 will be shared with Commissioners prior to the meeting to the extent possible. Public comments on each agenda item will follow the order of:

1) emailed comments, 2) people with “Raised Hand” inside of Zoom, and 3) those verbally requesting to make comments after notice offered by Chair during meeting.

The agenda items listed above may be considered in a different order at the Commission meeting, subject to the discretion of the Chair. At the discretion of the Commission, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action. The Commission welcomes and encourages participation in its meetings. The Commission limits testimony to not more than three minutes per person, or more time at the discretion of the Chair.



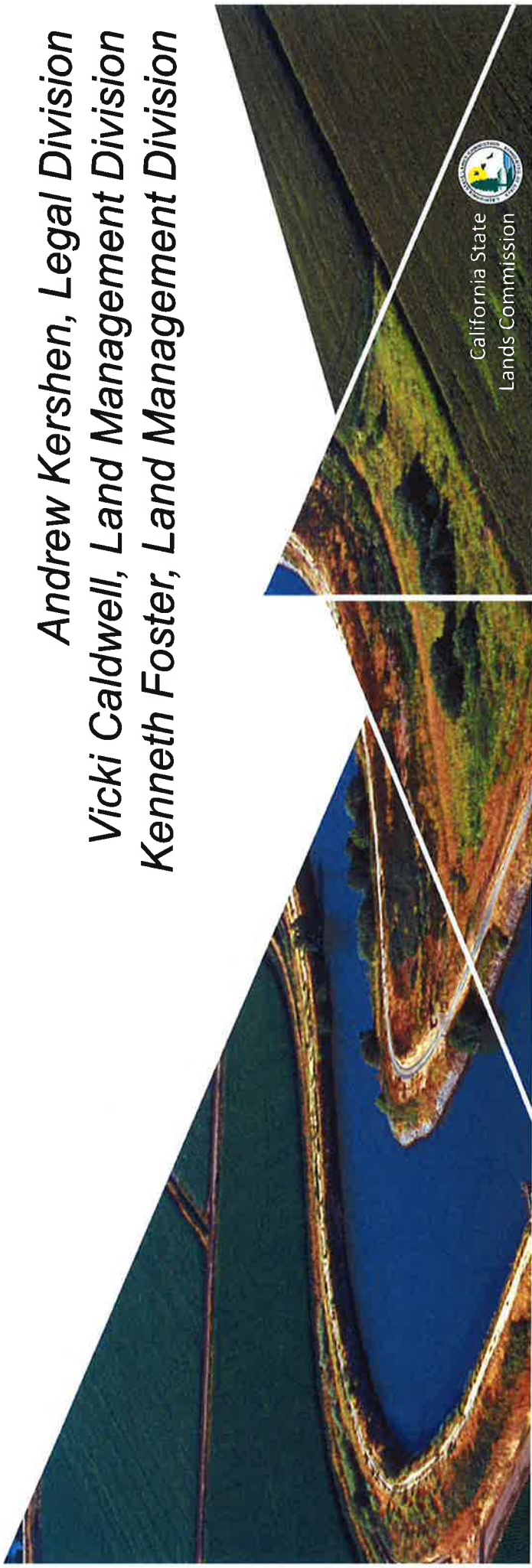




# Commercial Abandoned and Derelict Vessel Removal Implementation Program

DELTA PROTECTION COMMISSION VIRTUAL MEETING | January 20, 2022

*Andrew Kershen, Legal Division  
Vicki Caldwell, Land Management Division  
Kenneth Foster, Land Management Division*



California State  
Lands Commission

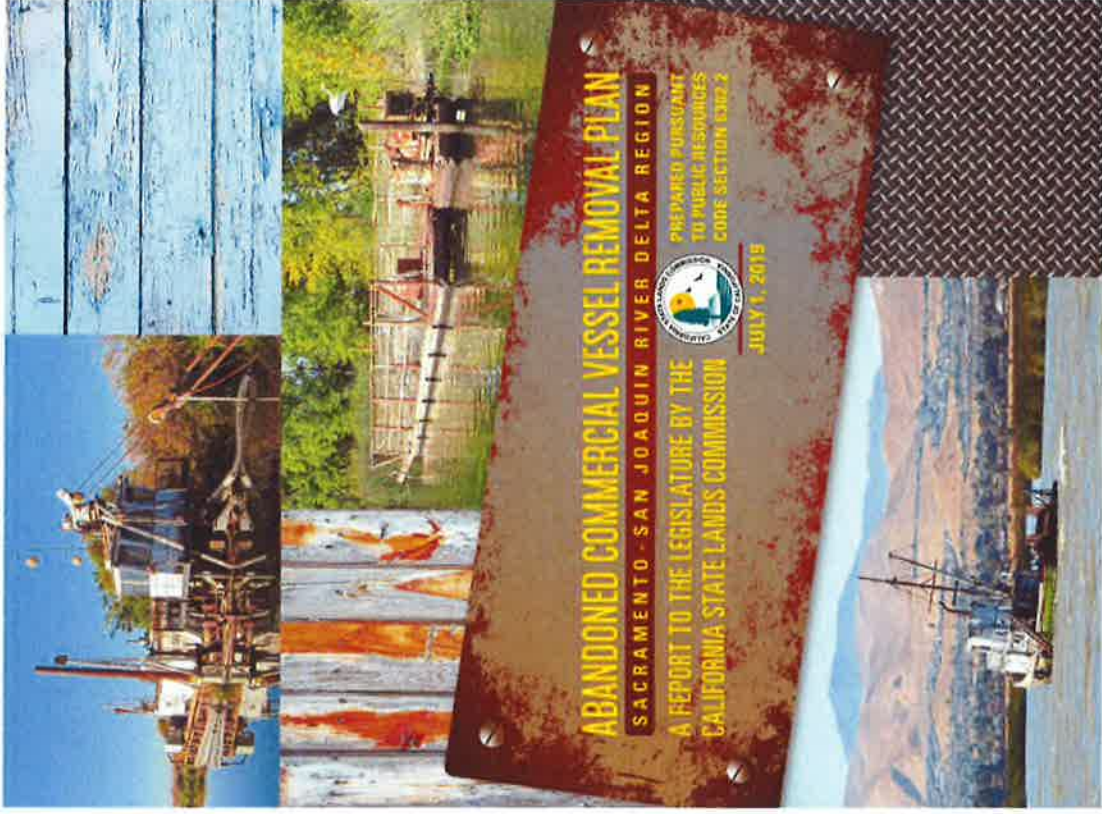


## Background

The Commission has long advocated for a state-level program to address commercial abandoned and derelict vessels (CADV) in state waters.

A significant step was taken in 2011 when the Legislature vested the Commission with the power to declare certain vessels abandoned property and to take title and direct their disposition (Wolk, SB 595; Public Resources Code section 6302 et seq.).





## Commercial ADV Plan

In 2019, the Commission prepared a plan for CADV removal in the Sacramento/San Joaquin Delta.

In 2021, the Legislature allocated \$12 million to the Commission for CADV removal.



## Limited Implementation CADV Program

### Proposed CADV Program Elements:

- Field Survey: locate and assess the current inventory of primarily CADV within the Legal Delta
- Vessel Prioritization: in conjunction with agency partners and based on criteria developed for the CADV Plan
- California Environmental Quality Act (CEQA) Analysis: prepare a programmatic environmental analysis





## **Proposed Implementation Timeline**

- February 2022: Commission consideration
- Spring 2022: Solicit bids
- By Spring 2023: survey, prioritization, and CEQA analysis completed
- Spring/Summer 2023: Legal due-process noticing for the first targeted CADVs with abatement actions starting shortly thereafter
- Staff expects the Program to continue for 3 to 5 years -- until the budget allocation is exhausted



 **THANK YOU!**

[Vicki.Caldwell@slc.ca.gov](mailto:Vicki.Caldwell@slc.ca.gov)

[Andrew.Kershen@slc.ca.gov](mailto:Andrew.Kershen@slc.ca.gov)

[Kenneth.Foster@slc.ca.gov](mailto:Kenneth.Foster@slc.ca.gov)

(916) 574-1900



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