

# NORTH DELTA WATER AGENCY

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Melinda Terry, Manager

## Board of Directors

Henry N. Kuechler, Chairman      Neil Hamilton, Vice-Chairman      Kenneth A. Ruzich, Secretary/Treasurer  
Steve Mello, Director      Carel van Löben Sels, Director

## Board of Directors Meeting

14120 Grand Ave, Walnut Grove, CA 95690

Wednesday, December 11, 2013

9:30 a.m.

**\*\*\* Note: Action may be taken on any item listed on this agenda \*\*\***

### 1. Call to Order & Introductions

*Chair Henry Kuechler*

### 2. Approval of the Minutes of the October 2, 2013 Board Meeting

*Chair Henry Kuechler*

### 3. Legal Report

*Kevin O'Brien, Attorney*

- A. DWR Agreements - Provide update on DWR's pending approval of revised water quality MOU and Assessment Agreement – **ACTION:** Consider Agency's next course of action
- B. BDCP Review/Comments – Discuss options regarding the timeline, legal options, work products, and proposed budget for Agency's legal counsel to coordinate review and comments for BDCP Draft EIR/EIS – **ACTION:** *See potential action items under Agenda Item 6B below*
- C. BDCP Contract Solutions – Discuss strategy for engaging DWR in detailed discussions of BDCP adverse impacts anticipated in EIR/EIS that would potentially violate the Contract and methods/process for designing solutions to address those impacts pursuant to the Contract – **ACTION:** *See potential action items under Agenda Item 6B below*

### 4. Engineer's Report

*Gary Kienten, MBK Engineers*

- A. Contract Water Quality - Distribute and discuss Bi-monthly Water Quality Report
- B. BDCP Modeling - Provide update and discuss recent activities and results related to the development of modified CalSIM model to accurately evaluate BDCP water ops impacts
  - **ACTION:** Provide summary of initial results from revised CalSIM model runs and consider options for sharing and utilizing new results
  - **ACTION:** Approve additional modeling work and costs to evaluate water quality and surface water elevations and flow volumes/patterns related to Contract provisions
- C. BDCP Review/Comments – Discuss options regarding the timeline, engineering work products, and proposed budget for Agency's consulting engineers to coordinate review and prepare comments on BDCP Draft EIR/EIS – **ACTION:** *See potential action items under Agenda Item 6B below*

## 5. **Manager's Report**

*Melinda Terry, Manager*

- A. Meetings - Provide update on meetings attended
- D. Manager Presentations - Provide update regarding recent presentations by Manager –  
**ACTION:** *See potential actions under Agenda Item 6B below*
- B. Correspondence Sent/Received – Discuss items that may require additional Agency action
  - Invites - BDCP press event – **ACTION:** *See potential actions under Agenda Item 6B*
  - Correspondence – SWRCB and CDWA follow-up letters on 2013 water year classification and Notices on Delta Plan lawsuits and SWRCB's development of Central Valley Salt and Nitrate Management Plan – **ACTION:** Consider staff recommendations regarding Agency follow-up meetings or correspondence

## 6. **Updates on Delta Activities**

*Melinda Terry, Manager*

- A. Habitat Projects - BiOps/RPA/BDCP Near-Term Habitat Projects in North Delta region - Discuss recent and future activities that may require additional Agency action
  - Yolo Bypass - Update on status of Agency's participation as NEPA Cooperating Agency for *Yolo Bypass Habitat Restoration EIR/EIS* (Attached) – Consider any further Agency action necessary to gain NEPA Cooperating Agency status
  - Delta Restoration Network (DRN) - Consider actions for Agency to take on pending habitat projects and activities, and whether Agency to pursue participation in Network
  - Proposed RPA Projects - Consider approving authorization of consultants to review and prepare comments on BiOps/RPA habitat projects proposed in the North Delta for potential impacts related to the Contract
- B. Bay Delta Conservation Plan (BDCP) - Discuss recent and future activities associated with BDCP that may require additional action
  - December 13, 2013 – release date for Public Draft EIR/EIS, 120-day comment period
  - **ACTION:** Consider approval of options for issues/topics/chapters the Agency should focus EIR/EIS comments
  - **ACTION:** Consider approval of options for public outreach and dialogue with North Delta landowners regarding commenting on EIR/EIS
  - **ACTION:** Consider approval of legal, engineering, and other consulting activities associated with the review and development of BDCP comments
  - **ACTION:** Consider topics and process to engage DWR in detailed discussion regarding solutions to potential Contract violations anticipated pursuant to EIR/EIS
- C. Delta Conservancy – Provide update on Conservancy's recent and future activities that may require additional Agency action
  - Delta Restoration Network activities and habitat projects – **ACTION:** *See potential action item under Agenda Item 6A above*
- D. Delta Protection Commission (DPC)
  - New North Delta RD representative to serve on DPC selected pursuant to PRC§29735(c) – Justin van Loben Sels
- E. SWRCB
  - Report on meeting with SWRCB staff on their BDCP Admin Draft comments
  - Consider need for Agency actions on Delta Watermaster's recent activities and reports
  - Consider need for Agency actions on recent SWRCB and CDWA letters on D-1641 water year reclassification
- F. CA Water Commission

G. Delta Tours

- Report on WEF Delta tour – San Joaquin River Restoration Agreement

H. Delta Stewardship Council (DSC) – Provide and update on Delta Plan implementation activities that may require additional Agency action

- Report on joint meeting with Independent Science Board
- Delta Plan implementation strategy and process

I. CA Water Plan

- Delta Regional Chapter and public workshops

J. Legislative Hearings/Legislation

- Water Bond

**7. Announcements**

A. Feb 5, 2014 – NDWA Board Meeting

B. April 14, 2014 – Deadline to submit public comments on BDCP EIR/EIS

**8. Public Comment**

**9. Adjournment**

"Any documents related to agenda items that are made available to the board before the meeting shall be available for review by the public at 910 K Street, Suite 310, Sacramento CA 95814."