

**MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
OF THE CENTRAL DELTA WATER AGENCY**

April 11, 2023

A teleconference meeting of the Board of Directors of the Central Delta Water Agency was convened at 9:30 a.m. at the office of the Agency, 235 East Weber Avenue, Stockton, California.

Participating in the meeting were Directors Rudy Mussi, George Biagi Jr, and Eddie Zuckerman. Others participating were Dante John Nomellini Sr., Dante John Nomellini Jr., George Hartmann, Brett Baker, Lindsay Kammeier, Lisa Crowley, Bruce Blodgett, Craig Watanabe, John Collins, Dominic Gulli, Jay Ziegler and Tom Zuckerman.

The first item of business were the Minutes of the March 14, 2023 meeting. After review,

On Motion - Director George Biagi Jr

Second -Director Eddie Zuckerman, the following resolution was unanimously adopted:

RESOLVED that the Minutes of the March 14, 2023 meeting be and they are hereby approved as submitted.

Next, the Financial Report was given, the written portions of which are attached hereto. Along with the Financial Report, the current bills of the Agency were submitted to the Board for their review.

On Motion - Director Rudy Mussi

Second - Director Eddie Zuckerman, the Board unanimously adopted the following resolution:

RESOLVED that the bills of the Agency be and they are hereby approved for payment as submitted.

On federal legislation the Harder bill limiting the USACE permitting for the tunnel was referred to the committee on Water Resources and Wildlife. Additionally HR 872 and HR 215 were introduced to reduce the environmental burdens on the CVP. On State legislation flood control bond measures and various water right related measures were being considered.

Lindsay Kammeier reported on the status of the ACP and OpenEt for Water reporting.

The deadline for SO and License reporting is extended to June 5, 2023.

SDWA and CDWA filed a protest of the Dos Rios River Partners change petition to quantify and transfer the riparian right of NGO ownership of \$30,000,000 grant purchase of conservation easement for wetland habitat and land preservation .The purpose is to allow for sale of the water purportably saved from the conservation easement use so it can be counted as fulfilling river flow needs of a voluntary agreement.

Changes are proposed for the SWRCB Water Unavailability Methodology which continue to ignore that the Delta is connected to the bays and ocean and channels receive tide water as part of natural flow. The deadline for comment is 5:00 pm Friday April 14th.

On Tunnel related Temporary Entry Permits it was reported that the court did not change the conditions as to the add-on cases due to the defects in the EIR. The remedy in the EIR case remains outstanding.

As to other agency litigation nothing new was reported.

The Delta Stewardship Council is continuing to proceed with a proposed regulation relating to the Delta Levee Investment Strategy which is inconsistent with the Flood Hazard Mitigation Plan for the Delta, ignores the Delta levees as a system and overlooks many of the interrelated flood impacts and risks.

On levee programs it was reported that the DWR Solicitation is oriented towards Habitat Improvement and very difficult for most RDs to participate.

Bruce Blodgett gave a brief update on the DPC.

Thereafter, there being no further business to come before the meeting the meeting was adjourned.

CENTRAL DELTA WATER AGENCY

235 East Weber Avenue • P.O. Box 1461 • Stockton, CA 95201
Phone (209) 465-5883 • Fax (209) 465-3956

DIRECTORS

George Biagi, Jr.
Rudy Mussi
Edward Zuckerman

COUNSEL

Dante John Nomellini
Dante John Nomellini, Jr.

NOTICE OF MEETING OF THE BOARD OF DIRECTORS OF THE CENTRAL DELTA WATER AGENCY

Date: TUESDAY, APRIL 11, 2023

Time: 9:30 a.m.

Place: 235 E. Weber Avenue, Stockton, CA 95202

Due to the Coronavirus, the meeting will include participation by conference call. Limited participation by attendance with adequate spacing will be attempted. If spacing cannot be maintained, masks will be required. Those who are sick or have been around sick people should participate by telephone. Meeting materials will be posted to the CDWA website before the meeting at <https://www.centraldeltawateragency.org> Conference dial in number (551) 258-5770 - no access code required.

AGENDA

(Action may be taken on any item)

1. Minutes of March 14, 2023, meeting
 2. Financial Report
 3. Report on legislation
 4. Report on Water Rights
 - a. Water Diversion and Use reporting
 - b. Delta Area Measuring Method Program (DAMMP) Open ET
 - c. SWRCB water right curtailment
 5. Report on litigation
 6. Report on SWRCB actions
 7. Report on Levee Programs
 8. Report on Delta Protection Commission Plan matters
 9. Report on Delta conveyance
 10. Report on Eastern San Joaquin County Groundwater Banking Authority/SGMA JPA
 11. Other Reports
 12. Public Forum
- Closed session item (Closed sessions are not open to the public.) Government Code section 54956.9(a) and (c) - possible litigation. CDWA vs. Delta Stewardship Council - DWR interference with water rights - CDWA vs. DWR Validation, CDWA vs. SWRCB (Curtailment, etc.), CDWA vs. DWR (DCP), Personnel matters.
- Note: Individuals who require special accommodations are requested to contact Jeanne Urbani at (209) 465-5883 at their earliest convenience prior to the meeting date. TTY users may contact the California Relay service at 1-800-735-2929 or voice line at 1-800-735-2922.

Notice posted Friday, March 31, 2023, at 1:00 p.m.

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FINANCIAL REPORT

April 11, 2023

Balance Forward: \$ 2,158,380.65

Income:

3/1/23 - Outlawed warrant 175.00

Expenditures:

Requisition No. 600 (123,719.49)

Balance Forward: \$2,034,836.16

Less Requisition No. 601:

Nomellini, Grilli & McDaniel #29417	\$133,891.90
Mohan Harris Ruiz #10681	11,523.50
Soluri Meserve	15,220.59
#2923 - Lookout Sl.	\$7,270.59
#2924 - DWR/BOR Due Diligence	\$1,665.00
#2925 - DWR Drilling III	\$6,285.00
Freeman Firm (Feb.)	2,377.66
DCP (access lit.)	\$2,123.13
WaterFix/EIR/EIS	94.79
DSCII	148.13
SWP Contract Ext.	11.61
HabitatSeven Inc. #1234 wire transfer	5,733.00
River Delta Consulting 0302-04-23	500.00
AgRecon #23443	1,021.25
Dohrmann Insurance	943.00
Rudy Mussi	180.00
George Biagi, Jr.	180.00
Edward Zuckerman	180.00
	(171,750.90)

Balance Forward: \$1,863,085.26

2022-2023 Assessment \$1,298,088.12 (3,595)

Received 12/12/22 (687,906.19)

Balance Due 4/10/23 \$610,181.93

2021/2022 Assessment	\$1,287,090.00 (3,198)
12/17/21 - 2021-2022 current secured	(688,426.81)
4/15/22 - 2021-2022 current secured	(614,551.56)
Total Received:	\$1,302,978.37

2022/2023 (billed directly)	\$40,743.22
Received to Date:	(34,601.62)
Balance Due:	\$ 6,141.60

Outstanding:

County of San Joaquin	\$ 37.44
Kinder Morgan	\$ 57.72
State of CA - CalTrans	\$ 54.80
State of CA - F&W	\$3,021.88
State Lands Commission	\$1,290.12
City of Stockton	\$ 331.60
Dept Parks & Recreation	\$ 124.22
State of CA	\$1,171.16
Stkn Westlake Invest. LLC	\$ 52.66

2021/2022 (billed directly)	\$40,627.82
Received to Date:	(35,212.99) including past due assmt.
Balance Due:	\$5,414.83

Outstanding:

Kinder Morgan	\$ 57.72
Dept. Transportation	\$ 54.80
Fish & Wildlife	\$3,021.88
State Lands Commission	\$1,290.12
Dept. Parks & Rec	\$ 124.22
State of CA	\$1,215.22

2020/2021 Assessment	\$1,315,580.54 (3,198)
12/8/2020 - December secured tax	697,156.63
4/16/2020 - April secured tax	<u>618,181.09</u>
Balance Due	242.82
12/17/21 - reversal of delinquent secured tax	<u>(146.67)</u>
Balance Due	\$ 96.15

2019/2020 Assessment	\$1,300,731.96
12/20/19 - December Secured DA	(689,209.49)
Balance Due	611,522.47
04/17/2020	(611,361.41)
Balance Due	\$ 161.06
08/01/2020	(112.16)
Balance	\$ 40.90

2020/2021 Assessment (billed directly)	41,957.10
Received to Date:	(34,615.80)
Balance Due:	\$ 7,341.30
Outstanding:	
Kinder Morgan	\$ 57.72
Dept. Transportation	\$ 54.84
Fish & Wildlife	\$3,021.90
State Lands Comm.	\$1,290.17
Dept. Parks & Rec	\$ 124.25
State of CA	\$1,215.22
Stkn Westlake Invest	\$ 52.66

2019/2020 Assessment (billed directly)	\$39,772.21
Received to Date:	(51,945.33 including past due assmts)
Balance Due:	\$ 6,040.09
Outstanding:	
Dept. of Transportation	\$ 54.84
Fish & Wildlife	\$3,065.96
State Lands Commission	\$1,290.17
City of Stockton	\$ 329.71
Dept. Parks & Recreation	\$ 124.25
State of CA	\$1,171.16
Spanos Family PTP	\$ 4.00

2018/2019 Assessment	\$1,299,175.06
12/19/18 - December Secured DA	(686,336.91)
4/1/19 - April Secured DA	(612,835.75)
Credit Balance:	(\$2.40)

2018/2019 Assessment (billed directly) estimated	\$41,510.75
Received to Date	<u>(30,471.45)</u>
Balance Due:	\$11,039.30

SPECIAL FUND 12

Balance Forward:	\$4.00
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