

Board of Directors Meeting
Report out for Director Estremera

Regular Meeting, Thursday, October 15, 2020, 2:00 p.m.

7. DISCUSSION ITEMS

(a) Consider Passing Resolution to Approve Amendment #4 to the Joint Exercise of Powers Agreement and Determine Approval is Exempt from the California Environmental Quality Act

Recommended Action: Adopt Resolution

Staff recommends that the Board adopt the enclosed Resolution to Authorize the President to Execute an Amendment No. 4 to the Joint Exercise of Powers Agreement, and to Adopt the CEQA Determination for Such Action.

Detailed Report:

At its September 17, 2020 meeting, the Board of Directors approved Amendment No. 4 to the Joint Exercise of Powers Agreement (JEPA) with the Department of Water Resources (DWR). As explained in more detail in the attached Board Memo for that item, Amendment No. 4 increased the amount of the maximum initial contribution provided by DWR to the DCA from \$33.8 million to \$48.8 million.

After approval of the amendment, DWR and DCA staff determined that the \$48.8 million amount included a clerical error, and the correct amount was \$43.2 million. This item is being brought back to the Board to approve executing the revised JEPA Amendment No. 4, reflecting the corrected amount. As noted in the attached resolution, approval of the Amendment is exempt from CEQA. If approved, the attached resolution would supersede the Board's September 17, 2020 Resolution 20-08.

Action: Resolution Adopted

(b) Fiscal Year 19/20 Closeout Report – Kathryn Mallon, Executive Director

The approved budget for Fiscal Year 2019/2020 was \$82M and included launch of a comprehensive geotechnical exploration program in the Delta, production of up to four Project Engineering Reports to support the DWR Planning process, and other budgetary allocations for program oversight, stakeholder engagement, controls and administrative functions. The planning phase experienced significant delays in release of the Notice of Preparation and unanticipated litigation against the geotechnical program.

A written report was provided in the Board packet.

Recommended Action: Information Only

(c) DCA Planning Phase Update - Kathryn Mallon, Executive Director

Ms. Mallon presented the DCA Planning Phase Update on the following:

1. Update DWR Planning Schedule
2. DCA Key Activities in Planning Period
3. DCA Budget in Planning Period

She stated that the DCA was asked to tighten their belt for this fiscal year and they were able to reduce the budget by \$7M.

A PowerPoint presentation was provided in the Board packet.

Recommended Action: Information Only

(d) October DCA Monthly Report

A detailed written report was provided in the Board packet.

Recommended Action: Information Only

(e) DCA Leadership Spotlight – Nazli Parvizi, Community Engagement Manager

Ms. Parvizi presented her DCA Leadership as the Spotlight for this month's series.

Handout 4.3-F
10/27/20

A PowerPoint presentation was provided in the Board packet.

Recommended Action: Information Only

(f) Stakeholder Engagement Committee Update - Nazli Parvizi, Community Engagement Manager
Meeting Overview: The 12th meeting of the Stakeholder Engagement Committee (SEC) was held via video conference September 23. The meeting video, agenda, presentation and supplemental materials are available for review on the www.dcdca.org website.

A detailed written report was provided in the Board packet.

Recommended Action: Information Only

(g) Stakeholder Engagement Report Out

Barbara Barrigan-Parrilla presented on her experience with the SEC.

Recommended Action: Information Only

8. STAFF REPORTS AND ANNOUNCEMENTS – INFORMATION ONLY

(a) General Counsel's Report – Josh Nelson, General Counsel

The General Counsel continues to assist the DCA on legal matters as requested. Of note, our office assisted with revising and developing the Joint of Exercise Powers Agreement (JEPA) amendment item on the agenda.

A written report was provided in the Board packet.

(b) Treasurer's Report – Katano Kasaine, Treasurer

The beginning cash balance for the Delta Conveyance Design and Construction Joint Powers Authority (Authority) on September 1, 2020, was \$557,606. During September 2020, receipts totaled \$1,044,900 representing contributions from the Department of Water Resources, Delta Conveyance Office for payment of the Authority's obligations. Total disbursements for the month were \$306,817. The ending cash balance on September 30, 2020 was \$1,295,689. A detailed written report was provided in the Board packet.

(c) DWR Environmental Manager's Report – Carolyn Buckman, DWR Environmental Manager

The Department of Water Resources is progressing through the California Environmental Quality Act process to analyze a single-tunnel solution to modernizing and rehabilitating the State Water Project infrastructure in the Delta.

The U.S. Army Corps of Engineers (USACE) initiated compliance with the National Environmental Policy Act (NEPA) by issuing a Notice of Intent (NOI) to develop an Environmental Impact Statement (EIS). The NOI has started a scoping period for the public to submit comments under NEPA until October 20, 2020.

DWR has released a survey to collect information on how low-income, minority, and other underserved communities rely on resources in the Delta. This information will help assess potential impacts and benefits to these communities. The survey is available in English, Spanish and Chinese at www.YourDeltaYourVoice.org. The survey will be open for a minimum of 8 weeks.

A written report was provided in the Board packet.

PUBLIC COMMENT:

Ms. Osha Meserve, Local Agencies of the North Delta, commented that local agencies are concerned that the alternative analysis on the two intakes in the tunnel is not going to be presented for a full review. She stated that the DCA said it would be different this time around and they were expecting a full review of all project alternatives. However, DWR said the only alternative going forward for a full review is the Bethany Alternative.

(d) Verbal Reports, if any

None.