

North Delta Water Agency
Board of Directors Meeting
14120 Grand Ave, Walnut Grove, CA 95690
Wednesday, January 13, 2010 at 9:30 a.m.

Minutes

Call to Order

Chair Henry Kuechler called the regularly scheduled meeting to order at 9:30 a.m. on Wednesday, January 13, 2010. A quorum was determined at that time. Those present:

Directors

Neil Hamilton, Division 5
Henry Kuechler, Division 3
Steve Mello, Division 1
Ken Ruzich, Division 4
Carel van Loben Sels, Division 2

Others

Mark Wilson, RD 999
Meda Bennefield, Maine Prairie WD
Steve Barsoom, RD 999
Steve Heringer, RD 999
Bob Webber, RD 999
Robert Abercrombie
Brett Baker

Staff

Gary Kienlen, MBK Engineers
Sara Harper, MBK Engineers
Kevin O'Brien, Downey Brand
Margaret Sorensen
Melinda Terry

Approval of the Minutes

Motion and second to approve the amended minutes of the December 16, 2009 Board of Directors meeting. Motion unanimously approved.

Financial Reports

Motion and second to approve the financial reports as presented. Motion unanimously approved.

Prop 218 Process

Gary Kienlen, MBK Engineers, reported that the commissioners are still waiting for additional parcel information from Yolo County. Although the Board discussed the next steps in the process, no definite timeline can be determined until the additional information is received, allowing the Engineer's Report to be completed. The Board discussed the draft budget requirements for the agency. The Board shared concern about accurately predicting future expenses so that another Prop 218 election would not be necessary. Attorney Kevin O'Brien will research the Board's ability to have specific assessment levels that increase at specific time periods for the Agency. The Board reviewed the contact list for Reclamation Districts within the Agency. Directors can begin making contact with each reclamation district in his division to explain the contract and the reason for the proposed increase in assessments. Any changes or updates to the contact list can be turned into Margaret Sorensen at the office.

BDCP

The BDCP Steering Committee starting meeting every week in order to try and meet its January 27th deadline for decisions on several issues, including proposed water operation criteria. Walter Bourez, MBK Engineers, has been working on reviewing the modeling, but still needs more details on the model being used. He will continue to try to get the modeling information necessary for him to provide his professional judgment on BDCP mini-effects modeling results to the NDWA board. On January 20th, there will be a public meeting on the modeling, but it is unlikely that the information necessary to make decisions on the 27th will be distributed. Melinda predicts that many members of the Steering Committee will be uncomfortable in approving proposed operational criteria without the information the NDWA and others have requested from the mini-effects modeling analysis.

State Water Resources Control Board

Kevin O'Brien explained that the Legislature has directed the SWRCB to develop Delta flow criteria necessary to protect public trust resources by August 2010. A public workshop was held last week on the procedural aspects of conducting future public hearings on the issue. Downey Brand submitted comments on behalf of several clients and included NDWA in those comments. Included in the comments was the request to include other aspects of public trust (navigation, economics, etc), not just fish and wildlife and to limit their work to developing flow "criteria" called for in the legislation, rather than numeric targets. Downey Brand will continue to participate in the process on behalf of other clients. Kevin asked if NDWA wanted to be included in the efforts at a shared/prorated cost.

Motion and second to authorize Downey Brand to represent NDWA regarding the Delta Flow Criteria issue. Motion unanimously approved.

Legislation

The Board received a legislative report prepared by Joe Schofield, Downey Brand. The Board will discuss the report at the February Board meeting.

Report on Delta Activities

The Agency submitted comments on the Interim Federal Action Plan for the Delta regarding the need for more local input but the comments were not incorporated into the final plan recently released.

Restore the Delta has indicated that it will become more active in the BDCP process.

The next DPC meeting is scheduled for January 28 and will include a presentation by Contra Costa Water District engineer Greg Gartrell on historical salinity levels in the Delta and the board will vote on approval of the updated land management plan.

Engineer's Report

Gary Kienlen distributed water quality charts and reported that water quality is currently within the contract's criteria.

Manager's Report

Melinda stated that she had been asked to be a panelist for delta water issues at the Colusa County Farm Show on February 3, which conflicts with the next NDWA Board meeting. The Board moved its next meeting to Tuesday, February 2, 2010 in order to allow Melinda to participate at the Farm Show.

Other Items

Steve Mello said that there may be additional funding available for the North Delta Improvement Project and is hoping that work will soon start.

Topper van Loben Sels shared that his levee would likely be decertified by April 2011.

Public Comment

Steve Heringer reported that the Department of the Interior announced that there is not enough science to support the 2-Gates project.

Steve Heringer commended Melinda on the great job she did representing Delta interests at the ACWA conference in December.

Adjournment

The meeting was adjourned at 11:30 p.m. on Wednesday, January 13, 2010.

Respectfully Submitted,
Margaret Sorensen, Administrative Assistant