



Board of Directors Meeting
Wednesday, October 7, 2020
9:30 a.m.

Remote Meeting Held Via Teleconferencing

Pursuant to State of California Executive Orders N-25-20 and N-29-20, members of the North Delta Water Agency (NDWA) Board of Directors (Board) and members of the public will participate remotely in this meeting electronically by teleconference, as described below. The Board may utilize different call-in information for any Closed Session items.

The remote Teleconference information for the Board and members of the public for this board meeting is as follows:

Web Meeting

<https://zoom.us/j/91095135387?pwd=bEF6RlhYU6YjZlM2RzbDB2a1V5QT09>

Meeting ID: 910 9513 5387

Passcode: 063811

Call in Numbers (Audio Only)

833 548 0282 US Toll-free

877 853 5257 US Toll-free

888 475 4499 US Toll-free

833 548 0276 US Toll-free

Meeting ID: 910 9513 5387

Passcode: 063811

Any member of the public on the telephone may speak during the Public Comment Period, Agenda Item #11, or may email public comments to cindy@northdeltawater.net and all comments will be read aloud during the meeting. During this period of modified Brown Act compliance, NDWA will use its best efforts to swiftly resolve requests for reasonable modifications or accommodations for individuals with disabilities, consistent with the Americans with Disabilities Act, and will resolve any doubt whatsoever in favor of accessibility.

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

1. Call to Order

Steve Mello, Chairman

2. Closed Session

- A. CONFERENCE WITH LEGAL COUNSEL: EXISTING AND ANTICIPATED LITIGATION (five items)
 - i. Litigation regarding Coordinated Operations Agreement (COA) Amendments pursuant to Gov. Code 54956.9(d)(1);
 - ii. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (four items).

3. Closed Session Report

Steve Mello, Chairman

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

4. Approval of Minutes

Steve Mello, Chairman

- A. ACTION: Approve August 5, 2020 Board Meeting Minutes.
- B. ACTION: Approve September 21, 2020 Special Board Meeting Minutes.

5. Financial Report

Cindy Tiffany, Assistant Manager

- A. Review Financial Statements.
- B. Update on banking and employee health care plan options.

6. Informational Briefing

Osha Meserve, Soluri Meserve Law Corp.

- A. Presentation on DWR Geotech drilling for Delta Conveyance Project.

7. Engineer Report

Gary Kienlen, MBK Engineers

- A. Water Quality Update.

8. Legal Report

Kevin O'Brien, Downey Brand

- A. Delta Water Quality Control Plan Update.

9. Manager Report

Melinda Terry, Manager

- A. Report on meetings, presentations, and correspondence – SWRCB letters announcing determination regarding whether water right permit is necessary for Fremont Weir modification project; SJ Valley Water Blueprint; Response from DWR on EIR for SWP Contracts; and other matters.

- B. ACTION: Approve sending letter to U.S. Army Corps of Engineers requesting Cooperating Agency status for development of EIS for the Delta Conveyance Project.

10. Delta Activities Report

Melinda Terry, Manager

- A. Water Supply/Quality – Updates on Delta Conveyance Project, Interim Conditional Approval of JPOD Diversion Plan, SWP Contract Amendments, Delta Cross Channel Gate Upgrades Project, drought conditions, and other activities.
- B. SWRCB/Delta Watermaster – Water use reports, OpenET/SB 88 compliance, channel silting work group, and other activities.
- C. Delta Habitat Projects – EcoRestore, FRPA, Cache Slough, and other restoration projects/activities.
- D. Delta Conservancy Activities.
- E. Delta Protection Commission (DPC) Activities – Applications for Delta National Heritage Area Management Plan Advisory Committee, and other activities.
- F. Delta Stewardship Council (DSC) Activities – DPC Recusal, Climate Variability work group, and other activities.

11. Announcements

- A. October 20 – Deadline to comment on USACE discharge & fill permit for DPC
- B. October 20 – Deadline to submit NEPA scoping comments on DPC
- C. October 22 – Delta Stewardship Council meeting, 9:00 am
- D. October 28 – Deadline to submit application to DPC for NHA Advisory Committee
- E. November 19 – Delta Protection Commission board meeting, 5:30 pm
- F. November 19 – Delta Stewardship Council meeting, 9:00 am
- G. December 2 – North Delta Water Agency Board Meeting, 9:30 am

12. Public Comment

13. Adjournment