

# NORTH DELTA WATER AGENCY

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## Board of Directors

Steve Mello, Chairman      Topper van Löben Sels, Vice-Chairman      Tom Hester, Secretary/Treasurer  
Jack Kuechler, Director      Ken Jameson, Director

## Board of Directors Meeting 14120 Grand Ave, Walnut Grove, CA Wednesday, February 3, 2016 - 9:30 a.m.

### 1. Call to Order & Introductions

*Steve Mello, Chair*

### 2. Approval of the January 6, 2016 Board Meeting Minutes

*Steve Mello, Chair*

### 3. Financial Reports

*Cindy Tiffany, Assistant Manager*

- A. Financial Statements
- B. Update on Assessment Collections – Sending Delinquent Notices

### 4. Manager Report

*Melinda Terry, Manager*

- A. Report on the January 26, 2016 Special Board Meeting.
- B. Administrative Issues – Discuss scheduling monthly NDWA board meetings; Review Fair Political Practices economic disclosure requirements and filing deadline for public agency officers.
- C. Correspondence & Communication – Update on NDWA letter requesting reimbursement from DWR for legal/engineering expenses associated with working on 2014-15 drought actions; other incoming/outgoing items.

### 5. Ad-Hoc Committee Reports

- A. Groundwater Ad-Hoc Committee – Update on process and costs associated with NDWA filing to form a Groundwater Sustainability Agency under the new Sustainable Groundwater Management Act (SGMA), and on the status of the Solano groundwater basin process, stakeholder interviews, and MOU; Consider approving committee recommendations.
- B. Editorial Ad-Hoc Committee – Discuss and consider approval of revised draft of an opinion editorial on the history, purpose, Agency, Contract, and expectations for future compliance.

### 6. Delta and Drought Report

*Melinda Terry, Manager*

- A. Delta Watermaster – Discuss acceptable water diversion measuring devices and other elements of new regulations.
- B. SWRCB – Review resolution on human right to water and proposed program; Provide updates on Curtailments, DWR's 2016 Drought Contingency Plan, TUCPs, Bay-Delta Water Quality Plan, BDCP/WaterFix 401 permit, and other actions,
- C. CA WaterFix – Status update, including recently released Biological Assessment and construction Agreement between DWR and water contractor Joint Power Authority.
- D. Habitat and Drought Projects – Update on 2016 Delta Drought Barriers project.

- E. Delta Conservancy - Update on programs, projects, and activities.
- F. Delta Protection Commission (DPC) – Panel of regulatory agencies considering WaterFix permits scheduled in March.
- G. Delta Stewardship Council (DSC) – Review Delta Plan policy on single-year water transfers and proposed integration of CA WaterFix project into Delta Plan.

## **7. Legal Report**

*Kevin O'Brien, Attorney*

- A. BDCP/WaterFix Water Rights Change Petition – Update on Agency protest, including the SWRCB's pre-hearing and letters submitted by NDWA and other parties on process.
- B. DWR's Special Contract Claims Procedure – Update on supplemental agreement to DWR's Special Claims Process for water quality damage occurring after August 15, 2015.

## **8. Engineer Report**

*Gary Kienlen, Engineer*

- A. Water Quality – Update on water quality conditions within NDWA.
- B. WaterFix – Update on water quality modeling for NDWA's protest of change petition.

## **9. Public Comment**

## **10. CLOSED SESSION (One Item)**

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to the authority of Government Code section 54956.9, the Board will meet in Closed Session to discuss one case: State Water Resources Control Board adjudicatory proceeding regarding Petition for Changes in Water Rights of the Department of Water Resources and U.S. Bureau of Reclamation for the California Water Fix Project.

## **11. Closed Session Report**

*Steve Mello, Chair*

- A. Reconvene Open Session and provide summary of any action taken by the Board on item discussed with legal counsel in Closed Session.

## **12. Announcements**

- A. March 1 – Protest testimony and evidence due at 12:00 p.m. on WaterFix change petition.
- B. March 17 – Delta Protection Committee meeting: WaterFix Construction Agreement.
- C. April 6 – NDWA Board meeting, 14120 Grand Ave., Walnut Grove, 9:30 a.m.

## **13. Adjournment**

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

**\*\*\* Actions may be taken on any item listed on this agenda \*\*\***