



## Board of Directors Meeting

14120 Grand Ave, Walnut Grove  
Wednesday, August 1, 2018  
9:30 a.m.

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

**1. Call to Order and Introductions**

*Steve Mello, Chairman*

**2. CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL: EXISTING AND ANTICIPATED LITIGATION (five items)**

Pursuant to Government Code section 54956.9, the Board will meet in Closed Session with legal counsel to discuss the following five items:

- i. 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 WaterFix Project (Gov. Code 54956.9(d)(1)).
- ii. Anticipated Litigation regarding recovery of delinquent assessments, penalties, and interest against California Department of Fish and Wildlife and the California Wildlife Conservation Board (Government Code section 54956.9(d)(4)). (Two potential cases.)
- iii. Litigation regarding WaterFix 2081 ESA permit. (Gov. Code 54956.9(d)(1)).
- iv. Litigation regarding WaterFix Environmental Impact Report under CEQA. (Gov. Code 54956.9(d)(1)).

**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 June 6, 2018 Board Meeting Minutes

**5. Financial Report**

*Cindy Tiffany, Assistant Manager*

- A. Receive Fiscal Reports – Quarterly and End-of-Year for FY 2017-18
- B. Delinquent Assessments – Dept. of Parks and Recreation waiver request

**6. Engineer Report**

*Anne Williams, Engineer*

- A. Water Quality Update
- B. Operations Coordination with DWR

**7. Legal Report**

*Kevin O'Brien, Attorney*

- A. Update on WaterFix legal proceedings – Resumption of change of diversion petition hearings for rebuttal, CEQA and 2081 permit lawsuits
- B. WaterFix Supplemental EIR – ACTION: Consider submitting NDWA comment letter
- C. State Claim – NDWA filed claim against CDFW and Wildlife Conservation Board
- D. Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project – NDWA sent letter to SWRCB regarding DWR needing to file a diversion change petition
- E. Delta Water Quality Control Plan Update – Final SJ River Amendments released with Sacramento River Framework document. ACTION: NDWA comment letter regarding changes in salinity standards in SJR Amendments

**8. Manager Report**

*Melinda Terry, Manager*

- A. Division 2 Vacancy – Resignation of Director van Loben Sels has initiated appointment process. ACTION: Schedule Special Board Meeting on August 22<sup>nd</sup> to appoint new Division 2 Director
- B. Report on meetings, presentations, and correspondence – Distribute and summarize items in June and July 2018 Manager's Reports

**9. Legislative Report**

*Melinda Terry, Manager*

- A. Federal Appropriations Bill – Secretary Laird letter opposing rider language proposing to exempt the WaterFix project from judicial review (lawsuits) and amendment to delete rider proposed by Congressmen Garamendi and McNerney

**10. Water Rights Presentation**

*Michael George, Delta Watermaster*

- A. December 2017 Water Rights Memorandum - Delta Watermaster will summarize recently released legal analysis regarding overlapping senior water rights in the Delta

**11. Delta Activities Report***Melinda Terry, Manager*

- A. SWRCB/Delta Watermaster – Updates on water measurement and diversion report requirements and enforcement, consumptive use study, and other ongoing activities
- B. WaterFix Project Updates – Notice of Preparation of EIR for SWP Water Supply Contract Amendments released. ACTION: Consider submitting comment letter
- C. Delta Habitat – Franks Tract Feasibility Study, Central Delta Corridor Strategy, Staten Island and McCormack fee title transfer, North Delta Improvement Program restoration projects. ACTION: Consider submitting comment letters
- D. Delta Conservancy Activities – Two-day charrette on designing Central Delta Conservation Restoration Projects, August 8<sup>th</sup> and 9<sup>th</sup>
- E. Delta Protection Commission (DPC) Activities – Discuss MOU between DWR and DPC on McCormack land transfer. ACTION: Nominate Alex Wilson for 2019 DPC Leadership Program
- F. Delta Stewardship Council (DSC) Activities – Feasibility Study for Franks Tract released and Certification of Consistency submitted by DWR for WaterFix project and Rush Ranch Tidal Restoration by Solano County

**12. Public Comment****13. Announcements**

- A. Aug 2 - WaterFix petition hearings resume with rebuttal testimony
- B. Aug 2 - EIR Scoping Mtg, SWP Contract Amdts, 1416-9<sup>th</sup> St, Auditorium, 11:00 am
- C. Aug 8 - Central Delta Corridor design meeting, Jean Harvie Ctr, 9:00 am-4:00 pm
- D. Aug 9 - Central Delta Corridor design meeting, Jean Harvie Center, 1:00-4:00 pm
- E. Aug 21 - Public mtg on SJ River Final SED, 1001-I St, 2<sup>nd</sup> floor, 9:30 am
- F. Aug 22 – NDWA Special Board Mtg, Div. 2 Appointment, Hastings Island, 9:00 am
- G. Aug 22 - NDWA workshop for RDs, FPPC training, Hastings Isl., 10:00 am–3:00 pm
- H. Aug 23 – DSC Mtg, 980-9<sup>th</sup> St, 2<sup>nd</sup> Floor, Sacramento, 9:00 am
- I. Sept 20 – DPC mtg, 425 N. El Dorado St., Stockton, 5:30-7:30 pm
- J. Sept 27 - DSC Mtg, 980-9<sup>th</sup> St, 2<sup>nd</sup> Floor, Sacramento, 9:00 am
- K. Oct 1 - NDWA Board Mtg, 14120 Grand Ave, Walnut Grove, 9:30 am

**14. Adjournment**