

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

May 9, 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, Dominic Gulli, Jay Ziegler, Chris Neudeck and Tom Zuckerman.

The first item of business were the Minutes of the April 11, 2023 meeting. After review, On Motion - Director Eddie Zuckerman

Second -Director Rudy Mussi, the following resolution was unanimously adopted:

RESOLVED that the Minutes of the April 11, 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 Eddie Zuckerman

Second - Director Rudy Mussi, 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 are being considered.

Reports were given on the status of the ACP and OpenEt for Water reporting.

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

The SWRCB is moving forward with consideration and likely approval of Voluntary Agreements supported in major part with state taxpayer dollars that would replace the SED fish flow requirements with other measures and shift the burden of CVP and SWP mitigation to senior water right holders and the taxpayers.

CDWA and SDWA submitted comments on changes to the SWRCB water Unavailability Methodology. The methodology continues to ignore that quantity of water diverted is not an issue because the Delta is connected to the Bays and thence the Ocean and the channels are below the tides.

On Tunnel related Temporary Entry Permits it was reported that the court is allowing DWR to proceed subject to the previously conditions.

As to other agency litigation nothing new was reported.

On levee programs it was reported that some Districts are concerned that the no net loss of habitat was not being applied to the base habitat condition but to the additional habitat over and above the base condition that exists prior to the work.

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, MAY 9, 2023

Time: 9:30 a.m.

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

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 April 11, 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 Monday, May 1, 2023, at 11:00 a.m.

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FINANCIAL REPORT

May 9, 2023

Balance Forward: \$ 2,034,836.16

Income:

4/30/23 - Quarterly interest 17,244.00
4/30/23 - 2022-23 current secured 610,157.31

Expenditures:

Requisition No. 601 (171,750.90)

Balance Forward: \$2,490,486.57

Less Requisition No. 602:

Nomellini, Grilli & McDaniel #29434	\$74,697.65	
Mohan Harris Ruiz #10784	10,612.86	
Spaletta Law - WSID Appeal	1,387.50	
Freeman Firm (Mar.)	4,046.47	
DCP (access lit.)	\$3,604.38	
WaterFix/EIR/EIS	392.71	
DSCII	49.38	
Rudy Mussi	180.00	
George Biagi, Jr.	180.00	
Edward Zuckerman	180.00	(91,284.48)

Balance Forward: \$2,399,202.09

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

Received 12/12/22 (687,906.19)

Received 4/14/23 (610,157.31)

Total Received \$1,298,063.50

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

SPECIAL FUND 12

Balance Forward:

\$4.00