

Minutes of Wednesday, December 2, 2020
North Delta Water Agency Board of Directors Meeting
Remote Meeting Held via Teleconference

Call to Order

Chairman Mello called the board of directors meeting to order at 9:35 a.m. on Wednesday, December 2, 2020. A quorum was determined at that time. Those present:

Directors

Steve Mello, Division 1
Justin van Loben Sels, Division 2
Jack Kuechler, Division 3
Mark van Loben Sels, Division 4
Tom Slater, Division 5

Staff

Melinda Terry, Manager
Cindy Tiffany, Assistant Manager
Kevin O'Brien, Downey Brand
Gary Kienlen, MBK Engineers
Anne Williams, MBK Engineers

Others

Scott Shapiro, Downey Brand
Eric Nagy
Bryan Busch
Dawn Edwards
Michael George
Tara Beltran
Lindsay Kammeir
Mark Young
Erik Vink
Osha Meserve

Information Briefing

Scott Shapiro from Downey Brand, representing council for JPA Little Egbert Tract project, introduced Eric Nagy to provide a briefing on the status of planning efforts. His PowerPoint presentation provided information on the project history, current design concept, and plan for moving forward. Questions from the Board included inquires on effects on water quality, seepage on Ryer Island, properties adjacent to Route 84, and to local gravity diversion intakes related to changes in tidal stages and water surface elevations. Eric stated that they are still very early in the modeling. In terms of flood reduction, he said if Little Egbert doesn't breach the stage of reduction is not high, but when it does breach there is a period of time that it drastically reduces. Director Kuechler stated that historically that break only reduces the river stages for about 24 hours, so how would this new design change anything. Eric suggested that Misty Kaltreider of Solano County speak at our next meeting in regards to the lower Sacramento north delta region project alternative they are looking at. Scott also offered to give tours if there is an interest. It was also asked what the expected maintenance is and cost associated with this maintenance. Eric said ongoing maintenance of the project is something they are currently investigating.

Approval of the Minutes

No additions or corrections were made to the October 7, 2020 Board Meeting, the October 27, 2020 Special Board Meeting, or the November 10, 2020 Special Board Meeting minutes.

MOTION by Director Slater to approve the October 7th, October 27th, and the November 10th, 2020 minutes as presented. Seconded by Director Mello and unanimously approved by a roll call vote. (AYES: Mello, Kuechler, J. van Loben Sels, and Slater, ABSENT: M. van Loben Sels)

Financial Report

Cindy Tiffany reported on the current financials and answered questions regarding transactions.

MOTION by Director Kuechler to accept the financials as presented. Seconded by Director Slater and unanimously approved by a roll call vote. (AYES: Mello, Kuechler, J. van Loben Sels, and Slater.

ABSENT: M. van Loben Sels)

Cindy advised the board of her research into banking institutions and recommended the Agency change its banking accounts from F&M Bank to First Northern Bank. Resolution 2020-02 was presented to the board for approval. This resolution authorizes establishing an account with First Northern Bank and transferring all funds thereto from F&M Bank. Signatories on the First Northern account will be: Melinda Terry (Manager), Steve Mello (Board Chairman), and Thomas Slater (Board Secretary/Treasurer).

MOTION by Director Kuechler to approve Bank Resolution 2020-02 authorizing establishment of an account with First Northern Bank for deposit of NDWA funds. Seconded by Director Slater and unanimously approved by a roll call vote. (AYES: Mello, Kuechler, J. van Loben Sels, M. van Loben Sels, and Slater)

Engineering Report

Anne Williams reported that salinity levels are currently well within the Contract criteria at all monitoring locations. MBK has resumed meetings with DWR Operations staff and will continue through next year.

Legal Report

Water Quality Control Plan Update

Kevin O'Brien reported that there is currently not a lot moving forward on the Delta Water Quality Plan Update, but there may be movement once the Biden Administration starts, including resurrection of the voluntary agreement discussions. Michael George reported that Water Board staff are moving forward with working on the plan update and have been directed to deliver a plan by February 1, 2021. Meanwhile, there is litigation challenging the San Joaquin portion of the update as well as discussions on voluntary agreement for the Tuolumne River. He agreed that voluntary agreement discussions will not likely start up again until 2021.

Kevin reported that Jeff Kightlinger and Roger Patterson who are the General Manager and Assistant General Manager of Metropolitan Water District of Southern California are retiring at the end of 2020.

Manager Report

Correspondence

Melinda Terry reported that the Agency received a letter from DWR related to the department's internal audit of our payments under the 1981 Contract performed earlier this year, which she is reviewing with Kevin and Gary. She is also working on the final edits for a letter to the U.S. Army Corp of Engineers requesting to be approved as a cooperating agency for the development of an Environmental Impact Statement on the Delta Conveyance Project. She acknowledged the Agency's request may not be approved based on the recent denial by the Corps of the same request by the Delta Protection Commission.

Delta Activities Report

SWRCB/Delta Water Master

Michael George noted that the Delta Alternative Compliance Work Group is still working on SB88 alternative compliance for water measurement devices. They are currently working on developing a software app that will bridge Open ET with the required reporting. On annual water use reports, his office is also working on improving their system to reduce the amount of duplicate reporting and will be doing outreach in the Delta to discuss options for improving accuracy of reporting by the next time reports are due. He announced he has also

developed legislation to refine the water use reporting laws based on issues identified since implementation. The proposal is currently be reviewed by CalEPA and then the Department of Finance. If approved by the Administration, he will then seek an author to introduce in 2021.

Delta Protection Commission

Erik Vink reported that he briefed the Commission in regards concerns that locals have about Prop 1E money intended for Delta levees being used by DWR to fund habitat projects. Although the Commission did not approve the letter he proposed, per their direction he will work with DWR on this issue. He confirmed that the Corps denied their request to serve as a cooperating agency on the DCP, but held out hope that their request may be reconsidered under the new Biden administration. He also noted that Solano County Supervisor Skip Thompson did not run for re-election so Solano will be represented on the Commission by another Supervisor in 2021.

Delta Stewardship Council

Michael George reported that the DSC has started the process of developing a new Delta Levee Investment Strategy. They have a working group on the vulnerability of the Delta and said it is an effort worth getting involved in.

Public Comment

There was no public comment.

Adjournment

Chairman Mello adjourned the meeting at 11:53 a.m.

Respectfully submitted by Cindy Tiffany, Assistant Manager