



Board of Directors Meeting

Wednesday, February 1, 2023, 9:30 a.m.

Meeting Held Via Teleconferencing and In-Person at
3050 Beacon Blvd., West Sacramento, CA – Suite #203

Consistent with AB 361, this meeting will be conducted by teleconference. The public may attend the meeting remotely and offer public comments by Zoom or by telephone, using the call-in information provided below. The Board may utilize different call-in information for any Closed Session items. The call-in information for the Board and members of the public for this board meeting is as follows:

Web Meeting:

<https://us06web.zoom.us/j/81678696854?pwd=dXNuM2dZaHFkTzUrRittZHFLly9WZz09>

Meeting ID: 816 7869 6854

Passcode: 961355

Dial in Only:

877 853 5257 US Toll-free

888 475 4499 US Toll-free

833 548 0276 US Toll-free

833 548 0282 US Toll-free

Meeting ID: 816 7869 6854

Passcode: 961355

Any member of the public on the telephone may speak during the Public Comment Period, Agenda Item #14, 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.

AGENDA

***** 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: ANTICIPATED LITIGATION

Board will meet in Closed Session with legal counsel to discuss the following items:

- i. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (two potential cases).

3. Closed Session Report

Steve Mello, Chairman

- A. Reconvene Open Session and provide summary of any action taken by the Board.

4. Approval of Minutes

Steve Mello, Chairman

- A. ACTION: Approve December 7, 2022 Board Meeting Minutes.

5. Approval of Remote Meeting Resolution

Steve Mello, Chairman

- A. ACTION: Adopt Resolution Authorizing Extension of Remote Board Meetings.

6. Appointment of Officers

Melinda Terry, Manager

- A. ACTION: Election of Chairman and Vice-Chairman.
- B. ACTION: Appointment of Treasurer.

7. Financial Report

Cindy Tiffany, Assistant Manager

- A. Present Financial Statements.
- B. CalPERS CEPPT Pension Prefunding Contracting Opportunity

8. Engineer Report

Gary Kienlen, Engineer

- A. Water Quality Update.
- B. Public Comment Period for Scientific Basis Report Supplement in Support of Voluntary Agreements for the Bay-Delta Plan Update.

9. Legal Report*Kevin O'Brien*

- A. Update on Delta Water Quality Control Plan.
- B. End of Brown Act remote meeting modifications.

10. Manager Report*Melinda Terry, Manager*

- A. Report on correspondence, meetings and presentations – Contract Payment, Comment Letters on Delta Conveyance Project EIR and EIS, and Meeting with DWR on Bay-Delta Plan Update and Exceedance of 1981 Contract Salinity Criteria.
- B. ACTION: Consider Approving Resolution Regarding Michael George Service
- C. ACTION: Consider Approving Resolution Regarding Delta Conveyance Project

11. Drought Activities Report

- A. Article 4 Drought Provision (1981 Contract) - Special Claims Procedure Deadline
- B. Drought Barriers – Proposed Installation in North Delta Postponed until June 2023.
- C. Delta Drought Response Pilot Program – Implementation in 2023.
- D. 2022 Temporary Urgency Change Petition (TUCP) – Withdrawn by DWR/USBR.

12. Delta Activities Report*Melinda Terry, Manager*

- A. SWRCB/Delta Watermaster – Updates on Adoption of Emergency Drought Regulations, TUCPs, Curtailment Orders and Certification Enforcement, Water Measurement and Diversion Report Enforcement, and Other Ongoing Activities.
- B. SWP/CVP – SWP Announced Contract Allocations Increased from Zero to 15%.
- C. Delta Conveyance Activities – End of Stakeholder Engagement Committee.
- D. Delta Habitat Activities.
- E. Delta Conservancy Activities – Announced Establishment of Delta Drought Response Pilot Program to Pay Farmers to Reduce Consumptive Use of Water.
- F. Delta Protection Commission (DPC) Activities – Update on National Heritage Area Management Plan Advisory Committee, and other activities.
- G. Delta Stewardship Council (DSC) Activities – Update Delta Adapts Climate Resiliency Technical Work Groups on Agriculture and Flood Control.

13. Announcements

- A. Feb 24/25 - DSC remote meeting, 9:00 am.
- B. March 17 – Delta Protection Commission remote meeting, 5:30 pm.
- C. April 1 – Deadline to apply for compensation under Art. 4 Special Claims Procedure
- D. April 6 - NDWA Board Meeting- in person, 9:30 am.

14. Public Comment**15. Adjournment**