

# RECLAMATION DISTRICT NO. 1601

306 Second Street  
Isleton, CA 95641

## Minutes of the Board of Trustees Regular Meeting April 19, 2022

### Meeting held by teleconference consistent with AB361.

#### 1. CALL MEETING TO ORDER.

Trustee Preston Good called the regular meeting of the Board of Trustees (Board) to order on April 19, 2022, at 9:04 a.m. ROLL CALL: In attendance: President Barry Sgarrella (9:10 am), and Trustee Preston Good. District's Superintendent Mr. Ricky Carter Sr., District's engineer Mr. Chris Neudeck, District's attorney Mr. Jesse Barton, District's accountant/treasurer Mrs. Perla Tzintzun-Garibay with Butterfield and Company. Mr. Ricky Carter, Jr., Mr. Brandon Wilson, Mr. Edward Hard, Mr. Jeff Caudill, Mr. Marty Scholl, Mr. John Wilusz and Mr. Juan Mercado Jr.. Attending by conference call, District secretary Mrs. Linda Carter. Trustee Dave Huston, Ms. Otome Lindsey and Ms. Elizabeth Davis.

#### 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.

The Board realized that there would not be a quorum for the District's regular meeting to be held on May 17, 2022. After some discussion it was decided by the Board to move the regular meeting to May 25, 2022, as a special meeting.

#### 3. MINUTES REGULAR MEETING.

Trustee Good entertained a motion to approve the March 15, 2022, regular meeting minutes as written, motion was seconded by Trustee Huston VOTE: AYES: Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: President Sgarrella, motion carried.

#### 4. ACCOUNTS PAYABLE.

Mrs. Perla Tzintzun-Garibay went over the accounts payable, accounting notes and financial statements with the Board. Trustee Good reviewed the accounts payable before today's meeting. Mrs. Garibay also noted the following payments made between meetings: On April 7, 2022, EFT payment to PERS for \$1,718.41 due to the timing of the due date. On April 15, deposit \$311.67 for RD No. 536 April rent. After some discussion President Sgarrella entertained a motion to approve accounts payable of \$51,710.91, and the transfer of \$65,000, 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 Good, 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 \$5,868.00, from Bank of Stockton 1597 TW 14-1, into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Good, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

**5. BOARD TO HEAR A PRESENTATION FROM MR. MARTY SCHOLL WITH THE SACRAMENTO-YOLO MOSQUITO AND VECTOR CONTROL DISTRICT.**

Mr. Marty Scholl with the Sacramento-Yolo Mosquito and Vector Control District gave the Board a presentation on what the Yolo Mosquito and Vector Control District does and what they are all about. He also talked about the district using drones to spray for mosquito and vector control as well as herbicide to control water hyacinth and other water born invasive species. Last year their drone program sprayed 5,000 acres primarily for mosquito and vector control. They not only use the drones for spraying, but to preform imaging surveys and taking pictures. They can determine if irrigation water is being used and how much by doing the imaging surveys. The cost for drones can range from \$10,000 to \$50,000. Last year they sprayed 5,000 acres of pesticides using a typical load of one gallon per acre. They spray from 20 to 60 feet in the air. The drones can spray liquid and granules. The drones can hold from 20-50 pounds per load. Mr. Scholl went over with the Board the rules the Federal Aviation Administration (FAA), has for flying drones. If your drone weighs 55 pounds or more you must register it with the FAA.

Mr. Scholl told the Board that in the state of California you will need a pesticides application permit and a commercial pilot's license or hold a gold card. Mr. Scholl suggested to the Board hiring someone to spray, see if they work out then hire them to do the drone spraying for the District. Mr. Scholl told the Board that when the District plans to clean vegetation out of an area that holds water, he would like to be notified. Mr. Scholl will give the Board contact information for companies that do pesticides applications by drones. Mr. Scholl told the Board that he or someone from his office comes to Twitchell Island every two weeks to check on the rice project and the wetlands. During the summer months they are here at least once a week. They have different techs for different zones. Twitchell Island and Sherman Island or one zone and one tech visits each of the islands. They may come at night when the sun sets to midnight during the summer months. They have not used drones on Twitchell Island. There is no cost to the District, DWR or the private landowners for their services.

**6. BOARD TO DISCUSS AND POSSIBLY PURCHASE A DRONE FOR THE USE OF SPRAYING HERBICIDES ALONG THE DISTRICT'S CANAL, TOE DITCHES AND SEVENMILE SLOUGH.**

President Sgarrella told the Board based on the information Mr. Marty Scholl provided to the Board, the District should contact a contractor or contractors, who have the proper licenses to perform agriculture pesticides applications by drones, and get a bid to spray the District's C-1 canal. After some discussion it was decided by the Board that President Sgarrella and Mr. Jesse Barton will do some research on the District's

NPDES spray permit, to determine if the permit can be used for drone spraying of the District's canal along with Sevenmile Slough, the method of spraying and if the type of spray can be amended in the NPDES permit. Mr. Ricky Carter Sr. will contact the contractor and ask them to give the District a quote for spraying the District's C-1 canal and ask the contractor to attend the District's May meeting.

**7. BOARD TO HEAR FROM MR. EDWARD HARD WITH CALIFORNIA STATE PARKS AND RECREATION.**

Mr. Ricky Carter Sr. told the Board that he had tried several times to contact someone from California State Parks Division of Boating and Waterways to come back and spray Sevenmile Slough. Mr. Edward Hard with the California State Parks and Recreation is here today to speak to the Board about their spraying program. Mr. Hard told the Board that the funds for the spraying program have been cut, it cost \$5,000 per acre to remove water hyacinth using mechanical harvesting. The department is focusing on the Delta. Mr. Carter Sr., told Mr. Hard that B&W boats have not sprayed Sevenmile Slough for several years, but there are 7 siphons owned by DWR, 2 owned by private landowners. Mr. Chris Neudeck told the Board that Sevenmile Slough should be of special interest to Boating and Waterways as it acts as a nurse. The water comes in on the east end and the water goes out on the west end carrying the water hyacinth seeds out of the slough into the Delta. Mr. Carter Sr., told the Board that Mr. Vince Chavier one of DWR's tenants, has to hire a diver to unplug the siphon he uses to water his crop. President Sgarrella, Mr. Barton and Mr. Ricky Carter Sr., will review the District's NPDES spray permit, to see if it can be amended.

**8. BOARD TO REVIEW AND POSSIBLY APPROVE DISTRICT'S INSURANCE POLICY RENEWAL FOR PERIOD 5/1/22-5/1/23.**

The District's General Liability and Auto Insurance policies with Dohrman Insurance expires on May 1st. Mrs. Perla Tzintzun-Garibay explained to the Board that the person who was in charge at the Dohrman Insurance has left and the person we use to work with is now working in a different department. She was told she would have the quote yesterday before today's meeting, she did not receive the quote from Dohrman Insurance. After some discussion the Board gave Mr. Jesse Barton approval to contact Mr. Greg Dohrman with Dohrman Insurance asking if the District could get a 30 day binder and find out what the premiums will be for this year. The District may need to seek find a new insurance company.

**9. BOARD TO CONSIDER AND POSSIBLY APPROVE RESOLUTION (2022-06), FOR CATEGORICAL EXEMPTIONS UNDER CEQA FOR ROUTINE MAINTENANCE, RECLAMATION DISTRICT 1601.**

Mr. Jesse Barton explained to the Board that claiming a categorical exemption from CEQA for routine maintenance District is an annual posting. After some discussion President Sgarrella entertained a motion to approve Resolution (2022-06), which declares the District categorical 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.

**10. BOARD TO DISCUSS PONDING OF WATER BETWEEN DWR'S EAST-END PROJECT AND THE DISTRICT'S TOE DITCH AT LEVEE STATION 430+00.**

Mr. Juan Mercado Jr., requested this matter to be placed on the agenda and President Sgarrella approved the placement. Mr. Mercado Jr., told the Board that there is a problem of water ponding at the East-End project. The project had to hire Carter Fisher to clean ditches from the District's C-4 Canal to the project. Mr. Ricky Carter Jr., cleaned C-4 Canal. The ditches are part of the East-End project. Mr. Ricky Carter Sr., pointed out on the District map the red lines that represents the toe ditches that are the District' responsibility to be cleaned by the District. Carter Fisher was hired by DWR to clean the ditches parallel to the toe ditches. Mr. Mercado would like to know whose responsibility it will be in the future for cleaning that area of ditches to keep the area from ponding. Carter Fisher's (Delta Rentals), invoice will be paid by the DWR Trust Fund.

**11. HEAR AN UPDATE ON THE DISTRICT'S WEBSITE.**

Mrs. Linda Carter reported to the Board that she has received training from MAYACO and she will be doing the entrees for the District's website. President Sgarrella told the Board that if Mrs. Carter has any problems with the website let the Board know and put it on the agenda for discussion, but for now take the matter off the agenda.

**12. BOARD TO RECEIVE AN UPDATE ON THE USGS ENCROACHMENT PERMIT TO INSTALL A WATER QUALITY MONITORING DEVICE ON THE DISTRICT'S PUMPING STATION.**

To date USGS has not been out to install the water quality monitoring equipment at the District's pump station.

**13. BOARD TO DISCUSS THE FIRE DISTRICT SERVING TWITCHELL ISLAND.**

Mr. Jesse Barton told the Board at last month's meeting the Board was asked by Mr. Richard Silva to consider having to have the fire coverage for Twitchell Island changed to a different fire department. He would like it changed from Delta Fire District (located in Rio Vista) to River Delta Fire District (located on Jackson Slough Road on Brannan Island). Mr. Barton went over what he had found out from the Sacramento Local Agency Formation Commission (LAFCO), which is that you cannot make any changes without the approval from the Sacramento LAFCO and the property owners. You must fill out a request with the Sacramento LAFCO. Mr. Richard Silva told the Board that Delta Fire District's contract with the Rio Vista Fire Department expiring. His concerns are: Twitchell Island is under the Rio Vista Fire Department and the fire trucks and ambulances sometime can't get across the Rio Vista Bridge in a timely matter. Mr. Brandon Wilson with the Rio Vista Fire Department told the Board that Rio Vista Fire Department has worked out mutual aid agreements when the Rio Vista Bridge is up on a call to Delta Fire Protection area, Rio Vista Fire Department will call for Isleton Fire to respond to the call, if the call is on Sherman Island by the Antioch Bridge they will call for mutual aid from Contra Costa. The Rio Vista Fire Department is staffed with Firefighter/Paramedics and equipment to take care of you until an ambulance arrives. The Rio Vista Fire Department is an Advance Life Support (ALS)

department. Mr. Juan Mercado Jr. told the Board as a Department of Water Resources representative DWR has a contract with Delta Fire Protection which the department pays them a fee for services yearly for Sherman Island and Twitchell Island. Mr. Carter Sr, gave the Board a run down on River Delta Fire when he was River Delta Fire's fire chief. Mr. Barton told the Board if the Board wants to pursue this matter, Sacramento LAFCO may ask the District to hold public hearings. After some discussion President Sgarrella asked for Mr. Barton to talk to the Sacramento LAFCO and see what needs to be done to change. President Sgarrella would like more information from the other fire departments brought to the Board to consider.

**14. BOARD TO DISCUSS AND DECIDE WHETHER TO RESUME IN-PERSON MEETINGS OR ALLOW BOARD MEMBERS TO ATTEND FROM REMOTE LOCATIONS.**

Mr. Jesse Barton told the Board that if the Board wishes to hold remote meetings, then the District will need to approve a resolution every 30 days (before each District Meeting) that extends the Board's decision to hold remote meetings. After some discussion President Sgarrella entertained a motion to approve Resolution No. 2022-07 Ratifying the COVID-19 State of Emergency and Authorizing Remote Teleconference Meetings Pursuant to the Ralph M. Brown Act, motion was seconded by Trustee Good  
VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good  
NOES: None ABSTAIN: None ABSENT: None, motion carried.

**15. PROJECT FUNDING AGREEMENT TW-14-1.1-PROJECT FUNDING AGREEMENT FOR A HABITAT ENHANCEMENT PROJECT ON TWITCHELL ISLAND (EXPIRES 12/31/2021). THE BOARD WILL HEAR AN UPDATE ON THE FINALIZATION OF THIS ITEM. BOARD TO ALSO DISCUSS RIGHT-OF WAY NEEDED FOR THIS PROJECT.**

Ms. Otome Lindsey reported to the Board the PFA expired December 31, 2021, Ms. Lindsey has asked for an extension from DWR to use the remaining balance of funds to cover maintenance activities. She is requesting the Board to approve sending a draft letter to Ms. Jennifer Hogan. The draft letter to Ms. Jennifer Hogan dated April 19, 2022 from RD 1601 requesting an amendment to project funding agreement (PFA) TW-14-1.1, the agreement expired in December 2021, due to land maintenance activities are still needed on the two new habitat enhancement sites and the three existing habitat mitigation sites. Funding through the original PFA is still available. The District requests an extension to October 31, 2023, in order to complete the land maintenance activities as originally designed. Mr. Jesse Barton told the Board due to this item not being placed on the agenda the Board cannot take any action on the matter. Mr. Barton told the Board that he will also need to speak to DWR attorney Robin Brewer, about the ability to use the remaining funds in the PFA thru October 31, 2023. After some discussion it was decided that Ms. Lindsey will set up a meeting between Mr. Barton, Mr. Bryan Brock and Ms. Lindsey.

Ms. Lindsey told the Board that Mr. Chris Carlson with Solano RCD has left and Ms. Elizabeth Davis has taken his place. Ms. Davis reported to the Board that they have placed beaver cages around some of the new trees and removed some of the old trees in

the pond, herbicides will be applied this fall. Weed monitoring will take place at the East and West pocket sites and the Elderberry site for weed control.

**16. Project Funding Agreement TW-21-1.1, 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). Board to discuss approving a right-of-way needed for this project.**

Ms. Otome Lindsey reported to the Board, that Department of Water Resources has approved the Amendment No. 1 to Project Funding Agreement TW-21.1.1, for Planning, Engineering, and Construction of the Twitchell Island Mitigation and Enhancement Site Project Agreement No. TW-21-1.1. The agreement is in the process of getting signed by the department. Ms. Lindsey and the Board discussed the views of the Department of Water Resources; they do not want to give up any land for this project or any other future projects. Mr. Chris Neudeck's engineering report shows the Board the overlay of the District's ultimate levee standard along Sevenmile Slough together with a twenty foot (20') levee setback from toe for DWR's proposed mitigation area. EXHIBIT A: Levee cross-sections from Ducks Unlimited overlain by RD 1601's levee standard and offset polyline. After some discussion it was decided that Ms. Lindsey would set up a meeting to be held with Mr. Chris Neudeck, Mr. Jesse Barton and a Department of Water Resources attorney.

**17. 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).**

Nothing to report.

**18. PROJECT FUNDING AGREEMENT TW-18-1.0-SP-(EXPIRES 12-31-2022). BOARD TO HEAR AN UPDATE ON THE DELTA LEVEES SPECIAL FLOOD CONTROL PROJECT PROGRAM FIVE YEAR PLAN AGREEMENT.**

Nothing to report.

**19. BOARD TO HEAR AN UPDATE AND DISCUSS EXPLORING A SOLAR POWER ALTERNATIVE TO POWER THE RD- 1601 PUMP STATION.**

President Sgarrella reported to the Board that the PGE invoice for electric charges from March 1, 2022-March 29, 2022, in the amount of \$7,657.00. 1,187.95 KWh used per day, 28.69% (\$2,196.79) of the bill, was for demand charges. President Sgarrella told the Board in the year 2020, the District spent \$107,000 for electricity. At the District's current rate plan the District will be spending \$127,862, for electricity this year. President Sgarrella went over with the Board a spread sheet: RD 1601-Twitchell Island Solar Array-365.4 KW, comparing the annual power output and cost using a Third Party Owner ("TPO") Solar vs. GE charges without solar to demonstrate solar savings. President Sgarrella went over a loan amortization schedule and electrical bills from 2019-March 2022, a diagram showing the placement of the transfer switch. Even with a producing solar array, the District will always have to pay for demand charges to

PGE, but demand charges may be able to be reduced by using the transfer switch to run Pump #2 on off-grid solar power. The final ENGEEO soil report has been completed. Next need to have a completed design and cost for the project, and a third party owner. The District has still have not received the recorded solar easement from Department of Water Resources.

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

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

A. Look under item number 16.

**II. DISTRICTS DRAINAGE PUMP STATIONS**

A. Mr. Chris Neudeck reviewed with the Board the latest round of free fill offered for placement along the C-1 Canal eastern bank. The material does not meet the Tier 1 ESL levels so KSN rejected it.

EXHIBIT B: Email correspondence with KSN Inc. and Golden State Trucking Services the week of April 4<sup>th</sup> - 8<sup>th</sup> regarding the unqualified fill material.

B. Mr. Chris Neudeck reviewed with the Board the status to replace motor on Pump No 2. Moorman Pump Company has ordered the motor and parts.

EXHIBIT C: Email correspondence from KSN Inc. with Moorman Pump Company dated 4/14/22. Moorman Pump Company will provide a quote for the transfer switch

**III. DEMONSTRATION INVESTIGATION STUDY AT SEVENMILE SLOUGH.**

A. Mr. Chris Neudeck reviewed with the Board the request of California State Parks to perform a study of elderberry bushes along the Sevenmile Slough on the waterside slope of the District's levee. This study will include conducting herbicide treatments, conducting vegetation measurements, and conducting water quality collection. In addition, State Parks will be installing some PVC pipes within the assigned plots in the waterway for their experiment as well. No one from the State attended the meeting who could speak on this matter.

EXHIBIT D: Literature associated with the demonstration investigation.

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

A. Mr. Chris Neudeck reviewed with the Board the email received from Ms. Tessa K. Marlow (KSN), subject of the email; Letter of support for SB 1065. Asking the District to support and write a letter of endorsement of proposed legislation by Senator Susan Eggman SB 1065, for the removal of abandon commercial and derelict vessels out of the Sacramento San Joaquin Delta. After some discussion President Sgarrella entertained a motion to approve Mr. Jesse Barton to write a letter supporting Commercial Abandoned and Derelict Vessel removal implementation Program-SB1065 from Senator Eggman, motion was seconded by Trustee Good, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

EXHIBIT E: Copy of Senate Bill 1065, associated literature and suggested endorsement letter.

**V. SUMMARY OF DELTA ITEMS ADDRESSED IN MARCH OF 2022 FROM RIVER DELTA CONSULTING.**

A. Mr. Chris Neudeck reviewed with the Board a summary of Delta items addressed in March of 2022 from River Delta Consulting, Mr. Gilbert Cosio. Mr. Neudeck told the Board that KSN has contracted with Mr. Cosio to attend meetings, representing the Districts KSN represents. He is charging \$35.00 from each district for attending the meeting. Attached Exhibit F is a summary of the meetings being monitored during the month of March.

EXHIBIT F: Copy of Summary of Delta Items dated April 11, 2022.

**21. SUPERINTENDENT REPORT: Mr. Ricky Carter.**

- Routine levee patrols daily.
- Checked pumps and oil in the pumps at pump station daily.
- Check water elevation in the canal daily.
- Finished cleaning C-1 canal.
- Rodent control (1) beaver on March 17, 2022, and (2) beavers on March 18, 2022.
- Met with Mr. Jack Wilbur (with KSN), on Pump Station reprogramming due to PG&E changes in Time of Use Peak periods changing to 5 pm to 8pm – 7 days per week.
- Met with Mr. Dave Carr (with KSN), in Stockton for pump station router issue.
- Cleaned C-4 canal to end by the sand pit (2 miles).
- Mr. Ricky Carter Sr., and Mr. Ricky Carter Jr, attended a table top exercise in Walnut Grove for flood emergency OES County and State.
- Project levee inspection with DWR, Threemile Slough.
- Sheep on levee from the burn pile to Owl Harbor gate.
- Met with Mr. Bryan Brock, Mr. Bruce Gornto and Mr. Tim Nix on water flow and whose responsibility is inside of the toe ditch.
- On March 27, 2022, Mr. Ricky Carter Sr. and Mr. Ricky Carter Jr., met with Mr. Chris Neudeck on the vertical slippage on Victoria Island.
- Placed calls to Nora with AT&T, about the new phone.
- Drove to Stockton to deliver papers to Perla.
- Worked on locks and changed combos.
- Worked with Mr. Louie Lira (Lira Welding) to remove large pin from short reach, needs to be milled down.
- Fixed the gantry hoist in the shop.
- Purchased new thermostats for the District's Long Reach excavator, it is overheating.
- Set up 2016 Ford Truck with 50 foot fuel line for excavator.
- Purchased new tires for the District's 2016 Ford truck.
- Attended a meeting at Sherman Island on water usage.

Mr. Ricky Carter Sr. reported to the Board, he had attended a meeting at the Belle Vie Vineyards on Sherman Island, the topic was water usage on Sherman and Twitchell Island. Mr. Bryan Brock, Mr. Juan Mercado, Jr. with Department of Water Resources and the State of California water master held the meeting to let the land leases and land owners know that they cannot keep using water as they have in the past. No water overly depended plant can be planted, such as corn. Alfalfa for hay can be planted, but will be limited to 1 or 2 cycles of water. It is suggested that cattle and other animals be



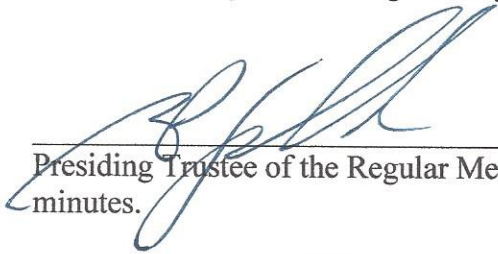
watered by water tanks or water troughs. Might need to use a water truck to fill the tanks or troughs. They asked for the District to hold water back and pump less water off the island during the summer months. Keeping in mind not to flood out anyone.

Everyone needs to do their part during the drought.

Mr. Richard Silva would like to have a crossing with a bulk head on it put in, so he can flood one of the pastures and then use a pump to flood the north part of the pasture. Mr. Chris Neudeck will put together prices for putting a crossing in and for a gate in, on the District's land leased to Mr. David Baker.

**22. ADJOURN:**

The special meeting of the Board of Trustees will be called to order May 25, 2022, at 9:00 am, the regular meeting was adjourned at 1:00 pm.



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Presiding Trustee of the Regular Meeting April 19, 2022, certified the above minutes.



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Secretary