

NORTH DELTA WATER AGENCY

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Melinda Terry, Manager
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Board of Directors

Steve Mello, Chairman Topper van Löben Sels, Vice-Chairman Tom Hester, Secretary/Treasurer
Jack Kuechler, Director Division 4 - Vacant

Board of Directors Meeting
14120 Grand Ave, Walnut Grove, CA
Wednesday, August 5, 2015 - 9:30 a.m.

1. Call to Order & Introductions

Steve Mello, Chair

2. Approval of the July 1, 2015 Board Meeting Minutes

Steve Mello, Chair

3. Appoint Division 4 Director

Chair Steve Mello

- A. Approve Resolution appointing Director to fill vacancy in Division 4
- B. Administer Oath of Office

4. Engineer Report

Gary Kienlen, Engineer

- A. Status of water quality at Contract monitoring locations, including any exceedances of salinity criteria and subsequent operational actions by DWR
- B. Drought Conditions and Activities Update – Report on recent compliance violations of Modified D-1641 salinity standards

5. Legal Report

Kevin O'Brien, Attorney

- A. Drought Agreement – Review and Discuss Claims Process Agreement Proposed by DWR to Comply with Drought Provision 4(b)(iv) of the 1981 Contract
- B. Agency Enforcement of current Modified D-1641 per Drought Provision 4(b)(iii)

6. Manager Report

Melinda Terry, Manager

- A. Administrative Issues – Financial work by consultant and scheduling of biannual audit
- B. Correspondence & Communication – Landowner inquiries about submerged structures affecting flows/water quality and Division of Water Rights inspections of diversions

7. Financial Reports

Melinda Terry, Manager

- A. Review July 2015 and FY 2014-15 End-of-Year Financial Reports
- B. Delinquent Assessment Collection - Update on resolving outstanding balance owed for assessments on State Lands Commission properties

8. Delta Activities Report

Melinda Terry, Manager

- A. Bay Delta Conservation Plan (BDCP) – RDEIR/RDEIS comment period extended to October 30 and briefing on meeting with EcoRestore manager
- B. Habitat Projects – CEQA docs released for Liberty Island project, comments due Aug 11
- C. Delta Conservancy – Adopted joint resolution with CA Coastal Conservancy for increased coordination
- D. Delta Protection Commission (DPC) – NDWA comments provided on Contract and D-1641 violations
- E. Delta Stewardship Council (DSC) – Update on programs, projects, and activities relevant to Contract administration

9. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to the authority of Government Code section 54956.9(d)(4), the Board will meet in Closed Session to consider potential litigation involving the Board (two potential cases): *H-Pond LLC v. North Delta Water Agency* and *Steamboat Acres LLC v. Daniel P. Whaley, North Delta Water Agency, et al.*

10. Closed Session Report

Steve Mello, Chair

- A. Summary of any action taken by the Board in Closed Session.

11. Public Comment

12. Announcements

- A. August 14 – Deadline for NDWA Director Candidates to file election forms
- B. September 1 – NDWA Informational Meeting on Contract history and review of Drought Claims Process proposed by DWR pursuant to Drought Provision 4(b)(iv) of NDWA Contract, Courtland Auditorium, 6:00-8:00 p.m.
- C. September 17 – Delta Protection Commission meeting, Walnut Grove
- D. September 24 – Delta Stewardship Council meeting, location TBD
- E. October 7 – NDWA board meeting

13. Adjournment

"Any documents related to agenda items that are made available to the board before the meeting shall be available for review by the public at 910 K Street, Suite 310, Sacramento CA 95814."

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