

**RECLAMATION DISTRICT NO. 1601**  
**306 Second Street**  
**Isleton, CA 95641**

**Minutes of the Board of Trustees**  
**Regular Meeting**

**March 21, 2023**

**1. CALL MEETING TO ORDER.**

President Barry Sgarrella called the regular meeting of the Board of Trustees (Board) to order on March 21, 2023, at 9:01 a.m. ROLL CALL: In attendance: President Barry Sgarrella, Trustee Dave Huston and Trustee Preston Good. District's superintendent Mr. Ricky Carter Sr., District's engineer Mr. Chris Neudeck, District's attorney Mr. Jesse Barton and District's accountant/treasurer Mrs. Perla Tzintzun-Garibay with Butterfield and Company. Also attending Mr. Ricky Carter Jr., Mr. Casey Stockon, Mr. Jas Gill, and Mr. Richard Silva.

Attending by conference call, District's secretary Mrs. Linda Carter, Ms. Otome Lindsay and Mr. Grayson Sandy.

**2. PUBLIC COMMENT: ANY PERSON MAY SPEAK ON ANY TOPIC INCLUDING ANY AGENDA ITEM LISTED BELOW, PROVIDED IT IS WITHIN THE JURISDICTION OF RD 1601.**

Mr. Jesse Barton told the Board that Mr. Cole Bakke, Mr. Joe Mattos grandson would like to have the board of trustees to consider approving a lease for his sheep to graze on the levees on Twitchell Island. In the past Mr. Mattos has had the sheep grazing on the levees without a written agreement or lease. The Board will also need to consider if Mr. Mattos name needs to replace with Mr. Bakke on the lease, Mr. Mattos also leases the south end (Chevron Point) of the District's property.

**3. MINUTES REGULAR MEETING.**

Trustee Good entertained a motion to approve the February 21, 2023, regular meeting minutes and the March 8, 2023, special minutes as written, motion was seconded by President Sgarrella VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

**4. ACCOUNTS PAYABLE.**

Mrs. Perla Tzintzun-Garibay went over the accounts payable, accounting notes and financial statements with the Board. President Sgarrella reviewed the accounts payable before today's meeting. Mrs. Perla Tzintzun-Garibay also noted the following payments made between meetings:

On February 22, 2023, check 12285 for \$2,000 to Blackwater Diving (replace lost check 12239). On March 7, 2023, EFT payment to PERS for \$2,750.27, due to the timing of the due date. On March 9, 2023, check 12286 for \$3,274 to SWRCB for

permit fees relate to APAP. On March 16, 2023, deposited \$131.67 RD 536 March rent payment.

Mrs. Perla Tzintzun-Garibay went over the unpaid invoices with the Board.

After some discussion President Sgarrella entertained a motion to approve accounts payable of \$152,729.13, (invoices that were presented today) and the transfer of \$165,000.00, from Bank of Stockton 1878 (General Account) into the Bank of Stockton 4201 (Checking Account), and to pay the invoices presented today, motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

After some discussion President Sgarrella entertained a motion to approve the transfer of \$22,855.36, from Bank of Stockton 3167 TW 21-1 TIMES, into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried

After some discussion President Sgarrella entertained a motion to approve the transfer of \$17,838.19, from Bank of Stockton 2223 SMFA –Wetland Dev., into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried

Account Receivable: DWR Trust \$9,979.75

Account Receivable: SWP Right of Way Management: \$6,245.10

Special Project Invoices Pending Approval: \$51,955.45

Subventions Claim FY 2020-2021: \$211,586; Expected Reimbursement: \$158,689

Subventions Claim FY 2021-2022: \$186,888; Expected Reimbursement: \$131,241

**5. BOARD TO CONSIDER AND POSSIBLY APPROVE RESOLUTION (2023-03), FOR CATEGORICAL EXEMPTIONS FROM CEQA FOR ROUTINE MAINTENANCE, RECLAMATION DISTRICT 1601 (2023-2024).**

Mr. Jesse Barton explained to the Board that claiming a categorical exemption from CEQA for routine maintenance District is an annual occurrence. After some discussion President Sgarrella entertained a motion to approve Resolution (2022-06), which declares the District categorically exempt under CEQA for routine maintenance, motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried

**6. BOARD TO DISCUSS PHASING OUT SOME OF THE DISTRICT'S OLD EQUIPMENT.**

Mr. Ricky Carter Sr passed out a list of the District's owned equipment and the respective tiers for diesel motors. The District's excavator, D-4 dozer and Hesston tractor needs to be cycled out of the District's inventory. The harvester on the list is used for the rice project. The 2013 New Holland tractor that Mr. Bryan Brock purchased is on Sherman Island and is used for DWR's projects. The Board felt that the New Holland tractor needs to be returned to Twitchell Island and or the tractor needs to be taken off the Districts books and insurance policy.

At this time the District also has a 2005 Hitachi Excavator, 1993 Caterpillar Dozer and 2013 Kubota Tractor, they are working fine. President Sgarrella suggested to the Board

to run the equipment until they don't run anymore and in the meantime look around for replacements. President Sgarrella asked Mr. Jesse Barton to check into the legal side of the tiers program for diesel motors for exemptions for public agency. And to find out what happens if you use old equipment that does not meet the tiers limit.

Mr. Barton will contact Mr. Bryan Brock and find out about the New Holland tractor and whether, it needs to be taken off the Districts books.

**7. BOARD TO RECEIVE AN UPDATE ON THE DISTRICT'S NPDES SPRAY PERMIT.**

President Sgarrella reported to the Board that Blankenship and Associates are working on the District's NPDES spray permit. The spray permit application has been submitted to the State Water Board and has been published. It will be on their site for 30 days. The Notice of Intent Water Quality Order No. 2013-0002-DWQ General Permit No. CAG990005 and the District's Aquatic Pesticide Application Plan (APAP) was also posted on the District's website. The District should have the permit in 30 days. Before and after each spray Blankenship will need to come and take water sample and send it to a lab. They will do an annual report for the State Water Board. There will be drone spraying expenses. It is expected that this approach will work better than spraying from a boat. The permits list drone, sprayer or by boat for method of spraying.

**8. BOARD TO HEAR AN UPDATE AND DISCUSS THE SHARED USE OF ITS PG&E ELECTRICAL METER.**

Mr. Jesse Baton told the Board that Mr. Bruce Gornto is off the District's meter.

Mr. Jas Gill told the Board NOAA called and told him they are looking for a local electrician. They also want to talk with President Sgarrella and have him explain the billing the District sent them. President Sgarrella told the Board the figurers may need to be adjusted.

**9. BOARD TO DISCUSS AND POSSIBLY APPROVE AN INJURY PREVENTION PLAN.**

Mr. Jesse Barton passed out a copy of the Injury Prevention Plan for the Board to review. Mr. Barton told the Board that this District does not have a plan on file. After some discussion President Sgarrella entertained a motion to approve the District's Injury and Illness Prevention Program for Non-Hazard Employees with one correction to paragraph 1, change it to read, Reclamation District 1601, motion was seconded by Trustee Good VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried

**10. PROJECT FUNDING AGREEMENT TW-21-1.2, BOARD TO HEAR AN UPDATE ON THE PROJECT FUNDING AGREEMENT FOR THE PLANNING, ENGINEERING, AND CONSTRUCTION OF THE TWITCHELL ISLAND MITIGATION AND ENHANCEMENT SITE (TIMES) PROJECT (EXPIRES 12/31/2027). THE BOARD WILL HEAR AN UPDATE ON RIGHT-OF-WAY ISSUES.**

Ms. Otome Lindsay reported to the Board that DWR are still working on this project.

Mr. Jas Gill acquired the signed release form by DWR for the boring study. Ms. Lindsay told the Board DWR is addressing the tribal cultural resources (AB 52) letter. Ms. Lindsay told the Board that the District will need to sign a letter for the tribal cultural resources (AB 52), and get it back to DWR. After some discussion Trustee Good entertained a motion to approve President Sgarrella to DocuSign the letter to the tribal cultural resource (AB 52) compliance, motion was seconded by President Sgarrella, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried. Ms. Lindsay reported to the Board that the TIMES field has been sprayed, last week for broad leaf and thistle. In the fall they will be spraying for Bermuda grass. Mr. Ricky Carter Sr. saw them out spraying last week, but due to the rains they may need to come and spray again. Mr. Grayson Sandy reported to the Board that there will be some people coming out to do nesting birds studies and surveys. A survey trainer will be taking two groups of people on two separate times in April to teach them how to find bird nests. They will be driving in State owned vehicle. Mr. Jesse Barton said as long as they stay on the levees with their cars it should be okay. They will need to call Mr. Ricky Carter Sr. before they come, so Mr. Carter Sr. can have the gates open.

**11. DWR AGREEMENT “SUBSIDENCE MITIGATION FUNDING AGREEMENT” (SFMA) (WETLAND DEVELOPMENT/SUBSIDENCE REVERSAL AND CARBON SEQUESTRATION PROJECT) (EAST END AND RICE PROJECT) (SFMA EXPIRES 12/31/2024). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.**

Nothing to report.

**12. PROJECT FUNDING AGREEMENT TW-18-1.0-SP-(EXPIRES 3-31-2023). BOARD TO HEAR AN UPDATE ON THE DELTA LEVEES SPECIAL FLOOD CONTROL PROJECT PROGRAM FIVE YEAR PLAN AGREEMENT.**

Mr. Chris Neudeck reported to the Board that the response to the five year plan comments were sent back to DWR last Friday.

**13. BOARD TO HEAR AN UPDATE AND DISCUSS EXPLORING A SOLAR POWER ALTERNATIVE TO POWER THE RD 1601 PUMP STATION. BOARD MAY AUTHORIZE HIRING A SOLAR CONSULTANT TO SUBMIT A PG&E INTERCONNECTION APPLICATION FOR THE PROPOSED RD 1601, FUTURE SOLAR ARRAY TO AVOID THE NEM2.0 VS NEM3.0 CONFLICT.**

President Sgarrella went over with the Board a copy of the February 2023 PGE invoice. The total invoice was \$11,459.60 for the month of February. The cost is high due to a major pumping effort required by all of the rain. Mr. Ricky Carter Sr. called President Sgarrella and informed that he had to run the pumps at high peak due to the high water levels. MAX Peak charges = \$84.62. Extra Peak charge = \$10.92. Demand Charge = \$2,060.35. President Sgarrella will be taking pictures of the District’s pump station after today’s meeting.

**14. ENGINEER’S REPORT:** Mr. Chris Neudeck’s engineering report is attached to the minutes.

I. AB 360 Delta Levee Subventions Program

- A. Mr. Neudeck reviewed with the Board the timing of maintenance rock slope protection on the District's levee between Levee Stations 450+60 to 588+10. Dutra placed the rock. This happens every 4 to 5 years: the rock needs to be replaced.

Exhibit A: KSN Inc., Daily Field Report and Photos of RSP Installation

Exhibit B: Plans of Erosion Repairs.

II. Delta Levee Subventions Project-Special Project Multi-benefit PSP.

- A. Mr. Neudeck reviewed with the Board the concept proposal application and asked the Board for approval for authority to submit the full proposal. After some discussion, President Sgarrella entertained a motion authorizing Mr. Chris Neudeck to submit the full concept proposal application provided DWR endorses the District's concept proposal, motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good; NOES: None; ABSTAIN: None; ABSENT: None, motion carried.

Exhibit C: Concept Proposal Application submitted February 24, 2023.

III. TIMES Project

- A. Look under item number 10.

Exhibit D: Email correspondence with DWR regarding approval of landowner for Geotechnical Explorations.

**15. SUPERINTENDENT REPORT: Mr. Ricky Carter Sr.**

- Routine levee patrols daily.
- Checked pumps and oil in the pumps at pump station daily.
- Called and stopped rental on the Gen Set generator.
- Purchased new tires and alignment for the 2016 Ford
- Went to herbicide class in Woodland.
- Delivered Emergency Declaration and signed contracts to KSN.
- Purchased ink for printer.
- Attended RD 1601 Special Meeting in Isleton.
- Called Mr. David Julian to remind him to place equipment in the barn.
- Worked on pricing for the District's equipment.
- On March 8, 2023, made storm patrols with Mr. Ricky Carter Jr during storm activity.
- On March 9, 2023, turned on pumps 1 and 2 by hand.
- Spotted for Mr. Ricky Carter Jr., while he used the District's long reach excavator to clean the crossings (3 locations).
- On March 13, 2023, levee patrols all day due to high winds and rain.
- Worked on Mr. Ricky Carter Jr.'s evaluation.
- Placed the new position on Indeed.

**16. CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
TITLE: MAINTENANCE WORKER/OPERATOR.**

Closed Session: 10:30 am

Open Session: 11:20 am No reportable action taken.

**17. BOARD TO DISCUSS AND POSSIBLY AUTHORIZE AN ADVERTISEMENT SEEKING AN ADDITIONAL MAINTENANCE WORKER/OPERATOR.**

Mr. Jesse Baton told the Board that it is no secret that Mr. Ricky Carter Sr, plans on retiring from the District as the District's superintendent, on August 1, 2023. The Board will need to consider hiring someone while Mr. Ricky Carter Sr. is still here.

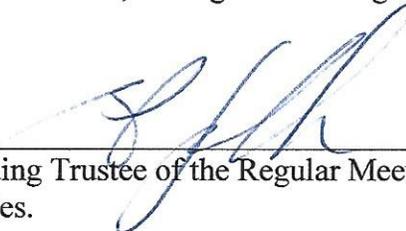
After some discussion Trustee Huston entertained a motion authorizing Mr. Ricky Carter Sr. to advertise a for a new maintenance worker/operator/assistant superintendent on Indeed, motion was seconded by President Sgarrella, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

President Sgarrella thanked Trustee Preston Good for his services on the District's board of trustees. Trustee Good and his wife are relocating to Italy.

A notice of vacancy will be posted.

**20. ADJOURN:**

The regular meeting of the Board of Trustees will be called to order April 18, 2023, at 9:00 am, the regular meeting was adjourned at 10:30 am.



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Presiding Trustee of the Regular Meeting March 21, 2023, certifies the above Minutes.



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Secretary