

FINAL
Approved by Advisory Committee on December 2, 2024
SUMMARY
Paradise Cut Bypass Expansion And Multi-Benefit Project
Advisory Committee Meeting
San Joaquin Council of Governments (SJCOG)
October 15, 2024 | 11:30 AM – 1:00 PM

Committee Members (Present):

Chris Elias, San Joaquin Area Flood Control Agency
John Herrick, South Delta Water Agency
Sarah Puckett, American Rivers
Ilene Macintire, City of Tracy
Bob Pombo, Reclamation District 2095
Alexis Stevens, Reclamation District 2058, 1007
Susan Dell'Osso, Reclamation District 2062
Jesus Esparza, Department of Water Resources (non-voting)
Andrea Buckley, Central Valley Flood Protection Board (non-voting) (via Zoom)
Lauren Damon, Sacramento – San Joaquin Delta Conservancy (non-voting)

Committee Members (Absent):

Nick Mussi, Reclamation District 1, 2, 544, 2089

Other In-Person Attendees:

Paul Marchini, Reclamation District 1
Juan Carlos Hernandez, Bianchi & Sons
Michael Selling, City of Manteca
Erin Mullin, Delta Stewardship Council
Steve Bettencourt

Glenn Prasad, SJAFCA
Leanne Randall, SJAFCA
Petrea Marchand, Consero Solutions
Laura Duffy, Consero Solutions
Natalie McDonald, Consero Solutions
Melissa Weymiller, LWA
Dominic Gulli, RD 1007

Zoom Attendees:

Daniel DeGraaf, DeGraaf Engineering for Reclamation Districts 2085, 2095
David Weisenberg, Banta Carbona Irrigation District
Scott Peterson, San Luis and Delta Mendota Water Authority
Phil Balmat, San Joaquin County Resource Conservation District
Kelley Wright La Force, Banta Carbona Irrigation District
Avery Livengood, HDR, Inc.
Anji Shakya, Sacramento – San Joaquin Delta Conservancy
Stacey Cody, Reclamation District 2096
Sylvia Razniak, SJAFCA

ACTIONS

- The Consultant Team will update the Paradise Cut Flyer to include the photo provided by S. Puckett
- The Paradise Cut Management Team (PCMT) will use the next meeting to review the Project objectives and determine if they would recommend to the SJAFCA Board to change the objectives to include the term “dredging” and to include language in the flyer that the objectives including maintenance of the work to improve water quality and other elements of the objectives related to dredging
- The Advisory Committee will provide contacts to Consero for inclusion on the distribution list for newsletters, Advisory Committee invitations, and other outreach materials
- Consero will add context to the Project team paragraph in the Engagement Strategy to explain the Project team’s work and why certain jurisdictions are included in the Project team
- Consero will provide the Advisory Committee with a rough schedule of when they expect to reach out to the permitting agencies and what they expect to bring to them for feedback, as well as a budget for engagement at the next Advisory Committee meeting on 12/2
- Consero will update the Engagement Strategy timeline to include the 10-day review period for all three major deliverables
- Consero will move the U.S. Army Corps of Engineers (Corps) to the primary audience in the

Engagement Strategy

- The PCMT will revisit the Decision Recommendation Framework at the next PCMT meeting to address S. Puckett's concerns, including revisions to the dissolution section
- S. Puckett will work with G. Prasad and J. Esparza to understand the changes in the Decision Recommendation Framework
- SJAFCA staff will continue to update the Board on actions taken by the Advisory Committee and the Executive Director to ensure transparency given the Advisory Committee's concern about delegating all decisions to the Executive Director of SJAFCA
- Consero will ensure the Advisory Committee agendas include actions to recommend approval to the SJAFCA Board of Directors for appropriate deliverables (the Draft Feasibility Study and the Feasibility Study) to reflect the Advisory Committee's concern the Board should approve some deliverables, not the Executive Director
- The Consultant Team will present their findings related to the technical concerns discussed at the 9/19 Site Visit at the next Advisory Committee Meeting on 12/2
- The Consultant Team will plan small group meetings with specific consultants and landowners to identify solutions and possibilities for addressing the Union Pacific Railroad concern.
- P. Marchand will contact J. Hernandez (member of the public) and offer to answer any questions he has **(DONE)**

MOTIONS

- S. Puckett moved to approve the August 26, 2024 meeting summary. Motion: S. Puckett, second S. Dell'Osso. Motion passed 7-0; 1 absent.
- S. Dell'Osso moved to approve the corrected August 26, 2024 Advisory Committee meeting agenda packet. Motion: S. Dell'Osso, second S. Puckett. Motion passed 7 – 0; 1 absent.
- S. Dell'Osso brought forward a motion to receive and file the updated study area map with Advisory Committee feedback incorporated. Motion: S. Dell'Osso, second B. Pombo. Motion passed 7 – 0; 1 absent.
- S. Puckett moved to recommend the Engagement Strategy to SJAFCA for approval; including authorizing SJAFCA and the Chair of the Advisory Committee to update and approve the Engagement Strategy as needed; ensuring the Project team paragraph is better described; changing the RD groups to reflect attendance at the small group meetings; providing a separate schedule for the engagement strategy meetings and a budget; updating the timeline to include the 10-day review period; moving the Corps to primary audience. Motion: S. Puckett, second S. Dell'Osso. Motion passed 7 – 0; 1 absent.

Administrative Matters

- J. Herrick called the meeting to order at 11:31 AM. The group did the Pledge of Allegiance and initiated roll call (see above). L. Randall led roll call and established a quorum. John Herrick, Sarah Puckett, Ilene Macintire, Andrea Buckley (attended on Zoom), Jesus Esparza, Susan Dell'Osso, Alexis Stevens, Lauren Damon, Bob Pombo, and Chris Elias were present. Nick Mussi was absent.
- J. Herrick said the first item on the agenda is to approve the August 26, 2024 Advisory Committee meeting summary. S. Puckett moved to approve the August 26, 2024 meeting summary. Motion: S. Puckett, second S. Dell'Osso. Motion passed 7-0; 1 absent.
- J. Herrick said the next item is to approve a correction to August 26, 2024 Advisory Committee meeting agenda packet to correct project goals, objectives, and study area attachment. He requested P. Marchand provide background information. P. Marchand introduced herself as a consultant to SJAFCA for community engagement work related to the Paradise Cut Bypass Expansion and Multi-Benefit Project (Project). She said there is a correction for the August 26, 2024 meeting packet because the slides for the goals and objectives presented to the Advisory Committee were accurate, but the slides in the agenda packet were an earlier version of the slides. She said under the Brown Act, SJAFCA is required to re-post the slides with the correct version so the public has access to what the Advisory Committee voted on. She said today, they are asking for the Advisory

Committee's approval on the corrected agenda packet, which they will then re-post. S. Dell'Osso moved to approve the corrected August 26, 2024 Advisory Committee meeting agenda packet. Motion: S. Dell'Osso, second S. Puckett. Motion passed 7 – 0; 1 absent.

- P. Marchand informed the group there is an updated study area map available to the public through the Advisory Committee meeting materials, which incorporates comments from the August 26, 2024 Advisory Committee meeting. S. Dell'Osso moved to receive and file the updated study area map with Advisory Committee feedback incorporated. Motion: S. Dell'Osso, second B. Pombo. Motion passed 7 – 0; 1 absent.

Public Outreach

- P. Marchand said during the August 26, 2024 Advisory Committee meeting, they reviewed an engagement strategy which included primary and secondary audiences. She said primary audiences included State agencies involved in the Project as well as Reclamation Districts (RDs) at the local level. She said since the last Advisory Committee, SJAFCA hosted four small group meetings with representatives from RDs interested in the Project. She said the meetings occurred on October 8 and 9, 2024 in person. She said they had very good attendance and she is pleased to report they had attendance from engineers or attorneys for all the RDs they invited. She said the purpose of the meetings was threefold: 1) to re-introduce the RDs to the Project due to the time gap since Phase 2; 2) to orient the RDs to the Phase 3 feasibility study deliverables; and 3) to seek feedback on the study area, goals, and objectives and the engagement strategy.
- P. Marchand described the key takeaways from the small group RD meetings. She said the RD representatives found the study area, goals, and objectives to be acceptable. She said SJAFCA presented the new study area map incorporating Advisory Committee comments (the map approved during the October 15, 2024 Advisory Committee meeting). She said the most important comment they received, which was requested by almost every engineer they spoke to, was to engage engineers early in the development of preliminary alternatives. She said they requested the team does not wait until there is a draft of the alternatives, but, instead, to get their on-the-ground feedback inform the development of the alternatives.
- P. Marchand said equally important is they reviewed the definition of “feasible” with the RD representatives. She said they let them know the definition of “feasible” is not the traditional engineering definition (that of technical feasibility) but includes the requirements of broad support from the RDs, from the California Department of Water Resources and some language related to costs justifying benefits (although the Consultant Team has not settled on the cost language). The RD representatives all said they would like the definition to include “governance” or a decision-making structure. She said, for example, the RDs want to know people can agree on how the project will be operated and constructed. She also said the RD representatives wanted to ensure the word “cost” in the definition of “feasible” is understood to include long term operation and maintenance of the Project, including dredging.
- P. Marchand said the RD representatives also requested SJAFCA provide deliverables via email instead of only posting them to the SJAFCA website for review. She said the RD representatives are unlikely to go to someone's website to track down the documents. She said the RDs also informed the consultants and SJAFCA they need significant advance notice of deadlines to allow scheduling of RD Board meetings because the Boards do not always meet on a regular basis. She asked if G. Prasad or J. Herrick wanted to add anything to the update on small group RD meetings.
- G. Prasad said, from SJAFCA's perspective, it was a great opportunity to connect with local RDs and align the Project objectives and with the RD goals. He said P. Marchand's information summarizes the issues well. He said his key takeaway is the RDs will need to understand maintenance components (including cost) and governance, which they will add to the definition of feasible. He said the final takeaway is there was no opposition; everyone seems to be very excited about the various elements of the Project.
- J. Herrick reaffirmed what P. Marchand and G. Prasad said, and said the meetings were beneficial. He said it's a small community of engineers and representatives of local RDs and everyone recognizes the tremendous benefits of the Project moving forward. He agreed with G. Prasad's

observation there isn't any vociferous opposition, but there are still details to work out. He said they reiterated that as early as possible, the RDs need their engineers and representatives involved so they can provide feedback. He said he appreciates everyone's input.

- J. Herrick asked if there were any comments or questions from the Advisory Committee. No comment from the Advisory Committee. He asked if there was public comment. No comment from the public. He asked if anyone on Zoom would like to comment. No comment.

Updated Project Flyer

- P. Marchand said there is an updated Project Flyer in the meeting agenda packet. She said she encourages everyone to use this flyer when informing people about the Project to provide an overview. P. Marchand said member S. Puckett provided Consero with an updated photo of the Paradise Cut Weir to be included in the Project Flyer after reviewing the flyer in the packet. The Consultant Team will update the Paradise Cut Flyer to include the photo provided by S. Puckett (ACTION). She said there is no motion needed for this agenda item.
- J. Herrick asked if the Advisory Committee had comments on the flyer. S. Puckett said she sent two updated photos to replace the photo of the existing Paradise Cut Weir. She said DWR did some great flyovers which captured photos of the weir being activated.
- D. Gulli said the Project flyer does not say the term "dredging" anywhere. He suggested dredging should be mentioned and added to the fourth Project objectives: "Improve irrigation intake reliability and waterway navigability."
- J. Herrick said from the beginning, there's been a discussion about the attractiveness of the word "dredging," but it is important to make sure everyone is on the same page of understanding what the goals and objectives mean, especially objective number four. He said Project objective number four is dredging the South Delta. He suggested the PCMT use the next meeting to review the Project objectives and determine if they would like to pass a recommendation to the SJAFCA Board to change the objectives language to include the word dredging (ACTION). He said they've gone through a lot of changes to the objectives in the last year. He asked if anyone else has a different understanding of whether the Project is comprehensive of dredging the South Delta, they should say so now. He asked if anyone else has comments.
- A. Stevens asked if Project objective three relates to dredging ("Restore and improve the quantity, diversity, and connectivity of riverine, floodplain, riparian, and wetland habitat for native fish and wildlife.") She said she understood dredging to be an element which would contribute to increased habitat for fish and wildlife in the channels. J. Herrick said that is correct, he said those improvements are also intricately linked to dredging.
- S. Dell'Osso said she understands they are not just talking about one time dredging, but also talking about maintenance dredging, and asked if that's correct. J. Herrick said that is correct. He said the RD representatives also made comments at the small group meeting and it has been a frequent topic of discussion. He said it may be difficult to get the dredging program going but it must include some kind of maintenance program and someone needs to ensure they have funding for continued dredging. He said this is part of the description for dredging. S. Dell'Osso said Consero should add a clarification that dredging will include maintenance dredging when they add "dredging" to the Project flyer.
- S. Puckett said it's important to acknowledge they are not just dredging for the sake of dredging. She said the objectives indicate the ultimate reason why they are seeking to dredge the channel. She said they want to dredge to improve navigability, intake reliability, and possibly for habitat. She said they don't necessarily need to dredge to improve habitat. J. Herrick thanked S. Puckett for the comment and said that is a good point. J. Herrick said these are the discussions they had previously when the objectives were chosen. He said he has speculated dredging will be beneficial for habitat, but ultimately the benefits will be seen. He said he agrees with S. Puckett's comments. He asked if anyone disagrees with the idea that they will be dredging as part of the Project.
- He asked if anyone in the audience or attending virtually wants to make a comment. J. Esparza said he wanted to caution the idea of creating habitat in the dredged channels and think carefully about the feasibility of doing so. He said it may be more feasible further upstream in the Paradise Cut

Bypass, but they want to be sensitive to constraints under the State Water Project. J. Herrick said they want to be proactive; this is a beneficial project and he appreciates this consideration. J. Herrick said he could see no other comments, and determined to move on.

- G. Prasad said he wants to support DWR's comment on this matter. He said the other element is the word dredging does not appear in the DWR funding agreement, but they all understand the path they will take to improve reliability may need to involve dredging. He said the other element is the messaging component of the Project is important as it gains attention at the national level. He said he likes the phrasing they already have in the project objectives and it may set the Project up for future funding, such as that available in the Climate Bond.
- P. Marchand said she was confirming what she heard from the Committee: they will replace the photo but keep the existing language (DECISION). J. Herrick said they are not making a motion to make any changes and the PCMT can determine if changes are necessary to the objective(ACTION).

Engagement Strategy

- P. Marchand said the action before the Advisory Committee is to recommend approval to SJAFCA of the Paradise Cut Bypass Expansion and Multi-Benefit Project Engagement Strategy. She said the Advisory Committee reviewed the Engagement Strategy once and the Paradise Cut Management Team (PCMT) has reviewed the Engagement Strategy twice. She said the team also reviewed the Engagement Strategy at the small group RD meetings. She provided a brief overview of the changes from the last Advisory Committee on August 26, 2024.
- P. Marchand said the first item they changed in the Engagement Strategy is that small group meetings with primary audiences will no longer occur after Advisory Committee review of the deliverable; they will now occur during the same 10-day review period the Advisory Committee has for deliverables. She said the RDs said the 10-day review period is very short and they expressed concerns about scheduling a Board meeting and securing Board direction during that time. The RD representatives indicated, however, that if they have sufficient notice when the 10-day window is coming up and the engineers are involved in the process as early as possible, they may be able to make it work. She said there are three major deliverables: the draft preliminary alternatives, the final alternatives, and the draft feasibility study report, all of which have 10-day review periods for both the Advisory Committee and the primary audience. She said they will hold small group RD meetings and as many other meetings with primary audiences as possible during the 10-day window to secure feedback. S. Dell'Osso asked if P. Marchand will present their feedback at the Advisory Committee meetings. P. Marchand said yes. J. Herrick said this was covered extensively with the RDs at the small group RD meetings, and although they had concerns about the 10-day review period, they will try to make the deadline if they are provided materials as soon as possible and involved in the process. He said the RD representatives seemed comfortable with this approach.
- P. Marchand said SJAFCA also amended the Engagement Strategy to include a requirement for SJAFCA to send a letter with interim deliverables in December 2024 and March 2025. She said they also added additional organizations to the primary audience, from whom they will seek feedback on major deliverables. She said they included an assumptions section, including that the Engagement Strategy is a living document, meaning they can make changes in the future if additional or different types of engagement are needed. The other assumption is Consero and SJAFCA are not the only entities responsible for implementing the Engagement Strategy; the South Delta Water Agency, members of the Advisory Committee, and State agencies may be asked to help ensure they have all the correct contacts.
- P. Marchand reviewed the updated engagement schedule. She said in November, they will be completing the frequently asked questions document and will attend additional primary audience meetings. In December 2024, they will have an Advisory Committee meeting focused on the interim deliverables and the feasibility study update, and SJAFCA will send the letter to primary audiences with the interim deliverables. She said in January and February 2025, they will be distributing the first virtual newsletter. She requested the Advisory Committee provide any contacts for inclusion on the distribution list (ACTION). She said in March, SJAFCA will send a letter to the primary audiences for comments on the interim deliverables. She said in May 2025, they will have a 10-day review

period, meetings with primary audiences, and an Advisory Committee meeting to discuss feedback on the Draft Alternatives Formulation and Screening Technical Memorandum. In June/July 2025 they will release a second virtual newsletter and update to the website. In August/September, there will be 10-day review period, meetings with primary audiences, and an Advisory Committee meeting to discuss feedback on the final Evaluation and Comparison of Alternatives Memo. In October/November 2025, they will hold public workshop #1. In December 2025, there will be 10-day review period, meetings with primary audiences, and an Advisory Committee meeting to discuss feedback on the draft Feasibility Study Report; in addition, they will have public workshop #2 and the third virtual newsletter with updates the SJAFCFA website.

- P. Marchand asked if J. Herrick or G. Prasad wants to add additional information. J. Herrick said the most important thing to note is the Engagement Strategy is a living document. He said this is a well-thought-out method of engaging those impacted by the Project and others involved. He said the goal is that if it becomes clear they need to adjust the strategy, other elements can be incorporated. He said he doesn't have a lot of concerns and thinks the document is comprehensive. He said this document does not exclude anyone not listed in the audiences. G. Prasad said regarding small group RD meetings, he said the RD representatives made it clear they need to coordinate the deliverable review periods with their respective Board schedules to ensure they can take necessary actions.
- L. Damon asked if there are contingencies planned if the small groups are not able to provide feedback during the 10-day comment/review periods and if the contingencies need to be explicit.
- M. Weymiller said the schedule is still in the scoping phase and they are working on getting it finalized with DWR. She said things may shift and change, but the 10-day review is a minimum, with extra days allowed for the holidays. She said if someone has comments that come in after the 10 days, they will plan to incorporate those if the schedule still allows.
- S. Puckett asked how the document can be updated without going back to the Advisory Committee each time a minor revision is made.
- P. Marchand said part of the motion today could add that the Chair of the Advisory Committee and SJAFCFA approve edits to the Engagement Strategy without needing to bring it back to the Advisory Committee.
- S. Puckett said she did a deep dive review of the Engagement Strategy. She said the second paragraph which describes the Project team does not have context as to what the Project team is doing and why they are listed. Consero will add context to the Project team paragraph in the Engagement Strategy (ACTION). P. Marchand said it goes with the assumptions paragraph and defines the parties responsible. P. Marchand said on page 3, the four groups of RDs are listed, and requested the motion includes changing the RD list based on actual attendance at the small group RD meetings in October.
- S. Puckett said her other overall comment is that she fully supports the great work being done to think about RDs and primary audiences, but she is concerned the permitting agencies are not coming along. She said she wants them to be brought along as soon as possible and moved into the primary audience. She said if they are in the secondary audience, they will not be brought in until the first public workshop in October/November 2025, which is very far along in the Project timeline. She requested they be involved at an earlier date. She said one other area to bring them along is in securing letters of support.
- P. Marchand said the amount of engagement influences the budget and they are trying to combine meetings where possible. She said they are doing more primary audience meetings in November and the PCMT had previously decided to start reaching out to the permitting agencies when they have defined deliverables in 2025. She said she is now considering providing the Advisory Committee with a complete timeline that outlines which members of the primary audience they will engage over time. P. Marchand suggested part of the motion be a direction to return to the Advisory Committee with a rough schedule of when they expect to reach out to the permitting agencies and what they expect to bring to them for feedback (ACTION).
- J. Herrick asked if there was any other feedback from the Advisory Committee. C. Elias said the

suggestion to engage permitting agencies is a great idea and he said he wants to ensure the cost is accounted for within the budget. P. Marchand said she would add that the motion should include that they also bring an engagement strategy budget to the next Advisory Committee meeting (ACTION). She said this is a conversation they are having with the team at the same time. She said they may come back and say the budget does not allow it, but it will be clear why that decision would be made.

- J. Herrick said there are two other possible funding sources to cover items that are not covered in the budget. He asked if there were any other comments by the Advisory Committee. He asked if there were comments from the public or the online audience.
- L. Duffy read a comment made in the Zoom chat. She said S. Cody noted the Engagement Strategy did not specify the 10-day review period in the timeline. P. Marchand recommended adding updating the timeline to include the 10-day review period to the motion. Consero will update the Engagement Strategy timeline to include the 10-day review period for all three major deliverables (ACTION).
- J. Herrick asked for a motion to recommend approval of the Engagement Strategy by SJAFCA; give SJAFCA and the Chair of the Advisory Committee to update and approve the Engagement Strategy as needed; ensure the Project team paragraph is better described; change the RD groups to reflect attendance at the small group meetings; provide a schedule for the engagement meetings and a budget; and update the timeline to include the 10-day review period. P. Marchand said the only change she would make is to clarify the schedule and budget for the engagement meetings will be provided as a separate document. S. Puckett said two of the permitting agencies (US Fish and Wildlife Services and the California Department of Fish and Wildlife) are already listed as primary audiences, but the Corps, Federal Emergency Management Agency, and others, are listed as secondary audiences. She requested the Engagement Strategy specifically call out the permitting agencies when their attendance is necessary. A. Stevens said all the permitting agencies, except the Corps, are in the primary audience. She said in the Engagement Strategy, it says they will meet as needed with representatives of the primary audience to secure feedback on major drafts. She said moving the Corps into the primary audience covers all the bases, however she would still like to see a budget and timeline. P. Marchand clarified they are not scheduling meetings with the secondary audiences; they will receive information from the website, newsletters, and Advisory Committee meetings, if they choose to attend. M. Weymiller said SJAFCA has a secondary line of communication with Corps for Paradise Cut through the Lathrop and Manteca Study, where that coordination will take place. She said she thinks they are secondary because they are a permitting agency and some communication will go through their typical feasibility study channels. She said they could either invite them to primary audience or keep them as secondary audience; she said they have limited capacity, so they may not be able to get their attention. She said they discussed having the permitting and resource agencies at a single meeting to save budget. Consero will move the Corps to the primary audience (ACTION).
- J. Herrick asked if there were remaining questions. He said the Chair will entertain a motion to recommend the Engagement Study to SJAFCA for approval; including giving SJAFCA and the Chair of the Advisory Committee to update and approve the Engagement Strategy as needed; ensuring the Project team paragraph is better described; changing the RD groups to reflect attendance at the small group meetings; providing a separate schedule for the engagement meetings and a budget; updating the timeline to include the 10-day review period; moving USACE to primary audience. S. Puckett brought forward a motion to recommend the Engagement Strategy to SJAFCA for approval with the caveats listed above. Motion: S. Puckett, second S. Dell'Osso. Motion passed 7 – 0; 1 absent.

Receive and File the Decision Recommendation Framework

- M. Weymiller said they have been working to finalize the Decision Recommendation Framework based on conversations with SJAFCA, DWR, the PCMT, and other groups to ensure the document works for everyone. She said the major changes since the last Advisory Committee include an added acknowledgements section, which outlines the distinctions between the 2022 MOU and the 2023

Agreement between DWR and SJAFCA, and an update to the Decision Recommendation Process. She said the graphic was changed from a stair-step process to illustrate SJAFCA includes the Board, the Staff, the Executive Director, and the Advisory Committee, all of whom provide feedback and recommendations to SJAFCA. She said they are working on getting a technical review panel on contract to independently review deliverables from the Consultant Team, after which they will go to the PCMT, who will then provide recommendations to SJAFCA, and the Advisory Committee will also provide input back to the larger study via the PCMT. She said it will be a fluid process and day to day decisions will be made on a team level.

- M. Weymiller asked if there were questions on the graphic or the current draft of the decision framework. A. Steven asked what the major changes are besides the acknowledgement section and the graphic. M. Weymiller said there are minor changes throughout which do not affect the overall purpose of the document, and offered to review all the changes.
- S. Puckett said she has a lot of significant comments on the document. J. Herrick said pursuant to their last Advisory Committee meeting, the last draft was approved and able to be changed by SJAFCA and the Advisory Committee Chair in coordination with the PCMT; he said during PCMT meetings and other discussions, they came up with the version that they are currently reviewing. He said she can discuss the comments or she can provide a written version of her feedback. He said they want to make sure they are moving forward with a Decision Recommendation Framework. He said DWR had revisions, to ensure there was no confusion about the level of authority of the Advisory Committee, who are not making decisions about the Project, just advising SJAFCA as to what decisions might be made. He said this chart indicates how the flow of information will move forward. He said SJAFCA may not always adopt or implement the Advisory Committee's recommendations. He said they can still make changes.
- S. Puckett said she would prefer to discuss the changes she recommends. She said her understanding was the Chair and the Executive Director of SJAFCA would approve minor changes, but if there are substantial changes, they will come back to the Advisory Committee and SJAFCA Board. She said her biggest concern is the new layout of Figure 2: Recommendation Process appears to direct recommendations from the PCMT to SJAFCA directly, but the Advisory Committee's recommendations are shown to go through PCMT to SJAFCA. She said the arrows are confusing. She said the language in the document does not support the process laid out by the graphic; instead, the language in the document says the PCMT will make recommendations to the Advisory Committee, after which the Advisory Committee and SJAFCA will in turn make recommendations to the PCMT and SJAFCA. She said it's inconsistent throughout and it's difficult to use to clarify the process. S. Puckett said the font is very tiny, which should be made larger. She said the second star says, "per the 2023 Funding Agreement, the Advisory Committee provides input to the Paradise Cut Management Team," and said she could not find that language in the 2023 Funding Agreement.
- P. Marchand said the meeting summary which the Advisory Committee just approved (during the 10/15 Advisory Committee meeting) has a approved motion to "accept the draft Decision Framework and authorize the Chair of the Advisory Committee to finalize the document in collaboration with the PCMT, either with or without a meeting, and recommend the final document to SJAFCA." She said she wants the Advisory Committee to understand what occurred was a consideration of changes and a meeting with the PCMT to review those changes. She acknowledged S. Puckett was not able to be present during the PCMT meeting at which the changes were discussed. She said the Chair and SJAFCA, in coordination with the PCMT, can choose whether to bring the document back to the PCMT to finalize it.
- G. Prasad explained the graphic. He said the stepwise graphic was more public-friendly, but in discussions with DWR, they developed this graphic, which is more accurate to the relationship outlined in the 2023 Funding Agreement. He said the relationships between the SJAFCA Executive Director and the Board are laid out in the bylaws, but the relationship between the Advisory Committee and SJAFCA is thoroughly spelled out in the MOU, which is why the Advisory Committee is brought into the SJAFCA circle on the graphic.
- J. Herrick said S. Puckett's input will be reviewed and they will determine whether to incorporate

her feedback into the revised version. S. Puckett suggested they revisit the Decision Recommendation Framework at the next PCMT (ACTION). S. Puckett will work with G. Prasad and J. Esparza to understand the changes in the Decision Recommendation Framework (ACTION).

- A. Stevens said she wanted to reiterate and build upon S. Puckett's concerns. She said this says the Advisory Committee provides feedback to the PCMT, who makes recommendations to SJAFCA, but they just made a motion to recommend approval of the Engagement Strategy to SJAFCA. She said it is confusing to see the arrows from the Advisory Committee to the PCMT when she had the understanding that the Advisory Committee was making recommendations directly to SJAFCA. J. Herrick said there is an arrow from the Advisory Committee to SJAFCA staff; and acknowledged it is not clear the Advisory Committee is making recommendations to SJAFCA staff, who will make recommendations to the SJAFCA Board for decisions. A. Stevens said that is clear, and said what is not clear is that they are making recommendations to the PCMT. She said she does not know who is on the PCMT. She said on page 3; number 5; "dissolution" does not discuss dissolution at all and it's unclear what this section is referring to. S. Puckett said she seconds A. Stevens' comment.
- P. Marchand said they added language to clarify SJAFCA will always consult with the Advisory Committee on every decision because this was outlined in the MOU. She said it was very difficult to indicate this in the graphic, but it is clear in the text. She said the PCMT will review and revise the Decision Recommendation Framework to ensure it is clear SJAFCA will consult with the Advisory Committee on every decision. She said there is also a separate avenue for the Advisory Committee to consult the PCMT. She said the PCMT will discuss the section on dissolution and determine how to revise the section (ACTION). J. Herrick said A. Stevens is correct, the section on dissolution does not discuss dissolution. A. Stevens said she wasn't sure what or who the dissolution process described. P. Marchand said it appears this section was deleted. G. Prasad said the dissolution section originally discussed dissolution of the Advisory Committee's role terminating after the feasibility study, and it's been revised so much that it doesn't make sense anymore.
- J. Herrick said this item was not an action item.

Feasibility Study Update

- M. Weymiller said they are still going through the scoping phase and determining what information they already have for the Feasibility Study. She said they identified the study area, the goals and objectives, and the team has been working on identifying the Baseline Conditions and the Future Without Project Conditions. She said that entails understanding what other projects are concurrently happening in the study area. She said the team conducted a site visit, and they are working on initial hydrology and hydraulics modeling, including the sediment modeling. She said they are working on getting a Technical Review Panel on contract, who will review the modeling. She said they are working on the draft Problems and Opportunities Statement, which will come to the Advisory Committee and the Future Project Without Conditions to review in December. She said the RD's are interested in meeting with the Feasibility Study team, so they are planning a virtual meeting for the engineers to discuss the Project. She asked if anyone had any questions.
- J. Herrick asked if there were questions from the audience. No questions. He asked if anyone online had questions or comments. No questions.

SJAFCA Update

- G. Prasad said on 9/19, an item was taken to the SJAFCA Board which authorized the Executive Director to make all policy level or technical level decisions on the Project, to streamline the process and the relationship between SJAFCA and the Board. He said they followed the process which is on the right side of the Decision Recommendation Framework graphic from Figure 2: Recommendation Process. He said items also included approval of the name of the Project and approval of the Decision Recommendation Framework, which the Board reviewed and approved. He said they have a resolution on file where the Executive Director was delegated authority of approval for policy level decisions and documents on the feasibility study. The Board requested SJAFCA staff provide regular updates on actions taken by the Advisory Committee and decisions made by the SJAFCA Executive Director as he exercises his delegated authority. SJAFCA staff will continue to update the Board on actions taken by the Advisory Committee and the Executive Director to ensure transparency

(ACTION).

- G. Prasad said while the Executive Director has the authority to exercise changes, he will not always exercise this authority, and they expect to bring important deliverables, such as the Draft Recommendations and the Formulations of Alternatives, to the Board for approval. He said items such as the changes discussed regarding the Decision Recommendation Framework could be completed by the Chair and the Executive Director.
- G. Prasad asked if there were any questions. A. Stevens asked him to clarify the policy-level and technical decisions the resolution is meant to encompass. G. Prasad said the policy-level decisions include the hydrologic decisions; whether they will use a 200-year flow, ensure they are consistent with the Central Valley Flood Protection Plan, etc. He said these are decisions that SJAFCA Board has already made for other Projects, so the Executive Director can utilize his delegated authority to make those kinds of approvals if such recommendations are made by the Advisory Committee. A. Stevens asked if the SJAFCA Board delegated authority for the Executive Director to approve the Feasibility Study itself or just the underlying studies that will be integrated into the Feasibility Study. G. Prasad said the Draft Feasibility Study and the Final Feasibility Study is going to be approved by the SJAFCA Board. He said the essential documents will be brought to the Board for approval. Consero will ensure the Advisory Committee agendas include actions to recommend approval to the SJAFCA Board of Directors for appropriate deliverables (the Draft Feasibility Study and the Feasibility Study) (ACTION).
- G. Prasad said on 9/9/24, the Project team did a site visit for the Project with the Consultant Team, including Wood Rodgers, HDR, and various subconsultants. He said he did not attend, but the objective was to get boots on the ground to understand the frequent seasonal changes in sedimentation and other technical aspects. He said the Consultant Team left with a good idea of the technical challenges they would encounter and recognition of dredging and sedimentation issues in the South Delta. He said the other finding was technical constraints with the railroad and local landowners, but they are still reviewing findings in the PCMT, and do not have any updates prepared at this time. He said their findings will be presented in the next Advisory Committee (ACTION).
- J. Herrick thanked B. Pombo for helping them around the property. He said the visit raised important questions among the Consultant Team.
- B. Pombo said it seems like there may be an insurmountable challenge re the railroad, and that it may not be possible to install a larger bridge or crossing. He said he sees this as a “project-killer” in his opinion. He said the question of how to get more flow under the railroad needs to be addressed. He said 97 broke on the I-5 side on 1/7/24 and then later broke on the Manteca side. J. Herrick said that is certainly an issue and said they will have small group meetings with specific consultants and landowners to identify what is possible (ACTION). M. Weymiller said the technical team is tracking the railroad concerns and they are exploring different technical options, and they will look at what cost will be there for the minimum viable project. S. Dell’Osso asked which railroad bridge they are talking about. J. Herrick said it’s the railroad bridge on the Brown Sand side. J. Herrick asked if there were any other comments from the Board. No comment. He asked if there were public comments. No comment.

DWR and Central Valley Flood Protection Board Update

- J. Esparza said he does not have any major updates. He said he is working with M. Weymiller and the Tribal Affairs Office at DWR to coordinate Tribal Engagement.
- A. Buckley said she does not have any pertinent updates. She said they are continuing to advocate for financial resources on behalf of flood projects such as this one. She said they are hopeful for outcomes and allocations from the upcoming Climate Action Bond.

Advisory Committee Member Comments

- J. Herrick asked if there were any comments from the Advisory Committee. No comments.

Public Comments

- J. Herrick asked if there were any public comments.
- J. Hernandez said he is from the water district in Le Grand, California. He thanked the Advisory

Committee for being open to public attendance and said it has been a great opportunity for education about how the Project is organized. He said they have similar Projects in his area and he is interested in learning from the meeting.

- P. Marchand will contact J. Hernandez and offer to answer any questions he has (ACTION).
- J. Herrick asked if there were any public comments online. No additional comments.

Adjournment

- J. Herrick adjourned the meeting and thanked everyone for moving the Project forward.